

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.

FILED
STATE RECORDS

JUN 29 2018

County City Town Village
(Select one.)

of Duanesburg

DEPARTMENT OF STATE

Local Law No. 3 of the year 2018

A local law amending the zoning map of the Town of Duanesburg to re-zone tax map parcel no.

(Insert Title)

66.00-4-2.31 from c-2 (commercial and light industrial) to r-1 (high density residential)

excepting a small portion of the tax map parcel which remains zoned hamlet.

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

County City Town Village
(Select one.)

of Duanesburg

as follows:

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

TOWN OF DUANESBURG LOCAL LAW NO. 3 OF 2018

A LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN OF DUANESBURG TO RE-ZONE TAX MAP PARCEL NO. 66.00-4-2.31 FROM C-2 (COMMERCIAL AND LIGHT INDUSTRIAL) TO R-1 (HIGH-DENSITY RESIDENTIAL), EXCEPTING A SMALL PORTION OF THE TAX MAP PARCEL WHICH WILL REMAIN ZONED HAMLET

BE IT ENACTED by the Town Board of the Town of Duanesburg in the County of Schenectady as follows:

Section 1. Title of the Local Law.

This local law shall be entitled "A Local Law Amending the Zoning Map of the Town of Duanesburg to Re-Zone Tax Map Parcel No. 66.00-4-2.31 From C-2 (Commercial and Light Industrial) to R-1 (High-Density Residential), excepting a small portion of the Tax Map Parcel which will remain zoned Hamlet."

Section 2. Authorization.

This local law is enacted pursuant to the Municipal Home Rule Law and Article 16 of the Town Law of the State of New York.

Section 3. Purpose.

The Town of Duanesburg has received an application from the owner of tax map parcel #66.00-4-2.31 which comprises +/- 50 acres on both sides of Duanesburg Road (NYS Route 7) as you enter the hamlet of Duanesburg. This property is currently zoned C-2 (Commercial and Light Industrial) and Hamlet and the owner has requested that the portion of the tax map parcel zoned C-2 be changed to R-1 (High Density Residential). The Town Board finds that this request for a zone change is consistent with the Comprehensive Plan and the character of the community along Duanesburg Road at this location.

Section 4. Zoning Map Amendment

The Town of Duanesburg Zoning Map is hereby amended to show the change of #66.00-4-2.31 from C-2 (Commercial and Light Industrial) to R-1 (High Density Residential), with the exception of the portion of the tax map parcel zoned Hamlet which shall remain as Hamlet, as set forth on the attached map.

Section 5 Supersession.

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town of Duanesburg Town Code, in so far as such statutes are inconsistent with this Local Law and any other laws or regulations of the Town of Duanesburg are

superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

Section 6. Severability.

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

(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 2018 of the (County)(City)(Town)(Village) of Duanesburg was duly passed by the Town Board on June 28 2018, 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 _____ 2018, 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 _____ above.

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

Date: June 29, 2018



