

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

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(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.

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**  
OCT 04 2001

County  
City of Sackets Harbor  
Town  
Village

Local Law No. 4 of the year 2001

MISCELLANEOUS  
& STATE RECORDS

A local law amending Local Law No. 2 of the Year 1988  
*(Insert Title)*  
providing for an update of the Planned  
Development District.

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

County  
City of Sackets Harbor as follows:  
Town  
Village

Section 1. Local Law No. 2 of the Year 1988, the Village of Sackets Harbor Zoning Law, as amended, is hereby amended in part to amend Section 4-7; to provide for an update to the Planned Development District commonly known as Madison Barracks; to read as follows:

Section 4-7. Planned Development District-Madison Barracks.

- A) The purpose of this section is to provide for a revision and update of the Planned Development District.
- B) The uses allowed, property lines, parcels and location of all roads, water, sewer, solid waste facilities are as set forth on the following drawings and plans, copies of which are on file with the Village Clerk and are hereby incorporated as part of this Local Law:

- 1) Revise Planned Development Drawing and Subdivisions, Madison Barracks Complex, Village of Sackets Harbor, Town of Hounsfield, Jefferson County, New York Drawing, dated 12/8/86 and last revised 06/07/01 by GYMO Architecture, Engineering, Land Surveying,

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

Inc. P. C., signed and sealed by Leo F. Gozalkowski, LLS No. 047408;

- 2) Detail Sheet: Parcels R, R1, R2, Madison Barracks Complex, Village of Sackets Harbor, Town of Hounsfield, Jefferson County, New York dated March 05, 1999 by GYMO Architecture, Engineering, Land Surveying, P.C., signed and sealed by Leo F. Gozalkowski, LLS No. 047408;
- 3) Detail Sheet: Parcels A, J1, J, Madison Barracks Complex, Village of Sackets Harbor, Town of Hounsfield, Jefferson County, New York, dated March 11, 1999 by GYMO Architecture, Engineering, Land Surveying, P.C., signed and sealed by Leo F. Gozalkowski, LLS No. 047408;
- 4) Road Network Drawing, Madison Barracks Complex, Village of Sackets Harbor, Town of Hounsfield, Jefferson County, New York, dated 12/8/98 by GYMO Architecture, Engineering and Land Surveying P.C., and signed and sealed by Leo F. Gozalkowski, LLS No. 047408, except the area of Pike Road on the nine lot subdivision called Bayview Estates is eliminated; and
- 5) Three sheets of Drawings entitled "Mortgage Survey", dated June 22, 1998 last revised 8-31-98; Site Plan Marina at Madison Barracks, Village of Sackets Harbor, Jefferson Co. Dated May 5, 1998 and last revised 8-31-98; and Misc. Sheet, Madison Barracks dated 8/5/98 last revised 8/31/98 all by Stanford J. Zeccolo LLS No. 40531.

(Collectively all the foregoing paragraphs 1-5 above "the Plans".)

- C) The area requirements and lot dimensions for the nine lots for single family home sites shown and depicted on the Plans as Bayview Estates as shown and described on revised Plan Development Drawing and Subdivisions, Madison Barracks Complex, Village of Sackets Harbor, Town of Hounsfield, Jefferson County, New York dated 12/8/98 and last revised 03/16/99 by GYMO Architecture, Engineering, Land Surveyings, Inc., P. C., signed and sealed by Leo F. Gozalkowski, LLS No. 047408, except the

thirty feet water setback is eliminated, are hereby approved by the Board of Trustees as required by Subsection 4-6 C. However, said proposed nine lot single family home sites have been subject to subdivision review and approval by the Planning Board under the Village's Subdivision Control Law and all construction on said lots shall be subject to site plan review and approval pursuant to Article VII.

- D) Single family residential homes are the permitted use for parcels B, Q, X, and N, but only after subdivision review and approval under the Subdivision Control Law and approval under Subsection 4-6 C by the Board of Trustees. The proposed lot lines and proposed roads on parcels B, B1, C, M, M1, N and X on the Plans are illustrative only.
- E) The following parcels and buildings require approvals under Subsection 4-6 C and Article VII, Site Plan Review, prior to the issuance on a zoning permit:

Parcel A  
Parcel B  
Parcel B1  
Parcel M  
Parcel M1  
Parcel R-2  
Buildings 35, 37, 40, 58, 82, 135

- F) The infrastructure agreements between the Village and Fort Pike Associates, Madison Barrack Associates, Harbor View Home LP and Lakeview Homes LP dated May 19, 1988 and April 21, 1999 as they may be amended by the parties thereto or their successors and assigns from time to time, are hereby incorporated into and made a part of this Local Law.

Section 3. This Local Law is adopted pursuant to the Municipal Home Rule Law. In accordance with Section 22 of the Municipal Home Rule Law, it is determined that any procedural or substantive provisions of this Local Law which are inconsistent with Local Law No. 1 of the Year 1988, the Subdivision Control Law of the Village of Sackets Harbor, New York, including Section 160 thereof; Local Law No. 2 of the Year 1987, as amended, the Village of Sackets Harbor, including Section 4-6 and Article VII thereof; Village Law Sections 7-706, 7-708, 7-728 and 7-730 those inconsistent provisions are hereby superseded.

Section 4. This Local Law shall take effect upon filing with

(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. 4 of 2001 of the ~~(County)~~(City)~~(Town)~~(Village) of Sackets Harbor was duly passed by the Board of Trustees on August 14, 2001, 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\_\_\_\_. 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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**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.

*Betsy Stoker*

\_\_\_\_\_  
~~Clerk of the County legislative body, City, Town or Village Clerk~~  
or officer designated by local legislative body

(Seal)

Date: August 14, , 2001

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF JEFFERSON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto

*Dennis G. Whelan*  
Signature Dennis G. Whelan

Village Attorney  
Title

~~County~~  
~~City~~ of Sackets Harbor  
~~Town~~  
Village

Date: September 28, 2001