

COPY

(Please Use this Form for Filing your 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  
xCity of NEW SCOTLAND  
Town  
Village  
Local Law No. 1 of the year 19 95

A local law extending the 1994 Development Suspension Law  
(Insert title)

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

County  
City of NEW SCOTLAND as follows:  
Town  
Village

SECTION I.

SHORT TITLE

This local law shall be cited as Local Law # 1 of 1995 of the Town of New Scotland.

SECTION II.

LEGISLATIVE FINDINGS

The Town of New Scotland is facing unprecedented growth and development. Current proposals include large scale residential development.

The Town of New Scotland Planning Board on May 10, 1994 approved a Comprehensive Land Use Plan, which identifies many valuable resources contained within the Town, which are threatened by rapid development. The current Zoning Law of the Town of New Scotland is, in many respects, inconsistent with the newly enacted Comprehensive Land Use Plan and the Town Board has,

(If additional space is needed, please attach sheets of the same size as this and number each)

(2)

therefore, assembled an ad hoc committee to study the current Zoning Law and recommend appropriate changes to the Town Board. The Town Board has also established an ad hoc committee to review existing water districts, needs and sources and to recommend an economically feasible water plan for the Town.

On July 11, 1994 the Town Board passed Local Law # 2 of 1994 suspending certain large scale development within the Town for a period of six months pending study of amendments to the Town Zoning Law by the ad hoc committee. That study is now complete, but must now be reviewed by the Town Board. Extension of Local Law # 2 of 1994 is necessary to enable the Town Board to study the recommended changes.

While that study is being conducted, the Town's rural character, historic features, the Helderberg Escarpment and many other valuable resources are threatened by rapid development. The Town Board finds that significant development in the Town prior to the enactment of amendments to the Zoning Law may substantially reduce the effectiveness of such amendments and would lessen the ability of the Town Board to afford adequate facilities for the distribution of public services, comfort, convenience, public health and safety, and the general welfare of the citizens of the Town of New Scotland.

#### SECTION III.

##### EXTENSION

Local Law # 2 of 1994 of the Town of New Scotland is extended until April 13, 1995 and all provisions of the same shall remain in effect until April 13, 1995.

#### SECTION IV.

##### VALIDITY

The invalidity of any word, section, clause, paragraph, sentence, part of provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

SECTION V.

REPEAL OF OTHER LAWS

All state statutes and local ordinances or laws in conflict with the provisions of this Local Law are hereby repealed to the extent necessary to give this Local Law full force and effect during its effective period. Specifically, all provisions of Town Law Sections 274-a, 274-b and 276 and Local Laws #1 of 1993 and #2 of 1993 of the Town of New Scotland which are inconsistent with the provisions hereof are superseded and suspended hereby until April 13, 1995.

SECTION VI.

EFFECTIVE DATE

The Law shall take effect immediately, as provided by the Law, upon filing with the Secretary of State and shall remain in force and effect until April 13, 1995 and for any additional period for which it is extended by the Town Board of the Town of New Scotland.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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...95

~~County~~  
of the ~~City~~ Town of NEW SCOTLAND was duly passed by the TOWN BOARD  
(Name of Legislative Body)

on January 3 19...95 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,\* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....

~~County~~  
of the ~~City~~ Town of ..... was duly passed by the .....  
(Name of Legislative Body)  
~~Village~~

on ..... 19..... and was approved ~~not disapproved~~ by the .....  
Elective Chief Executive Officer \*  
repassed after disapproval

and was deemed duly adopted on ..... 19....., 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.....

~~County~~  
of the ~~City~~ Town of ..... was duly passed by the .....  
(Name of Legislative Body)  
~~Village~~

on ..... 19..... and was approved ~~not disapproved~~ by the .....  
Elective Chief Executive Officer \*  
repassed after disapproval

on ..... 19..... Such local law was submitted to the people by reason of a mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting permissive

thereon at the ~~special~~ general election held on ..... 19....., in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.....

~~County~~  
of the ~~City~~ Town of ..... was duly passed by the ..... on .....  
(Name of Legislative Body)  
~~Village~~

..... 19..... and was approved ~~not disapproved~~ by the ..... on .....  
Elective Chief Executive Officer \*  
repassed after disapproval

..... 19..... Such local law being subject to a permissive referendum and no valid petition requesting such referendum having been filed, said local law was deemed duly adopted on ..... 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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with 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 § 36 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 election held on ..... 19..... became operative.

(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 of 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.

*Corinne Casare*

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

Date: Jan 3/95

(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.

*John P. Biscione*  
Signature  
Town Attorney  
Title

Date: \_\_\_\_\_  
County \_\_\_\_\_  
City of New Scotland  
Town \_\_\_\_\_  
Village \_\_\_\_\_