

NYS DEPARTMENT OF STATE
BUREAU OF STATE RECORDS
162 Washington Avenue
Albany, NY 12231-0001

DATE: 3/14/95

Received

MAR 15

MUNICIPALITY		
Town of Halcott		
LOCAL LAW(S) NO.	YEAR	FILING DATE
1	1994	3/9/95

Local Law Acknowledgment

The above-referenced material was received and filed by this office as indicated.

GARY A ROSA
ATTORNEY AT LAW
MAIN STREET
MARGARETVILLE NY 12455-0839

Additional local law filing forms will be forwarded upon request.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

COPY

(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 of Halcott

Town

Village

Local Law No. 1 of the year 1994.

A local law to Amend the Site Plan Review Law of the Town of Halcott
(Insert Title)

Be it enacted by the Town Board of the

(Name of Legislative Body)

County

City of Halcott

Town

Village

as follows:

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

The Site Plan Review Law of the Town of Halcott is
Amended to as follows:

ARTICLE I, Section D is amended to read as follows:

"D. Application of Regulations

The regulations specified herein refer to all buildings and mobile homes to be erected or moved which require a building permit, and to all additions in excess of 400 square feet, or greater than half the size of the existing structure.

Excluded from site plan review are chimneys, decks, windows, repairs, replacements and any other exterior alterations which do not change the physical dimensions of the structure.

Prior to the issuance of a building permit in the Town of Halcott, the Building Inspector shall require the preparation of a site plan. The Building Inspector shall refer the site plan to the Planning Board for its review and approval in accordance with the standards and procedures set forth in this Local Law.

Notwithstanding any provisions of this Site Plan Review Law or any other laws or regulations to the contrary, the provisions and requirements of Article 8 of the Environmental Conservation Law, Section 8-0113, Part 617, hereinafter referred to as the New York State Environmental Quality Review (SEQR) regulations, shall be complied with."

ARTICLE II, Section A is amended to read as follows:

"A. Area Map

Five copies of an area map, which can be copied from tax maps, showing the name and address of applicant and person responsible for sketch plan, the parcel under consideration for site plan review, proposed structures and/or improvements drawn to scale, location of parking, existing watercourses, north arrow, scale and date, and all properties, subdivisions, streets, and easements within two hundred (200) feet of the boundaries thereof."

ARTICLE IV, Section B, Subdivisions 1 and 2 are renumbered "8" and "9".

ARTICLE IV, Section B, Subdivisions 1 and 2 are added to read as follows:

"1. All structures shall be located at least 35 feet from the center of highway right of way.

2. All structures shall be located at least 50 feet from side and rear yard boundary lines. This provision may be waived for existing lots of record if, in the opinion of the Planning Board, the dimensions of the lot do not provide for a 50' setback and will not adversely effect adjoining property."

ARTICLE VI, Section A is amended to read as follows:

"A. Inspection of Improvements and Certification

The Building Inspector shall not issue a Certificate of Occupancy until all improvements shown on the site plan have been installed."

ARTICLE VII is amended to add a Section C as follows:

"C. Compliance With Section 239m of General Municipal Law

The Planning Board shall comply with Section 239m of the New York State General Municipal Law prior to taking action on any site plan."

(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 19-94, of the (County)(City)(Town)(Village) of ...Halcott... was duly passed by the Town Board on Dec. 16, 1994, 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 19.... of the (County)(City)(Town)(Village) of was duly passed by the on 19..., and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the and was deemed duly adopted on 19..., (Elective Chief Executive Officer*) 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 19.... of the (County)(City)(Town)(Village) of was duly passed by the on 19..., and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the on 19.... . Such local law was submitted (Elective Chief Executive Officer*) 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 19.... , 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 19.... of the (County)(City)(Town)(Village) of was duly passed by the on 19..., and was (approved)(not approved)(repassed after (Name of Legislative Body) disapproval) by the on 19.... . Such local law was subject to (Elective Chief Executive Officer*) permissive referendum and no valid petition requesting such referendum was filed as of 19.... , 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 19..... 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..... 19...., 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 19..... of the County of State of New York, having been submitted to the electors at the General Election of November 19...., 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.

Marquie L. Under

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

(Seal)

Date:

March 6-1995

(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 Greene

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

Gary C. P.
Town Attorney

Title

County
Town of Halcott
Village

Date: 3/6/95