

**RESOLUTION
OF THE TOWN BOARD
OF THE TOWN OF ROSE**

April 21, 2026

**RESOLUTION INTRODUCING THE PROPOSED
LOCAL LAW NO. 1 OF 2026 AND RELATED SEQRA EAF
FOR REVIEW, ESTABLISHING SEQRA LEAD AGENCY,
REFERRING PROPOSED LOCAL LAW NO. 1 OF 2026
TO THE WAYNE COUNTY PLANNING BOARD
AND SETTING A PUBLIC HEARING**

WHEREAS, the Town of Rose Planning Board (“Planning Board”) has recommended changes to the Zoning Law of the Town of Rose (“Zoning Law”), as set forth below, to align elements of the Zoning Law and Zoning Map with the Town of Rose Comprehensive Plan, adopted November 2024 (the “Comprehensive Plan”); and

WHEREAS, the Comprehensive Plan includes among its recommendations the denser development of businesses and mixed-use structures in the hamlets of Rose and North Rose to allow for more community services, retail, and housing; and

WHEREAS, the Comprehensive Plan concluded that having these services in the hamlets can help expand the tax base without intruding development into rural areas and that current community spaces should continue to be utilized and opportunities to develop new community spaces in the hamlets should be explored; and

WHEREAS, the Comprehensive Plan also contemplated a transportation corridor along Route 414 for denser mixed-use developments with housing in close proximity to retail and services; and

WHEREAS, the current zoning in the hamlets includes a significant number of Hamlet Residential (HR) District parcels along Route 414, which limits the types of commercial uses permitted along the main business corridors in the hamlets; and

WHEREAS, converting the HR District zoning for parcels along Route 414 in the hamlets to a Hamlet General Business (HGB) District would expand the permitted commercial uses in the hamlets while continuing to permit residential development. A table comparing the permitted, specially permitted, and permitted with special conditions uses in the HR and HGB Districts is attached as Exhibit A; and

WHEREAS, certain Special Conditions contained in Article VI of the Zoning Law contain obsolete provisions that could unnecessarily restrict development, including the requirement of Section 607.C prohibiting above ground tanks at Motor Vehicle Filling Stations when the current preferred configuration for petroleum storage tanks by the New York State Department of Environmental Conservation are above ground tanks to prevent petroleum leaks from impacting soils and groundwater; and

WHEREAS, proposed Local Law No. 1 of 2026, annexed hereto as Exhibit B (the “Proposed Local Law”), to amend the Zoning Law to (1) update the Zoning Map to revise the zoning district for parcels along Route 414 in the hamlets from HR to HGB zoning (see the parcel list in the Proposed Local Law and the maps attached as Exhibit C showing the locations of the proposed parcels to be converted to HGB District zoning); and (2) revise Section 607.C of the Zoning Law to permit above ground storage tanks at Motor Vehicle Filling Stations but with a minimum setback requirement to property lines; and

WHEREAS, adoption of the Proposed Local Law could be considered a Type 1 action under the State Environmental Quality Review Act (“SEQRA”) because it impacts the allowable uses in more than 25 acres in a zoning district; and

WHEREAS, Part 1 of a Long Form SEQRA Environmental Assessment Form (“EAF”), annexed hereto as Exhibit C, has been prepared for the Proposed Local Law; and

WHEREAS, the Proposed Local Law is required to be referred to the Wayne County Planning Board pursuant to General Municipal Law § 239-m; and

WHEREAS, the Proposed Local Law is subject to the notice and hearing requirements of Town Law § 264.

NOW, THEREFORE, IT IS RESOLVED that the Proposed Local Law is introduced for consideration by the Town Board; and

RESOLVED, that, pursuant to 6 N.Y.C.R.R. §617.6(b)(1), the Town Board shall serve as Lead Agency for the SEQRA review of the Proposed Local Law; and

RESOLVED, that the Town Board accepts and directs the Town Supervisor to sign the EAF; and

RESOLVED, that the Town Board directs the Town Supervisor to arrange for the referral of the Proposed Local Law, EAF, and this Resolution to the Wayne County Planning Board for review pursuant to General Municipal Law § 239-m; and

IT IS HEREBY FURTHER RESOLVED that a public hearing before the Town Board at the Rose Town Hall regarding the Proposed Local Law and the SEQRA review for the Proposed Local Law is set for the 19th day of May 2026 at 6:30 pm; and

RESOLVED, pursuant to Town Law § 264, notice of the time and place of the public hearing shall be published in the *Times of Wayne County* at least ten days prior to the date of the public hearing; and

RESOLVED, notice of the time and place of the public hearing shall be posted on the sign board of the Town of Rose, and posted on the Town of Rose website.

DATE: April 21, 2026