

# LOCAL LAW NO 2

OF

# THE YEAR 2009

A LOCAL LAW TO REZONE 6800 WEST TILLEN ROAD WHICH CONTAINS APPROXIMATELY 7.44 acres of land [SBL no. 258.13-1-11.1] from R-2 (Single Family Residence) to R-A (Residential-Agricultural).

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BOSTON AS FOLLOWS:

## SECTION 1. LEGISLATIVE INTENT

Local Law No. 2 of the Year 2009 shall amend Local Law No. 6 of the Year 1990, any amendments thereto and the Town of Boston zoning map, by rezoning 6800 West Tillen Road which contains 7.44 acres more or less of real property [SBL no. 258.13-1-11.1] from R-2 to R-A; such property being described as Town of Boston, Erie County, New York, Lot 3, Township 8, Range 7 of the Holland Land Company's survey and located on the south side of West Tillen Road, with a legal description as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Boston, County of Erie and State of New York, being part of Lot No. 10, Township 8, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point on the south bounds of Lot No. 10 at its intersection with the dividing line between Lot No. 9 and Lot No. 1; Thence northwesterly at an angle of  $104^{\circ} 09' 43''$  in the northeast quadrant with the south line of Lot No. 10, a distance of 74.69 feet; thence northeasterly at an angle of  $153^{\circ} 46' 51''$  with the last described line, 121.75 feet; thence continuing northeasterly at an angle of  $149^{\circ} 40' 20''$  with the last described line, 291.75 feet; Thence northeasterly at an angle of  $131^{\circ} 48'$  with the last described line, 143.28 feet; Thence westerly at an angle of  $82^{\circ} 44'$  with the last described line, 338.22 feet; Thence northerly at an interior angle of  $94^{\circ} 19'$  with the last described line, 147.29 feet to the principal point of beginning; Thence continuing northerly, 52.71 feet; Thence westerly at an exterior angle of  $92^{\circ} 00'$ , 307.05 feet; Thence northerly at an interior angle of  $90^{\circ} 53'$ , 344.7 feet; Thence northeasterly at an interior angle of  $91^{\circ} 07'$ , 300 feet; Thence northerly at right angles, 150.0 feet; Thence northeasterly at an interior angle of  $137^{\circ} 58' 20''$ , 95.51 feet; Thence southeasterly at an interior angle of  $101^{\circ} 28' 25''$ , 33.67 feet; Thence northeasterly at an exterior angle of

101° 28' 25", 101.3 feet to the southwesterly line of West Tillen Road, as established; Thence southeasterly along the southwesterly line of West Tillen Road on a curve to the left, concave to the north, radius of 1230.92 feet, an arc length of 577.1 feet; Thence southwesterly on a radial line and along the westerly line of said West Tillen Road, 55.0 feet; Thence southeasterly along West Tillen Road on a curve to the left, concave to the north, radius of 1285.92 feet, an arc length of 11.8 feet; Thence southwesterly along the southeasterly bounds of Liber 11054 of Deeds at Page 8043, 250.3 feet (measured, 276.6 feet by deed) to a point which is 263.96 feet from the principal point and place of beginning; Thence southwesterly, 263.96 feet to the principal point and place of beginning.

SECTION 2. THE FOLLOWING IS HEREBY ADOPTED:

The uses permitted by the zoning amendment contained in this Local law shall be subject to limitations and / or conditions adopted contemporaneously herewith by the Town Board of the Town of Boston pursuant to §123-177 of the Boston Town Code.

SECTION 3. MISCELLANEOUS

- A. This Local Law shall be deemed to supersede and repeal any other Local Laws to the extent therein inconsistent herewith.
- B. If any part of this Local Law shall be judicially declared invalid, void, unconstitutional or unenforceable, all unaffected provisions hereof shall survive such declaration and this Local Law shall remain in full force and effect as if the invalidated portion had not been enacted.
- C. Nothing herein shall be deemed to be a waiver or restriction upon any rights and powers available to the Town of Boston to further regulate the subject matter of this Local Law.

SECTION 4. EFFECTIVE DATE

This Local Law shall become effective upon filing with the Secretary of State of the State of New York, as required by the Municipal Home Rule Law.