

# Local Law Filing

(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  Town  Village  
*(Select one.)*

of North Greenbush

Local Law No. # 8 of the year 2023

A local law Amendment of the North Greenbush Official Zoning Map  
*(Insert Title)*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

County  City  Town  Village  
*(Select one.)*

of North Greenbush as follows:

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

**(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. 8 of 2023 of the (County)(City)(Town)(Village) of North Greenbush was duly passed by the North Greenbush Town Board on December 14 2023, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20    , 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted 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 \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local *(Elective Chief Executive Officer\*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, 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.

**TOWN OF NORTH GREENBUSH**  
**LOCAL LAW NO. 8 OF THE YEAR 2023**

**AMENDING THE TOWN OF NORTH GREENBUSH OFFICIAL ZONING MAP**

Be it enacted by the Town Board of the Town of North Greenbush, Rensselaer County, New York, as follows:

**SECTION I: PURPOSE**

The Town Board of the Town of North Greenbush amended the Official Zoning Map under Local Law 5 of 2016, which was duly filed with the Secretary of State. However, it was recently determined that several parcels were misclassified and as a result were incorrectly zoned. The Town seeks to modify its current Zoning Map to correctly zone the properties that should have remained in the General Business (BG zone) instead of being rezoned inadvertently to Residential (R-2).

**SECTION II: LEGISLATIVE FINDINGS**

This action is consistent with the Town of North Greenbush Comprehensive Plan and is an administrative correction action. The Town finds that the proposed action is consistent with the original intention of the Town Board, and no significant environmental impacts would result from the proposed action.

**SECTION III: ENACTMENT**

The Town of North Greenbush Official Zoning Map, adopted by Local Law 5 of 2016, is hereby amended as follows: All parcels listed below shall be rezoned from the current Residential (R-2) Zone to General Business (BG Zone) as originally intended by the Town of North Greenbush in the Comprehensive Plan as identified by Tax Lot identification on the Town of North Greenbush Tax roles:

- 124.-5-20.21
- 124.-5-9.21
- 124.-5-9.22
- 124.-5-8.3
- 124.-5-7.2
- 124.-5-9.1
- 124.-5-8.11/1
- 124.-5-8.2
- 124.-5-21
- 124.-5-19
- 124.-5-20.1
- 124.-5-18
- 124.-5-2
- 124.-5-7.1
- 124.-5-20.22

**TOWN OF NORTH GREENBUSH**  
**LOCAL LAW NO. 8 OF THE YEAR 2023**

**AMENDING THE TOWN OF NORTH GREENBUSH OFFICIAL ZONING MAP**

**SECTION IV: AUTHORITY**

This Local Law is enacted pursuant to the authority of Section 10 of the New York State Municipal Home Rule Law.

**SECTION V: SEVERABILITY**

If any part or provision of this local law is judged invalid by any Court of competent jurisdiction, such judgment shall be confined in application to the part of provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this law or the application thereof to other persons or circumstances. The Town hereby declares that it would have enacted the remainder of this law even without such part of provision or application.

**SECTION VI: EFFECTIVE DATE**

This local law shall become effective immediately upon the filing in the office of the New York Secretary of State pursuant to Section 27 of the New York State Municipal Home Rule Law.

At the Regular Meeting of  
the Town Board of the  
Town of North Greenbush  
Held at 7:00 p.m. on  
December 14, 2023, at the  
Town Offices

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IN THE MATTER OF ADOPTING A LOCAL LAW #8 FOR 2023  
AMENDING THE TOWN OF NORTH GREENBUSH OFFICIAL  
ZONING LAW ZONING MAP

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*BE IT RESOLVED*, the Town Board of the Town of North Greenbush hereby adopts the LOCAL LAW #8 for 2023 amending the Town of North Greenbush official Zoning Law Zoning map (copy attached) as Local Law #8 for 2023, and it is

*FURTHER RESOLVED*, that the Town Clerk shall cause notice of the adoption of the Law To be properly posted, published and filed with the Department of State.

**Councilperson Gordon** moved, **Supervisor Bott** seconded, and the Town Board voted as follows:

Supervisor Bott	<u>AYE</u>
Councilwoman Hoffman	<u>AYE</u>
Councilman Rogers	<u>AYE</u>
Councilwoman Merola	<u>AYE</u>
Councilman Gordon	<u>AYE</u>

**RESOLUTION 2023-12-92**

## LEGAL NOTICE

Please take notice that the North Greenbush Town Board approved the Following local law at their Regular Board meeting on December 14, 2023, entitled **“Local Law #8 of 2023 Amending the Town of North Greenbush Official Zoning Map”**.

### **SECTION I: PURPOSE**

The Town Board of the Town of North Greenbush amended the Official Zoning Map under Local Law 5 of 2016, which was duly filed with the Secretary of State. However, it was recently determined that several parcels were misclassified and as a result were incorrectly zoned. The Town seeks to modify its current Zoning Map to correctly zone the properties that should have remained in the General Business (BG zone) instead of being rezoned inadvertently to Residential (R-2).

### **SECTION II: LEGISLATIVE FINDINGS**

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### **SECTION III: ENACTMENT**

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- 124.-5-19
- 124.-5-20.1
- 124.-5-18
- 124.-5-2
- 124.-5-7.1
- 124.-5-20.22

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Respectfully submitted,  
Janice Hannigan Kerwin  
Town Clerk  
Town of North Greenbush