

TOWN OF SARATOGA TOWN BOARD

RESOLUTION #23-38 DATE: 04/10/2023

ADOPTION OF LOCAL LAW #2 of 2023 – AMENDING THE TOWN OF SARATOGA’S ZONING ORDINANCE

**Offered by Councilmember Gary Squires
Seconded by Councilmember Michael McLoughlin**

At the regular meeting of the Town Board of the Town of Saratoga, County of Saratoga, State of New York, held on, the following resolution was made as indicated above,

WHEREAS, there is a need to amend the Town’s Zoning Ordinance with the addition of allowable uses for Commercial Finishing Shops, under Special Use Permits; and

WHEREAS, the Town Board of the Town of Saratoga has held a public hearing and received input from the townspeople; now, therefore, be it

RESOLVED, by the Town Board of the Town of Saratoga, to adopt Local Law 2 of 2023, adding Commercial Finishing Shops to the Town’s Zoning Ordinance.

Section 1 – Article IV of the Town of Saratoga Zoning Regulations is hereby amended by adding the Section 400-16.5 as follows: Commercial Finishing Shops.

§400-34 - Rural District & Rural Residential District (Schedule of Uses and Regulations) is amended to read as follows:

Uses Requiring Special Permit:

r - 1. Commercial Finishing Shop

Section 2 - Definition:

Commercial Finishing Shop - An establishment primarily engaged in the finishing of wood or metal products. Such products may either be in raw material form and/or fabricated.

Use Requiring Special Use Permit in:
Rural and Rural Residential District

District: Rural and Rural Residential				Minimum Yard Dimensions of Principal Building				Maximum Building Coverage
Uses Requiring Special Permit	Minimum Lot Area	Minimum Lot Width	Minimum Lot Frontage	Front (feet)	Total 2 Sides (feet)	One Side	Rear	
r.-1 Commercial Finishing Shop	2 acres	200'	200'	75	100	40	75	10%

The following voted to adopt Local Law #2 of 2023:

- Supervisor Thomas Wood – aye
- Councilman Michael McLoughlin – aye
- Councilwoman Ruth Drumm - aye
- Councilman Gary Squires – aye
- Councilwoman Maxine Lautenberg - aye

Carried 5 - 0

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.

Town of Saratoga

Local Law No. 2 of the year 2023

A local law amending the zoning ordinance of the Town of Saratoga.

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

Town of Saratoga as follows:

The Zoning Ordinance of the Town of Saratoga is hereby amended in the following respects:

Section 1 – Article IV of the Town of Saratoga Zoning Regulations is hereby amended by adding the Section 400-16.5 as follows: Commercial Finishing Shops

§400-34 - Rural District & Rural Residential District (Schedule of Uses and Regulations) is amended to read as follows:

Uses Requiring Special Permit:
 r - 1. Commercial Finishing Shop

Section 2 – Definition

An establishment primarily engaged in the finishing of wood or metal products. Such products may either be in raw material form and/or fabricated.

Use Requiring Special Use Permit in:
 Rural and Rural Residential District

District: Rural and Rural Residential				Minimum Yard Dimensions of Principal Building				Maximum Building Coverage
Uses Requiring Special Permit	Minimum Lot Area	Minimum Lot Width	Minimum Lot Frontage	Front (feet)	Total 2 Sides (feet)	One Side	Rear	
r.-1 Commercial Finishing Shop	2 acres	200'	200'	75	100	40	75	10%

Section 3 – Effective Date

This local law shall take effect immediately.

Commercial Finishing Shop

Agency Use Only [If applicable]

Project:	Local Law 2, 2023
Date:	3/13/23 / 4/10/23

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Commercial Finishing Shop

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Saratoga

Name of Lead Agency

3/13/2023 + 4/10/2023

Date

Thomas H Wood III

Print or Type Name of Responsible Officer in Lead Agency

Town Supervisor

Title of Responsible Officer

Thomas H. Wood III

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

(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. 2 of 2023 of the (County)(City)(Town)(Village) of Town of Saratoga was duly passed by the Town Board on March 13 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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(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) (repassed after disapproval) by the _____ on _____ 20____. Such local 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.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* 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.

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 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) 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)(general) election held on _____ 20 _____, became operative.

6. (County local law concerning adoption of Charter.)

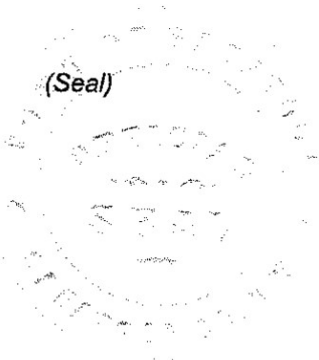
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and 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 _____ above.

Wanda A. McCabe
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 3/14/2023 / 4/10/2023



STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE

May 10, 2023

Town Clerk
Town of Saratoga
12 Spring Street
Schuylerville NY 12871

RE: Town of Saratoga, Local Law 2 2023, filed on May 1 2023

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492



**Department
of State**