

At a regular meeting of the Town Board of the Town of New Scotland, Albany County, New York, held at the Town Hall, New Scotland, New York, on the 28th day of January, 1966.

Present: Supervisor Willis McIntosh,
Councilman Wyman Osterhout
Councilman Robert Patterson

Absent: Justice Arthur Langfelder
Justice Harold Schultz

The following Ordinance was introduced by Councilman Patterson who moved its adoption and the same was seconded by Councilman Osterhout.

ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE TOWN OF NEW SCOTLAND

WHEREAS, a public hearing was duly held on the 28th day of January, 1966, and all other matters and things required to be done by the Town Law of the State of New York and the Zoning Ordinance of the Town of New Scotland in order that this Town Board may avail itself of the powers conferred by said laws, having been complied with:

Now, therefore, be it

RESOLVED AND ORDAINED that the Zoning Ordinance of the Town of New Scotland adopted on the 7th day of July, 1961, be, and the same hereby is, amended as follows:

1. Schedule I - District Regulations, District R-1 Special Uses Permitted by Permit, is amended by deleting therefrom the following:

"Swimming pools, private."

2. Schedule I - District Regulations, District R-1 Permitted Accessory Uses, is hereby amended by adding thereto at the end thereof the following:

"Swimming pools, private."

3. Section 5.130 paragraph "F" of said ordinance is hereby amended to delete therefrom subparagraph (3) which presently reads as follows:

"(3) Such use shall be landscaped in accordance with the provisions of section 4.720 hereof."

and adding thereto a new subparagraph (3) which shall read as follows:

(3) Such pool shall be completely enclosed by a fence not less than four (4) feet high. Said fence shall be structurally sound, durable and of such construction to be adequate to prevent and prohibit the entrance to the pool area by children and animals. If of wire construction, said fencing shall have a linkage of not more than two (2) inches in diameter. The entrance gate or gates shall have a closing device with a protective fastening latch and locking device and shall be kept securely locked at all times when such pool or pool area are not in use.

4. Article 12, entitled "Definitions" of said ordinance is hereby amended to add section 12.521, the same to follow section 12.52, and to read as follows:

12.521 Swimming pool.

Any artificial pool or structure intended for bathing or swimming purposes made of concrete, masonry, metal or other impervious material over 24 inches in depth, excluding, however, plastic, above-ground pools.

FURTHER RESOLVED AND ORDAINED that the Town Clerk of the Town of New Scotland be, and he hereby is, directed to publish the foregoing amendment to said Zoning Ordinance in the Altamont Enterprise published in the Village of Altamont, New York, and which is hereby designated for that purpose, and post a copy of the same on the sign board maintained in the Town Clerk's Office and this amendment shall become effective ten (10) days after such publishing and posting.

The foregoing Amendment was duly adopted by the following vote.

Aye: Mr. McIntosh, Mr. Osterhout, Mr. Patterson.

STATE OF NEW YORK)
COUNTY OF ALBANY) SS:
TOWN OF NEW SCOTLAND)

I, RAYMOND C. RAYNSFORD, Town

Clerk of the Town of New Scotland, Albany County, New York,
do hereby certify that I have compared the annexed amendment to
the Zoning Ordinance of the Town of New Scotland with the
original thereof filed in my office at New Scotland, Albany
County, New York, on the 25th day of January, 1966 and that
the same is a true and correct copy of said original and the
whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed the seal of said Town, this 14 day of February,
1966.

RAYMOND C. RAYNSFORD,
Town Clerk of the Town of
New Scotland, Albany County,
New York

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Absent: Justice Arthur Langfelder, Justice Harold Schultz.

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wire construction, said fencing shall have a linkage of not more than two (2) inches in diameter. The entrance gate or gates shall have a closing device with a protective fastening latch and locking device and shall be kept securely locked at all times when such pool or pool area are not in use.

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The foregoing Amendment was duly adopted by the following vote.

Aye: Mr. McIntosh, Mr. Osterhout, Mr. Patterson.

No: None.

* * *

**STATE OF NEW YORK
COUNTY OF ALBANY SS:
TOWN OF NEW SCOTLAND**

I, RAYMOND C. RAYNSFORD, Town Clerk of the Town of New Scotland, Albany County, New York, do hereby certify that I have compared the annexed amendment to the Zoning Ordinance of the Town of New Scotland with the original thereof filed in my office at New Scotland, Albany County New York, on the 25th day of January, 1966 and that the same is a true and correct copy of said original and the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Town, this 14th day of February, 1966.

RAYMOND C. RAYNSFORD,
Town Clerk of the Town of
New Scotland, Albany County,
New York. (Feb. 18)

At a regular meeting of the Town Board of the Town of New Scotland, Albany County, New York, held at the Town Hall, New Scotland, New York, on the 28th day of January, 1966.

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Councilman Robert Patterson

Absent: Justice Arthur Langfelder
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Now, therefore, be it

RESOLVED AND ORDAINED that the Zoning Ordinance of the Town of New Scotland adopted on the 7th day of July, 1961, be, and the same hereby is, amended as follows:

1. Sections 5.921 and 5.922 of said ordinance are hereby REPEALED.

2. A new section 5.921 is hereby added to said ordinance, said section to read as follows:

5.921 By special use permit issued pursuant to section 5800 of this ordinance, existing structures may be converted

for any use which is conforming in the zoning district where located, provided it shall be evidenced that such structure has physically deteriorated or will soon so deteriorate if conversion is not permitted and the same will be restored to a decent and safe condition and will be so designed and located as to be compatible with adjoining development and the proposed character of the zoning district where located.

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Aye: Mr. McIntosh, Mr. Osterhout, Mr. Patterson.

No: None

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COUNTY OF ALBANY) SS:
TOWN OF NEW SCOTLAND)

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No: None.

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COUNTY OF ALBANY
TOWN OF NEW SCOTLAND**

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RAYMOND C. RAYNSFORD,
Town Clerk of the Town of
New Scotland, Albany County,
New York. (Feb. 18)