

RESOLUTION 43-04

**Regarding Public Hearing, SEQR review and Referral to County Planning Board of Proposed Local Law E of 2004 entitled Parks and Playground Chapter of the Code of the Village of Penn Yan Amendment No. 1 of 2005.**

WHEREAS, the provisions of the Parks and Playground Chapter of the Code of the Village of Penn Yan presently prohibits the operation of snowmobiles in any park in the Village of Penn Yan; and

WHEREAS, interest has been expressed in permitting, subject to regulation, the operation of snowmobiles on the Outlet Trail and in the Elm Street Sports Complex; and

WHEREAS, pursuant to Resolution No. 35-04 several departments and committees of government of the Village of Penn Yan have submitted reports on the issue of the permitting of the operation of snowmobiles on the Outlet ~~Trail~~ and in the Elm Street Sports complex; and *Trail*

WHEREAS, the Parks and Recreation Committee of the Board of Trustees of the Village of Penn Yan has recommended the amendment of the Parks and Playground Chapter of the Code of the Village of Penn Yan to permit the operation of snowmobiles on the Outlet Trail and in the Elm Street Sports Complex recreation areas of the Village of Penn; and

WHEREAS, a draft local law has been prepared for the amendment of the Parks and Playground Chapter of the Code of the Village of Penn Yan to add the provisions hereinbefore referred to; and

WHEREAS, the adoption of this amendment to the Parks and Playground Chapter should be deemed a Type I Action pursuant to SEQR; and

WHEREAS, the Board of Trustees of the Village of Penn Yan intends to act as lead agency for the purposes of the review of this proposed code amendment under the provisions of SEQR; and

WHEREAS, the Board of Trustees of the Village of Penn Yan will prepare a draft Full Environmental Assessment Form for this action together with a draft declaration of significance, which will be on file with the Clerk of the Village upon adoption thereof; therefore, be it

RESOLVED, that the Board of Trustees of the Village of Penn Yan hereby establishes itself as Lead Agency pursuant to 6NYCRR § 617 for the purposes of the environmental review of this action; and be it further

RESOLVED, that the Board of Trustees of the Village of Penn Yan determines that this proposed amendment to the Parks and Playground Chapter of the Code of the

Village of Penn Yan is a Type I action under SEQR; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Penn Yan conduct a public hearing before the legislative body on January 11, 2005 at 7:00 PM in the Village Hall at 111 Elm Street, Room 202, for the purposes of accepting public comments regarding this proposed local law and SEQR issues related hereto, and

THEREFORE, BE IT RESOLVED, that copies of this Resolution, and upon adoption, the draft Full Environmental Assessment Form and the draft Declaration of Significance, together with the proposed local law be forwarded by the Village Clerk to the Yates County Planning Board for review.

Dated: December 14, 2004