

ORDINANCE NO #2

Adopted August 31, 1976

REGULATION OF FRESH WATER WETLANDS

BE IT HEREBY RESOLVED AND ORDAINED as follows:

Section 1. Pursuant to section 24-0501 of the New York State Freshwater Wetlands Act, the Town of New Scotland shall fully undertake and exercise its regulatory authority with regard to activities subject to regulation under the Act in fresh water wetlands, as shown on the Freshwater Wetlands Map, as such map may from time to time be amended filed by the Department of Environmental Conservation pursuant to the Act, and in all areas adjacent to any such freshwater wetland up to 100 feet from the boundary of such wetland. Such regulatory authority shall be undertaken and exercised in accordance with all of the procedures, concepts and definitions set forth in Article 24 of the New York Environmental Conservation Law and Title 23 of Article 71 of such law relating to the enforcement of Article 24, as such law may from time to time be amended.

Section 2. This ordinance shall become effective ten (10) days after publication and posting as required by Law.

STATE OF NEW YORK }
COUNTY OF ALBANY }

PUBLIC NOTICE

The following ordinance was duly adopted by the Town Board of the Town of New Scotland at a Special Meeting held on the 31st day of August, 1976.

BE IT HEREBY RESOLVED AND ORDAINED as follows:

Section 1. Pursuant to section 24-0501 of the New York State Freshwater Wetlands Act, the Town of New Scotland shall fully undertake and exercise its regulatory authority with regard to activities subject to regulation under the Act in freshwater wetlands, as shown on the Freshwater Wetlands Map, as such map may from time to time be amended filed by the Department of Environmental Conservation pursuant to the Act, and in all areas adjacent to any such freshwater wetland up to 100 feet from the boundary of such wetland. Such regulatory authority shall be undertaken and exercised in accordance with all of the procedures, concepts and definitions set forth in Article 24 of the New York Environmental Conservation Law and Title 23 of Article 71 of such law relating to the enforcement of Article 24, as such law may from time to time be amended.

Sworn
day

Section 2. This ordinance shall become effective ten (10) days after publication and posting as required by Law. (Sept 10)

Howard F. Ogsbury

of the Town of Guilderland, being duly sworn, says that he is one of the publishers of the ALTAMONT ENTERPRISE and ALBANY COUNTY POST, a weekly newspaper printed and published in the Village of Altamont, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said ALTAMONT ENTERPRISE and ALBANY COUNTY POST *once each week*

for one week consecutively, commencing on the *10* day of *September* 197*6*

Howard F. Ogsbury

Charles P. Usher
Notary Public, Albany County

PUBLIC HEARING

August 31, 1976

Supervisor, Stephen P. Wallace called the hearing to order
7:25 P. M.

following officers and officials were in attendance:

Stephen P. Wallace	Supervisor
Wyman Osterhout	Councilman
Robert Patterson	Councilman
Kenneth Tice	Councilman
Charles Houghtaling Jr.	Councilman
James Ryan	Town Attorney
Corinne Cossac	Town Clerk

Supervisor addressed the hearing with a reading of the contents
of Notice as appears on the preceeding page:

was explained by the Town Attorney, James Ryan that failure to adopt a
Fresh Water Wetlands Protection Law, would result in the loss of its
ability to perform these functions and would thereby have transferred
authority to the County. If the county fails to adopt a Wetland
Protection Law within 90 days after September 1, 1976 then the State
will assume the authority.

Resolution proposed by Robert Patterson and seconded by Wyman Osterhout
to adopt the following ordinance:

REGULATION OF FRESH WATER WETLANDS

BE IT HEREBY RESOLVED AND ORDAINED as follows:

Section 1. Pursuant to section 24-0501 of the New
York State Freshwater Wetlands Act, the Town of New Scotland
shall fully undertake and exercise its regulatory authority
with regard to activities subject to regulation under the
Act in freshwater wetlands, as shown on the Freshwater
Wetlands Map, as such map may from time to time be amended
filed by the Department of Environmental Conservation
pursuant to the Act, and in all areas adjacent to any such
freshwater wetland up to 100 feet from the boundary of such
wetland. Such regulatory authority shall be undertaken and
exercised in accordance with all of the procedures, concepts
and definitions set forth in Article 24 of the New York
Environmental Conservation Law and Title 23 of Article 71 of
such law relating to the enforcement of Article 24, as such
law may from time to time be amended.

Section 2. This ordinance shall become effective
ten (10) days after publication and posting as required by
Law.

Resolution was adopted by the following roll call vote:

Stephen P. Wallace	Aye
Wyman Osterhout	Aye
Robert Patterson	Aye
Kenneth Tice	Aye
Charles Houghtaling Jr.	Aye

The hearing was adjourned at 7:25 P. M.

Corinne Cossac
Town Clerk