

**TOWN OF SULLIVAN
PROPOSED LOCAL LAW NO. B OF 2019**

**A LOCAL LAW TO ENACT A SPECIAL EVENTS LAW
IN THE TOWN OF SULLIVAN**

Be it enacted by the Town of Sullivan Town Board, as follows:

SECTION 1. LEGISLATIVE FINDINGS AND PURPOSE.

The purpose and intent of this Local Law is to establish lawful and appropriate procedures and requirements for conducting limited special events in the Town of Sullivan in order to preserve the health, safety and welfare of the Town, its residents and visitors alike, and to provide penalties for violations of the provisions herein.

The Town Board finds and determines that limited special events held at various times throughout the year and at various venues and locations within the Town of Sullivan enrich and enhance the quality of life of the general public and provide a positive contribution to the cultural, historic, artistic and economic character of the Town. The Town Board also finds that without proper oversight, certain types of special events can be detrimental and negatively impact the peace, quiet, safety and well-being enjoyed by surrounding properties, Town residents and visitors and the general public. Such events, as contemplated herein, will provide and allow for the gathering of a large number of individuals in a concentrated time period and area and will entail the increase of traffic to a site in numbers that may have deleterious impacts if not properly managed. Such gatherings may also lead to the potential for impacts to existing septic and sewage disposal systems presenting consideration to the health of the individuals participating in such events and those surrounding property owners and water courses and resources. These impacts could include noise and light impacts, as well as solid waste handling. The Town Board further finds and determines that a system of organization and review of certain specified special events is a necessary and appropriate method of preserving and protecting the public's health, safety and general welfare, protecting property, maintaining compliance with applicable laws, regulations and codes and maintaining quality of life for all residents and visitors of the Town.

SECTION 2. AUTHORITY.

This Local Law is enacted pursuant to §10 of the Municipal Home Rule Law to promote the public health, safety and general welfare of Town residents through the regulation of special events throughout the Town.

SECTION 3. DEFINITIONS.

As used in this Local Law, the following terms shall have the meaning set forth herein:

Applicant: A person applying for a special event permit pursuant to this Local Law.

Code Enforcement Officer: The Code Enforcement Officer of the Town of Sullivan, Madison County, New York.

Parking Capacity: For the purposes of this Local Law, parking capacity shall be the number of cars, limousines or buses permitted on the site according to a site plan approved by the Town of Sullivan Planning Board.

Person: An individual, association, firm, syndicate, company, trust, corporation, department, bureau or agency or any other entity recognized by law as the subject of rights and duties.

Special Event: Any social occasion, performance, gathering, exhibition or activity, including, but not limited to: carnivals, circuses, festivals, fairs, bazaars, outdoor shows and concerts, art and cultural events, parades, celebrations, wedding receptions, ceremonies, demonstrations, marches, and exhibitions which meet all of the following (1-5):

1. occurring on public or private property;
2. having more than 100 persons in attendance at one time for such specific event, which event is intended to be a singular event held for a common purpose;
3. conducted indoors or outdoors;
4. that is not currently a permitted use as of right on the property in the applicable zoning district or which requires a parking area to accommodate all vehicles transporting attendees to the event that is larger than the existing parking capacity of the site; and
5. which also involves one or more of the following characteristics which, when combined with other factors, could have an adverse impact to health, safety and/or welfare:
 - a. The closing of a public street;
 - b. The use, blocking or restriction of Town property, roads or rights-of-way;
 - c. The use or creation of amplified sound from any source associated with said special event;
 - d. The sale of merchandise that is not ordinarily sold in the normal course of the applicant's business;
 - e. The sale or service of food to the public with the exception of the following:
 - i. On land used in agricultural production or a farm operation as defined by AML §301(11), the sale or service of food products composed primarily of ingredients produced at the farm operation; or
 - ii. On land used in agricultural production or a farm operation as defined by AML §301(11) that maintains a winery or farm winery license issued by the New York State Liquor Authority, the sale or service of food items which customarily complement farm product tastings and that are ordinarily consumed while standing or walking and without the need for utensils;

- f. The substantial increase or disruption of the normal flow of traffic on any street or highway;
- g. The placement of portable toilets specific to the special event to address matters of public health;
- h. The placement of temporary no-parking or directional signs or banners;
- i. The use of any Town services that would not be necessary in the absence of such an event.
- j. The use of water that would potentially involve the over taxing of the site's sanitary septic system and which would exceed the County Health Department's approved capacity for the site's sanitary septic system.

This definition shall also apply to all uses of property approved pursuant to a site plan, special use permit or variance by the Town Board, Planning Board or Zoning Board of Appeals which meet the above criteria.

Special Event Permit: A permit for a special event issued pursuant to this Local Law.

Town: The Town of Sullivan, Madison County, New York.

Town Board: The Town Board of the Town of Sullivan, Madison County, New York.

SECTION 4. SPECIAL EVENT PERMIT REQUIRED.

- A. To preserve public peace, good order and the health, safety and welfare of the residents of the Town of Sullivan, special events shall be prohibited in the Town unless a special event permit is first obtained from the Code Enforcement Officer in accordance with the provisions of this Local Law.
- B. The provisions of this Local Law shall not apply to:
 - 1. Events or activities such as weddings, family gatherings, holidays, parties, religious celebrations and functions, graduation parties and other similar events, occurring within, or upon the grounds of, a private residence, where the property owner receives no remuneration for hosting the event and guests/attendees are not charged a fee or asked to contribute a donation for admission.
 - 2. Any event held on property owned by a not-for-profit organization for its own fundraising that is contained on site and has adequate parking, ingress, egress, traffic control and sanitary facilities to host such an event.
- C. The events and activities not covered by the provisions of this Local Law shall otherwise comply with all other applicable laws, ordinances and regulations of the Town.

SECTION 5. SPECIAL EVENT PERMIT FEE.

At the time of the filing of the permit application(s) the applicant shall pay the Town a reasonable non-refundable permit fee as established from time to time by Town Board resolution. Such fee may be waived when the event facilities have been previously inspected or do not require any physical inspection as per the New York State Building Code.

SECTION 6. APPLICATION REQUIREMENTS.

The following information and materials are to be submitted with an application for a special event permit. The Code Enforcement Officer may accept a single application for a recurring event or a series of similar events that are of like size and scope.

- A. A completed special event application form which includes the following information:
1. The name, age, residence, mailing address and telephone number(s) of the applicant and a statement of the applicant's legal status, such as individual, partnership, corporation etc. If the applicant is a partnership, state the names and addresses of all partners, and if a corporation, the name and addresses of all corporate officers, together with a list of the names and addresses of all persons directly in charge of the special event.
 2. The name, age, mailing address and telephone number(s) of the person(s) who will be organizing the event and who can be contacted prior to and during the event by Town officials.
 3. The address and location of the property where the special event is proposed including all lands to be used directly, indirectly and incidental to the proposed special event or any part thereof. Also attached to the application statements disclosing the nature of the interest of the applicant relating to such property.
 4. The proposed dates and hours of the special event, including setup and shutdown times.
 5. The expected maximum number of persons intended to use the property at one time and collectively, including organizers, employees, vendors, exhibitors and spectators/participants.
 6. Expected number of automobiles and other vehicles intended to use the property at one time and collectively.
 7. The name, address and telephone number of the person(s) who will be engaged in the preparation and/or sale of food, alcohol, or beer and a copy of the State Liquor Authority license and County Department of Health Services permit number for the activity.
 8. The name, address and cellular telephone number of any security company which will work on the premises, and a description of the duties to be performed.

9. Certification that the property where the event is to take place is not subject to any covenant or restriction limiting its use, or if the use is restricted by easement or otherwise, a copy of a survey or diagram depicting the easement area and any reserved area where development rights are intact.
- B. The applicant shall provide a general description of the proposed event including:
1. The purpose of the event and description of the nature of the activities to be carried on and the admission fee to be charged, if any.
 2. The names of groups, organizations, charities or individuals who shall benefit from the proceeds of the event, if any.
- C. A parking/event plan showing:
1. The size of the property and its location in relation to abutting streets or highways.
 2. The size and location of any existing building(s) or structure(s) that will be in operation during the course of the event and any proposed building, structure or signs to be erected temporarily for the event.
 3. The location of the stage or tents, if any.
 4. The designated areas of use for spectators, exhibitors, vendors, employees and organizers.
 5. The location of all exits.
 6. The location of all fire extinguishers and other fire safety equipment.
 7. The location of all temporary utilities to be installed for the event, if any.
 8. The layout of any parking area for automobiles and other vehicles and the means of ingress and egress for such parking areas.
 9. A traffic control plan for vehicles entering and leaving the site for the proposed event.
 10. A plan for the use of live outdoor music, loudspeakers and other sounds which will be used, if any, including, the expected dB level of any music, loudspeakers and/or other sounds and the type and location of speakers and other audio equipment. A description of other amplified sound expected to occur from the property with a good faith estimate of the anticipated dB levels of the sound as measured from adjoining property lines.
 11. A description of emergency access and facilities related to the event.
 12. Provisions to dispose of any garbage, trash, rubbish or other refuse.
 13. The location and a description of any additional lighting to be utilized in conjunction with the event.
 14. The location of sanitary facilities on site.
- D. A description of any signage to be displayed adjacent to a Town, county or state road, including size, location and dates of display.

- E. A list of the addresses of properties within 500 feet of all physical boundaries of the proposed event location with the names of owners and their mailing addresses.
- F. The Code Enforcement Officer may require, in his/her discretion the applicant to send and provide certification that written notice was sent to every property owner abutting or adjacent to the property where the event is to be held, as shown on the current Town of Sullivan assessment roll, and directly opposite (by extension of the lot lines through a street or right-of-way) of the property that is the subject of the application. Said notice shall include the date, time and location of the proposed special event.
- G. Notwithstanding the foregoing, the Code Enforcement Officer, upon request by an applicant in writing, may waive in whole or in part any of the foregoing application requirements upon a finding that said requirements are not necessary for proper consideration of a permit application in accordance with the standards set forth in this Section 6 above, or for the protection of health, safety and welfare of the Town, its residents and visitors alike. The Code Enforcement Officer's determination of any waiver request shall be in writing to the applicant and shall specify the reason for the grant or denial. If a waiver is granted, the Code Enforcement Officer may attach appropriate conditions to protect the public interest.

SECTION 7. EXPEDITED PROCESS.

When prior special events have been approved for a location under this law, the Code Enforcement Officer may institute an expedited process for review and consideration of a special event. In such instances, the submission requests will be reduced to only the information relating to the change to such event from the previously approved event and may be determined within five (5) days of a complete application. In addition, special consideration shall be given to events associated with a farm operation as defined under AML §301(11).

SECTION 8. APPLICATION REVIEW PROCEDURE AND STANDARDS FOR APPROVAL, DENIAL AND REVOCATION.

- A. All applications for a special event permit must be submitted at least 62 days prior to a proposed event to the Town of Sullivan Planning, Building and Codes Enforcement Department. However, provided good cause is shown by the applicant, the Planning, Building and Codes Enforcement Department may, in the Code Enforcement Officer's discretion, accept applications for a special event permit upon shorter notice. Any applications that are incomplete may not be accepted or processed.
- B. When the Code Enforcement Officer determines said application is complete, the Code Enforcement Officer shall distribute said application and documentation to any Town, County or State agencies that may have jurisdiction over the event for their review and comment on any of the criteria set forth in Subsection E below. Such referrals may include the Madison County Planning Board, the Town Planning Board, the Town Zoning Board of Appeals, the Town Board and the Town Attorney.

- C. Upon receipt of comments, the Code Enforcement Officer shall determine whether to require revisions to the proposed event application.
- D. If no revisions are required, or upon the submission of a revised application, the Code Enforcement Officer may deny or approve the application with conditions within 30 days of receipt of the complete application.
- E. In determining whether to grant, grant with conditions, or deny a special event permit, the Code Enforcement Officer shall consider the following:
 - 1. The size and capacity of the site to accommodate the proposed event.
 - 2. The facilities available.
 - 3. The availability of highways and other means of transportation to and from the site.
 - 4. The impact of the event on the safe and orderly movement of traffic within and contiguous to the event.
 - 5. The impact of the event on fire and ambulance service to the areas contiguous to the event and to the Town in general.
 - 6. The impact of the event on the movement of firefighting equipment or ambulance service to the Town or to areas contiguous to the event.
 - 7. The impacts on adjacent property owners and the surrounding neighborhood and neighborhood character.
 - 8. Whether the owner, applicant or event sponsor has violated a previously issued special event permit.
 - 9. Verification that there are no outstanding violations on the property at which the event will be held or any outstanding or unsatisfied conditions of a Town agency approval, including, but not limited to, those of the Planning Board or the Zoning Board of Appeals.
 - 10. Verification that the grant of the permit will not violate any existing covenants or easements on the property.
 - 11. Whether a permit has been granted for a prior event that was the same or substantially similar in size and scope to the event applied for and/or resulted in the impacts defined in Subsection E(4), (5), (6), and (7) above.
 - 12. Whether the frequency of prior or proposed special events on the site constitutes a change or intensification of the permitted use of the property necessitating a use variance or further site plan review.
 - 13. If an applicant is requesting a special event permit for the same or substantially similar charitable event that was held the previous year, a verification must be submitted from those charities listed on the previous year's application.
 - 14. Any other matters that relate to the health, safety and welfare of the general public.

- F. Notwithstanding the above criteria contained in Section 8(E) above, the Code Enforcement Officer may deny a special event permit or revoke, suspend or modify a special event permit based on any of the factors below.
1. It is determined that there are inadequate Town resources available to protect the health, safety, property and general welfare of the citizens of the Town or the safety of participants and/or attendees of a special event.
 2. The special event will disturb the public peace and good order of the Town or neighborhood or adversely affect the use and enjoyment of adjoining properties or that the conduct of such event will not be consistent with or will jeopardize the health, safety, property or general welfare of neighboring residents and/or the Town at large.
 3. The special event has been subject to a violation or has had any adverse impacts on the surrounding property in the Town within the last three years.
 4. The special event does not provide for sufficient services or facilities (including but not limited to parking and first aid or emergency medical services) that are reasonably necessary to ensure that such event will be conducted with due regard for the health, safety, property and general welfare of the citizens of the Town or the safety of participants and/or attendees of a special event.
 5. The special event may create a high probability of disorderly conduct likely to endanger public safety or to result in significant property damage.
 6. There are materially false statements or omitted relevant information in the application.
 7. The applicant has failed to conduct a previously permitted special event in accordance with the law or the terms of a permit, or both.
 8. The applicant has not obtained the approval of any other Town or public agency within whose jurisdiction the event or portion thereof will occur.
 9. Exterior lighting at the special event uses or will use search lights, strobe lights, laser lights or revolving lights.
- G. Privilege. The granting of a special event permit is a privilege and not a right and may be denied, revoked, suspended or modified in the event that the applicant fails to comply with any applicable provision of this Local Law or for any other reason not prohibited by law.
- H. A special event permit is not transferable and shall expire at the close of the event(s) for which it is issued.
- I. The special event permit issued hereunder shall be displayed on the premises during the special event and shall be available for inspection by the Code Enforcement Officer, or other law enforcement officer of the Town upon request.

- J. The Code Enforcement Officer may attached such conditions, which in his/her discretion, are necessary to protect the health, safety, property and general welfare of the residents of the Town or the safety of participants and/or attendees of a special event.
- K. Closing of special events due to public safety hazard. The issuance of a special event permit notwithstanding, the Code Enforcement Officer, a law enforcement or other appropriate official may close any special event or any portion of a special event that is subsequently determined to be an imminent hazard to the health, safety, property or general welfare of the citizens of the Town or the safety of participants and/or attendees of a special event.
- L. In addition to the penalties for offenses set forth in this Local Law, the applicant's special event permit may be revoked, suspended or modified by the Code Enforcement Officer at any time during the life of such permit for any violation by the applicant of any provision of this Local Law or any violation of the Town Code or any other applicable county, state or federal law.
- M. If a special event permit is revoked, no refund of any part of the application fee shall be made.

SECTION 9. APPEAL FROM DENIAL, REVOCATION, SUSPENSION OR MODIFICATION OF SPECIAL EVENT PERMIT.

An applicant who is denied a special event permit or whose permit was revoked, suspended or modified by the Code Enforcement Officer may apply to the Town Board for reconsideration of the application by filing an appeal with the Town Clerk within 10 days of the date of the denial. A complete copy of the application submitted to the Planning, Building and Codes Enforcement Department shall accompany the request for reconsideration. The Town Board may, following a public hearing, affirm or reverse the determination of the Code Enforcement Officer subject to any conditions deemed appropriate under the circumstances.

SECTION 10. PROHIBITED CONDUCT.

- A. It shall be a violation of this Local Law for any person to conduct or to allow to be conducted a special event without a special event permit issued pursuant to the provision of this Local Law, or after such special event permit has been denied, revoked or suspended.
- B. It shall be a violation of this Local Law to conduct or to allow to be conducted a special event contrary to the terms and conditions set forth in the special event permit issued for such special event.

SECTION 11. ENFORCEMENT.

The provisions of this Local Law shall be administered and enforced by the Town of Sullivan Building, Planning and Codes Enforcement Office and/or the Town Attorney.

SECTION 12. PENALTIES FOR OFFENSES AND VIOLATIONS.

- A. Any person who shall violate any provisions of this Local Law shall be guilty of a violation punishable by a fine not exceeding \$500; and upon conviction of a subsequent offense, punishable by a fine not exceeding \$2,500. If the violation is of a continuing nature, each one-hour period of violation of any provision of this Local Law shall constitute an additional, separate and distinct offense.
- B. In addition to any other remedy provided by law, the Town may maintain an action or proceeding in a Court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this Local Law.

SECTION 13. SEVERABILITY.

If any part or provision of this Local Law or the application thereto to any person or circumstance shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances.

SECTION 14. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

**NOTICE OF PUBLIC HEARING
TOWN OF SULLIVAN**

NOTICE IS HEREBY GIVEN that there has been presented to the Town Board of the Town of Sullivan, New York, at a regular meeting thereof held on September 4, 2019, proposed Local Law No. B-2019, titled, "A Local Law to Enact a Special Events Law in the Town of Sullivan." Said Local Law, if enacted, would establish lawful and appropriate procedures and requirements for conducting limited special events in the Town of Sullivan in order to preserve the health, safety and welfare of the Town, its residents and visitors alike, and to provide penalties for violations of the provisions therein. The full text of said Local Law is on file at the Town Clerk's Office at the Town Hall located at 7507 Lakeport Road, Chittenango, New York for inspection by all interested persons.

NOTICE IS FURTHER GIVEN that on September 4, 2019, the Town Board determined that this proposed Local Law is an unlisted action and will have no significant adverse impact on the environment (SEQR).

NOTICE IS FURTHER GIVEN that the Town Board will hold a public hearing on the proposed Local Law at the Chittenango High School located at 150 Genesee Street, Chittenango, New York on October 2, 2019 at 7:05 p.m. a.m., or as soon thereafter as the matter can be heard, at which time all persons interested will be heard.

DATED: September 4, 2019

PAMELA BRIONES, Deputy Town Clerk

AFFIDAVIT OF POSTING

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

PAMELIA BRIONES, being duly sworn, deposes and says that she is the Deputy Town Clerk of the Town of Sullivan, Madison County, New York, and that on the ____ day of September, 2019, she affixed the attached Notice of Public Hearing on the signboard maintained pursuant to Town Law Section 30(6) near the entrance to the Town Clerk's Office in the Sullivan Town Hall located at 7507 Lakeport Road, Chittenango, New York.

PAMELIA BRIONES
Deputy Town Clerk

Subscribed and sworn to before me
this ____ day of September, 2019.

Notary Public

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			
Name of Action or Project: Proposed Local Law B-2019			
Project Location (describe, and attach a location map): Town of Sullivan			
Brief Description of Proposed Action: Proposed Local Law B-2019 titled "A Local Law to Enact a Special Events Law in the Town of Sullivan", which Local Law would establish lawful and appropriate procedures and requirements for conducting limited special events in the Town of Sullivan in order to preserve the health, safety and welfare of the Town, its residents and visitors alike, and to provide penalties for violations of the provisions herein.			
Name of Applicant or Sponsor: Town of Sullivan Town Board		Telephone: 315-687-9190 E-Mail: jbecker@townofsullivan.org	
Address: 7507 Lakeport Road			
City/PO: Chittenango		State: New York	Zip Code: 13037
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.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input 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 <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input 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 <input type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input 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 <input type="checkbox"/>	YES <input 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: _____ _____ _____	<input 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 type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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 type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
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: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
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: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Town of Sullivan Town Board</u> Date: <u>September 4, 2019</u> Signature: _____ <u>John M. Becker</u> Title: <u>Supervisor</u>		

**A Local Law to Enact a Special Events
Law in the Town of Sullivan**

*ATTACHMENT TO PART 1
SHORT ENVIRONMENTAL ASSESSMENT FORM*

Part 1, Question 1

To enact a Local Law which would establish lawful and appropriate procedures and requirements for conducting limited special events in the Town of Sullivan in order to preserve the health, safety and welfare of the Town, its residents and visitors alike, and to provide penalties for violations of the provisions therein.

Agency Use Only [If applicable]	
Project:	LL B-2019 (Special Events)
Date:	September 4, 2019

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	
a. public / private water supplies?	<input checked="" type="checkbox"/>	
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Sullivan Town Board	September 4, 2019
Name of Lead Agency	Date
John M. Becker	Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**TOWN OF SULLIVAN
TOWN BOARD RESOLUTION**

September 4, 2019

TOWN OF SULLIVAN LOCAL LAW B OF 2019
("A Local Law to Enact a Special Events Law in the Town of Sullivan")

Councilor Kopp introduced proposed Local Law No. B-2019, "A Local Law to Enact a Special Events Law in the Town of Sullivan," and made the following motion which was seconded by Councilor Martin:

WHEREAS, proposed Local Law B-2019 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Sullivan, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board;
and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, BE IT RESOLVED that the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

RESOLVED that this proposed Local Law will be referred to the Madison County Planning Board pursuant to New York General Municipal Law §239; and it is further

RESOLVED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. B-2019 at the Chittenango located at 150 Genesee Street, Chittenango, New York on October 2, 2019 at 7:05 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and be it further

RESOLVED that notice of said public hearing shall be provided at least ten (10) days prior to the date of said public hearing in a newspaper of general circulation within the Town of Sullivan and to any affected municipalities described above.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Voted	Yes
Kerry Ranger	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: September 4, 2019

CERTIFICATE

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Deputy Town Clerk of the Town of Sullivan, Madison County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Town Clerk of the Town of Sullivan, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on September __, 2019.

PAMELA BRIONES
Deputy Town Clerk

(SEAL)