

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

JUN 27 2017

DEPARTMENT OF STATE

Local Law No. 2 of the year 2017

A local law Amending the Zoning Law and Map of the Town of Schaghticoke for Lands Adjacent to
(Insert Title)
Old Schaghticoke 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 Kristopher J. St. Gelais who owns 67.4+/- acres of land on the south side of Old Schaghticoke Road (SBL 31.-1-5.212). In the 2005 zoning amendment, 20.4 acres of the land was zoned as "Highway Commercial." The remaining land is zoned as Residential Agriculture and is to be utilized as residential property. The applicant has requested that the Town Board revise the zoning map to rezone the land as Residential Agriculture ("RA").

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 the 20.4 acres of parcel 31.-1-5.212 from Highway Commercial ("HC") to Residential Agriculture ("RA") 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

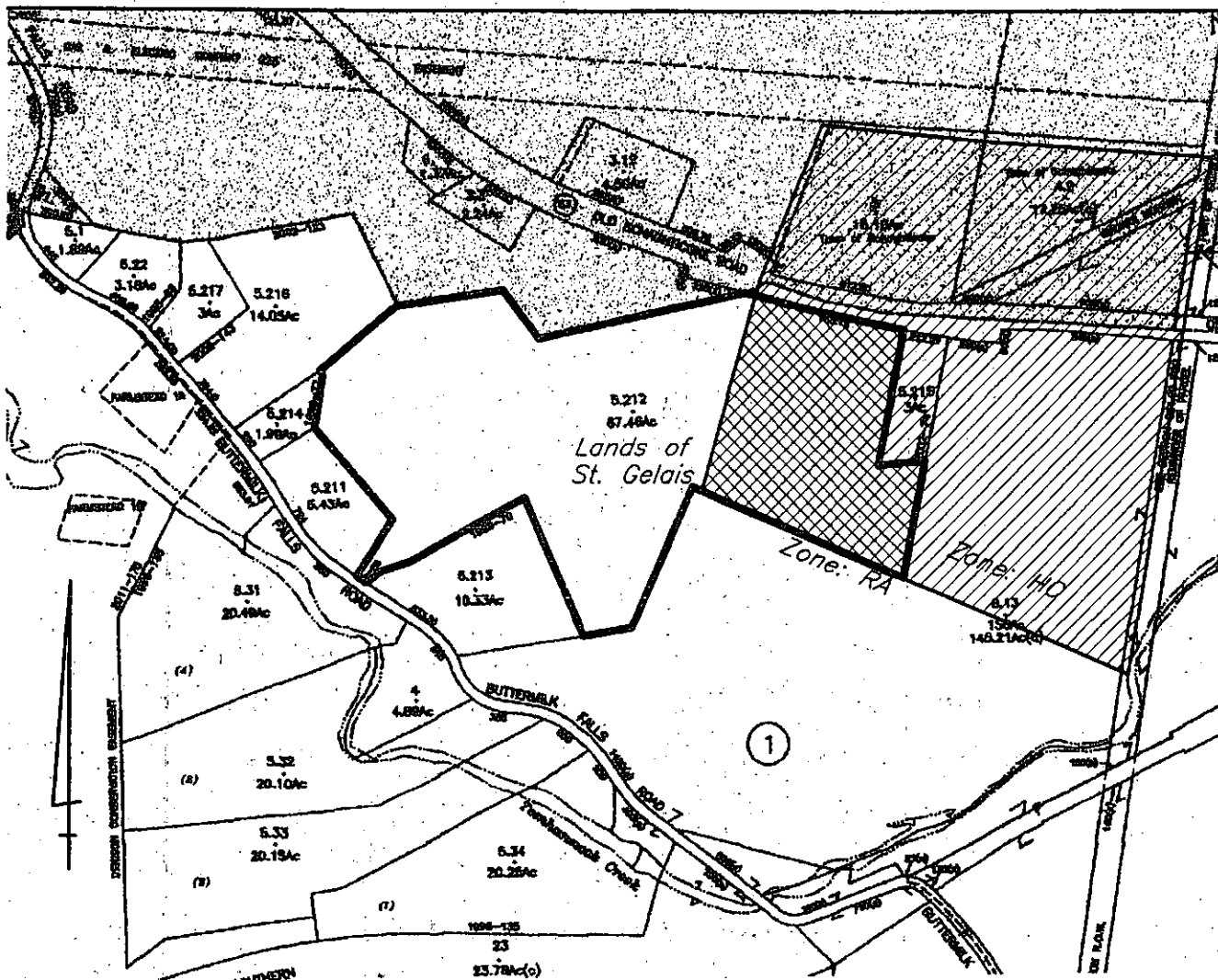
All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 5. SEVERABILITY

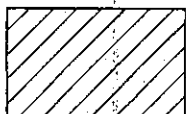
The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law which can be given effect.

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.



Total area to be rezoned: 20.4 Ac.±
Includes 726 Ft.± of frontage



Area Currently Zoned
HC - Highway Commercial



Lands of St. Gelais
to be Rezoned
RA - Residential
Agriculture

Tax Map Parcel: 31.00-1-5.212

Rev. 14 Apr 2017 M to HC

Proposed Rezoning Lands of St. Gelais

Town of Schaghticoke

Rensselaer Co., New York

February 28, 2017

Scale: 1" = 800'±

JOHN N. HARTNETT, PE

ENGINEERING AND LAND PLANNING

555 NY 40, MELROSE, NEW YORK 12121

PHONE: (518) 235-2313

PE 64363

22-N-14.08

(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. 2 of 2017 of the ~~(County)(City)(Town)(Village)~~ of Schaghticoke was duly passed by the Town Board on June 14 2017, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 _____ 2017, 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 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 1 above.

James E. Salisbury

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

(Seal)

Date: 6/14/2017