

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 East Greenbush

**FILED
STATE RECORDS**

AUG 02 2012

DEPARTMENT OF STATE

Local Law No. 3 of the year 2012

A local law amending the Comprehensive Zoning Law to include a sunset clause on all Planned
(Insert Title)
Development Districts.

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

County City Town Village
(Select one:)

of East Greenbush as follows:

2.9.15

Automatic Termination

A. In the event any of the following actions are not taken within five years from the effective date of any planned development district (PDD) established under this article, such PDD shall be deemed null and void, and the zoning of these lands shall revert to their zoning classification existing immediately prior to such effective date:

1. Site plan approval for the PDD has not been obtained;
 2. No building permit has been issued for construction of any structure provided for in any such planned development; or
 3. Construction of any such structure has not been commenced on any lands within such planned development.
- B. Where any specific provision regarding automatic termination of a PDD has been established within a given PDD ordinance or local law, which provision conflicts with this section, that specific provision shall control for that PDD.

C. With respect to any PDD in existence as of the effective date of this section which does not contain provisions for the automatic termination of that PDD, such PDD shall be deemed null and void, and the zoning of these lands shall revert to their zoning classification existing immediately prior to the effective date of that PDD, in the event any of the

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

following actions are not taken within three years of the effective date of this section:

1. Site plan approval for the PDD has not been obtained;
 2. No building permit has been issued for construction of any structure provided for in any such planned development; or
 3. Construction of any such structure has not been commenced on any lands within such planned development.
- D. The provisions above notwithstanding, the Town Board may, by resolution, exempt a specific PDD from termination, exempt a specific PDD from termination subject to further action of the Board, or lengthen the length of time prior to the automatic termination of a specific PDD.

(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 East Greenbush was duly passed by the Town Board on July 18 2012, 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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.~~
(Name of Legislative Body)
(Elective Chief Executive Officer)*

~~**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____.~~
(Name of Legislative Body)
(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) (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 _____ above.

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

Date: _____

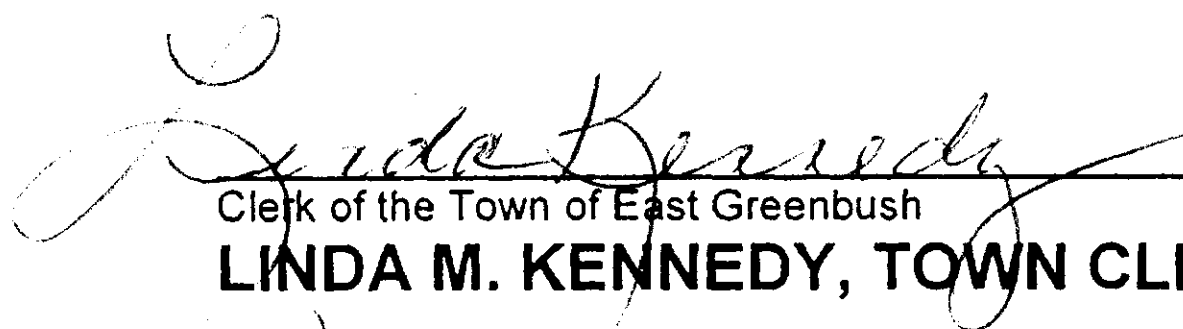
(Seal)

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

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2002012 of the County of Rensselaer State of New York, having been submitted to the electors at the General Election of November , 200 , 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.


Clerk of the Town of East Greenbush
LINDA M. KENNEDY, TOWN CLERK


(Seal)

Date: July 30, 2012

(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 Rensselaer

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.



JOSEPH B. LICCARDI, ESQ.
ATTORNEY FOR THE TOWN
OF EAST GREENBUSH

Date: 7/30/12