

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Schaghticoke

FILED
STATE RECORDS

FEB 27 2020

DEPARTMENT OF STATE

Local Law No. 1 of the year 2020

A local law Amending the Zoning Map of the Town of Schaghticoke for Lands Located at 943 NYS

(Insert Title)

Route 40 in the Vicinity of Campbell Road

Be it enacted by the Town Board of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Schaghticoke as follows:

SECTION 1. PURPOSE AND INTENT

In 2004 and 2005 the Town of Schaghticoke adopted a Comprehensive Plan and enacted an updated Zoning Law. The Town has been approached by Brian Rohloff who owns two parcels of land at 943 NYS Route 40 in the vicinity of Campbell Road (Tax Map Parcels 41.-1-62 (1.38 acres) and 41.-1-62.2 (1.36 acres)). The land is zoned as Residential Agricultural ("RA"). The applicant has requested that the Town Board revise the zoning map to rezone the two parcels as Highway Commercial 1 ("HC-1").

SECTION 2. AUTHORITY

This local law is enacted pursuant to the provisions of section 10 of the Municipal Home Rule Law and Town of Schaghticoke Zoning Law Article XII.

SECTION 3. APPLICATION

The Zoning Map of the Town of Schaghticoke is hereby amended to change the zoning of Tax Map Parcels 41.-1-62 (1.38 acres) and 41.-1-62.2 (1.36 acres) from Residential Agricultural ("RA") to Highway Commercial 1 ("HC-1") as noted on the attached Exhibit.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 4. REPEAL

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 5. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law which can be given effect.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately upon the filing of such law with the office of the New York Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

**(Complete the certification in the paragraph that applies to the filing of this local law and
strike out that which is not applicable.)**

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2020 of
the ~~(County)(City)(Town)(Village)~~ of Schaghticoke was duly passed by the
Town Board on 2/12 2020, in accordance with the applicable
(Name of Legislative Body)
provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective
Chief Executive Officer*.)**

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of
the (County)(City)(Town)(Village) of _____ was duly passed by the
_____, on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer*)
on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of
the (County)(City)(Town)(Village) of _____ was duly passed by the
_____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative
vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____
20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of
the (County)(City)(Town)(Village) of _____ was duly passed by the
_____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer*)
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____
20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there
be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is
vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

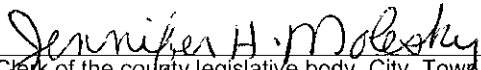
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: 2/12/2020

(Seal)

- 1) KYLE B. KNICKERBOCKER AND TRACEY A. KNICKERBOCKER, F/K/A TRACY A. ALLEN TO BRIAN ROHLF, DATED OCTOBER 1, 2012 AND FILED IN THE RENNELSAER COUNTY CLERK'S OFFICE IN VOLUME 6488 OF DEEDS AT PAGE 192.
- 2) RICHARD W. NODD, AS EXECUTOR OF THE ESTATE OF JOSEPH C. NODD, TO BRIAN ROHLF, DATED SEPTEMBER 8, 2011 AND FILED IN THE RENNELSAER COUNTY CLERK'S OFFICE IN VOLUME 6647 OF DEEDS AT PAGE 208.

- 1) SUBJECT TO ANY/all EASEMENTS AND/OR UNDERGROUND UTILITIES OF RECORD.
- 2) UTILITIES SHOWN HEREON WERE AS OBSERVED AND LOCATED DURING THE COMPLETION OF FIELD SURVEY. NO RECORD PLANS WERE PROVIDED BY THE CLIENT OR BY LOCAL UTILITIES TO VERIFY FIELD OBSERVATIONS. FACTS TO FURTHER PLANNING U.P.D., SHOULD BE CONTACTED (1-800-862-7902) FOR THE VERIFICATION OF ANY/all UTILITIES SHOWN HEREON.
- 3) SURVEY PREPARED WITHOUT THE BENEFIT OF AN UPDATED ABSTRACT OF TITLE. SUBJECT TO ANY/all FACTS THAT MAY BE DISCLOSED.
- 4) ALL CAPPED HORN ROOST SETS ARE 1/4 INCH BURNER (NO. 5) WITH AN ALUMINUM CAP STAMPED "HOLBRIEN 50125 PROPERTY CORN".

Lands N/F of
Kyle B. Knickerbocker &
Tracey A. Knickerbocker
Deed Reel 280 Frome 110?
Tax Map Parcel 41-1-62.1

Lands N/F of
Brian Rohloff
Deed Volume 6047 Page 208
Tax Map Parcel 41.-1-81
Area = 1.38± Ac.

Lands N/F of
Brian Rohloff
Deed Volume 6408 Page 192
Tax Map Parcel 41-1-62.2
Area = 1.36± Ac.

- 1) "SURVEY OF LANDS OF KNUCKENBÖCKER", PREPARED BY FREDERICK J. HETZGER, PLS. DATED NOVEMBER 25, 1986 AND PROVIDED BY KNUCKENBÖCKER.
- 2) "PROPOSED SUBDIVISION OF LANDS OF KATHLEEN SMITH", PREPARED BY BRIAN R. HOLBRITTER, PLS. DATED MAY 6, 1999.
- 3) "SURVEY & SUBDIVISION PLAT, PORTION OF LANDS MAP OF KYLE KNUCKENBÖCKER & TRACEY KNUCKENBÖCKER", PREPARED BY BRIAN R. HOLBRITTER, PLS. DATED DECEMBER 14, 2011 AND FILED IN THE HENNEBELLA COUNTY CLERK'S OFFICE IN DRAWER 2012 AS MAP 38.
- 4) RENELSAEA COUNTY TAX MAP 41.

Lands N/F of
Spencer K. Bowen
Deed Book 8524 Page 15
Tax Map Parcel 41.-1-80

Proposed Rezoning
Lands N/F of
Brian Rohloff
N.Y.S. Route 40

Town of Schaghticoke, Rensselaer County, New York	
SCALE: 1" = 30'	TMP 41-1-61 & 52.2
DECEMBER 10, 2019	MAP NO. 2019-170

BRIAN R. HOLBRITTER

 LAND SURVEYING & SITE DEVELOPMENT
 34 CENTER STREET
 SCHAGHTICOKE, NY 12154
 PHONE: 518-753-7592

6344 R 42690728 P.L.S. 250125

/ ~ /	EDGE OF WATER FENCE
o	IRON PIPE FOUND
o	PROPERTY CORNER
a	CARRIED IRON ROD SET (CARS)
d	ROAD SIGN
+	UTILITY POLE
- -	OVERHEAD UTILITIES
- -	PROPERTY LINE
- -	GUY WIRE

[illegible]