

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 use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED

NOV 26 2012

~~County~~
~~City~~
Town
~~Village~~

of Schaghticoke

MISCELLANEOUS
& STATE RECORDS

Local Law No. 3 of the year 20 12

A local law Amending the Zoning Law and Map of the Town of Schaghticoke

Be it enacted by the Town Board
of the

~~County~~

~~City~~

Town of Schaghticoke as follows:
~~Village~~

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 Steve and Shari Dumas who own approximately 7.78 acres of land on the east side of River Road. In the 2005 zoning amendment, the land was rezoned as "Highway Commercial." The land across River Road to the west is zoned as Residential Agriculture and is utilized as residential property. The Dumas property already has a residential house on it which he has recently renovated. He would like to subdivide the land into two lots (3.00 acres and 4.78 acres) and use both as residential property. Mr. Dumas has requested that the Town Board revise the zoning map to rezone a portion of the land as Residential Agriculture ("RA") During the nearly nine years that the property has been zoned as HC there has been no apprecia' commercial activity.

SECTION 2. AUTHORITY

This local law is enacted pursuant to the provisions of section 10 of the Municipal F

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 a portion of parcel 30.-3-5 from Highway Commercial (“HC”) to Residential Agriculture (“RA”) as noted on the attached Exhibit.

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All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.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

REMAINDER OF PARCEL

6
123.37Ac(c)

2
18.16Ac

1
1Ac

32.1
41.02
33.1Ac 78.47

32.2
212.95
31.1 31.2

29.2
2.64Ac(c)

29.1
8.32Ac

3
6.40Ac(c)

28.2
4.09Ac
2010-56
2011-35

5
7.75Ac(c)

(2)

28.111
24.84Ac

2005-114
28.3
1.74
Ac

DUMAS
30.-3-5

28.112
12.80Ac

2011-35

30.05

8.2
2.85Ac
2.72

RIVER ROAD

RIVER ROAD

RENSSELAER COUNTY
CARATOGA COUNTY

(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. 3 of 2012 of the ~~(County)~~(City)(Town)(Village) of Schaghticoke was duly passed by the Town Board _____ on 11/14 2012, in accordance with the applicable 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) (repassed after disapproval) by the _____ and was deemed duly adopted 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)
(repassed after disapproval) by the _____ on
_____. 20_____.

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)
(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 there from 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

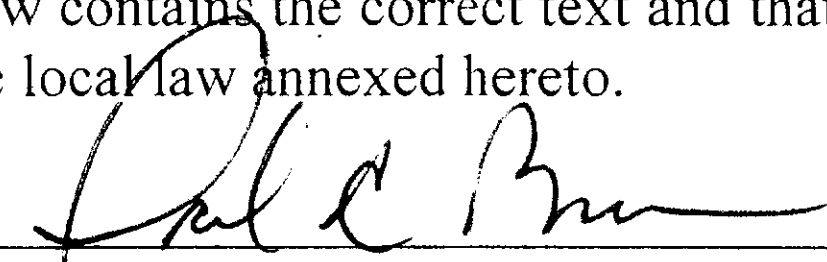
Date: 11/14/12

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ALBANY

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


Signature

Town Attorney

County

City

Town of Schaghticoke

Village

Date: 11/14/12