

Local Law Filing

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

(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
AUG 29 2005

~~COUNTY~~ Sackets Harbor
~~CITY~~ of _____
~~TOWN~~ Village

MISCELLANEOUS
& STATE RECORDS
05

Local Law No. 3 of the year 2005

A local law Amending Local Law No. 2 of the Year 1987, providing
(insert Title) for a Planned Development District for 206 Ambrose
Street, Tax Parcel No. 88.27-1-18.1

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 1987, the Village of Sackets Harbor Zoning Law, as amended, is amended to add the following Section 4-9 to provide for the creation of and regulations for a Planned Development District for 6.675 acres of land shown and depicted on maps and records of the Jefferson County Real Property Tax Services Office as Tax Parcel No. 88.27-1-18.1 and the maps and plans noted is said new Section 4-9(B) ("206 Lawler Street Subdivision"):

Section 4-9 Planned Development District -
Lawler Subdivision

A) The purpose of this Section 4-9 is to create a Planned Development District and provide rules, regulations and requirements for Lawler Subdivision, which Planned Development District is hereby created. The "Zoning Map, Village of Sackets Harbor, New York", is hereby amended to change the Zoning District for Tax Parcel No. 88.27-1-18.1, the Lawler Subdivision, from Single Family Residential to Planned Development District.

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

B) The uses allowed (24 Townhouse homes, one commercial building and lot, streets, storm water collection and storm water retention area, property lines, set back lines, parcels and the location and details of all streets, water, sewer, storm water, lighting, utilities systems, are as set forth on the following reports, drawing and plans (copies of which are on file with the Village Clerk), and all of which are hereby incorporated as part of this Local Law. All such reports, drawings and plans are entitled Lawler Subdivision (Planned Development District), Ambrose Street, Sackets Harbor, New York by Aubertine and Currier, Architect, last revised August 9, 2005.

1. Design Report and Specifications for Lawler Subdivision signed and sealed by Annette Marie Mason, PE No. 079977
2. Sheet 1, Survey Map; signed and sealed by Gerald A. Kostyk, LLS No. 050011
3. Sheet C2, Site Plan, signed and sealed by Annette Marie Mason, PE No. 079977 ("C2")
4. Sheets C3A and C3B, Utility Plan, signed and sealed by Annette Marie Mason, PE No. 079977
5. Sheet C4, Grading & Drainage Plan, signed and sealed by Annette Marie Mason, PE No. 079977
6. Sheet C5, Landscaping Plan, signed and sealed by Annette Marie Mason, PE No. 079977 ("C5")
7. Sheet C6, Soil Erosion and Sediment Control Plan, signed and sealed by Annette Marie Mason, PE No. 079977
8. Sheet C7, Site Details, signed and sealed by Annette Marie Mason, PE No. 079977
9. Sheet C8, Site Details, signed and sealed by Annette Marie Mason, PE No. 079977
10. Sheet C9, Site Details and Profiles, signed and sealed by Annette Marie Mason, PE No. 079977
11. Sheet C10, Site Details, signed and sealed by Annette Marie Mason, PE No. 079977 ("A1")

12. Sheet A1, Building Elevations and Building Sections, signed and sealed by Annette Marie Mason, P.E. No. 079977 ("A1")

(collectively all the foregoing paragraphs 1 through 12 above "the Plans")

C) The area and set back requirements and lot dimensions for the twenty-four (24) townhouse lots proposed storm water retainage parcel shown, and Lot 26 as depicted on the Plans, are hereby approved by the Board of Trustees as required by Subsection 4-6(C). However, the subdivision of lands shall be subject to subdivision review and approval by the Planning Board under the Village's Subdivision Control Law and subject to entering into an infrastructure agreement with the Village, acting through its Board of Trustees, as to the construction, dedication, acceptance and maintenance of all water, sewer, storm water, street and lighting systems for the Project. All construction on each of the twenty-four (24) townhouse residential units shall be subject to Site Plan Review and Approval pursuant to Article VII and this Section 4-9, except for the building to be constructed on Lots Numbers 1, 2, 3, and 4 shall be in accordance with the drawings on A1, located as indicated on C2 and landscaped as shown on C5.

- D) No lots (except for Lots 17 and 26) may be sold or transferred until all the streets, lights, water, sewer, and storm water facilities shown on the Plans have been installed, constructed, conveyed and accepted by the Village of Sackets Harbor.
- E) No Village water or sewer service to serve any lot (except Lot Number 26) shall be available to serve those lots until all the water and sewer facilities have been constructed, installed, conveyed to and accepted by the Village.
- F) Each townhouse lot may have any of the accessory uses permitted in the Single Family Residential District and Lot Number 26 may have any commercial accessory use allowed in either the Business District or Single Family Residential District but only after Site Plan Review and approval pursuant to Article VII.
- G) Any breach of any term or obligation of any written infrastructure agreement between the Village and 206 Ambrose Street Enterprises, LLC, their successors and assigns, shall be a violation of the Village of Sackets Harbor Zoning Law. In addition to any contract remedies

the Village may have pursuant to such Infrastructure Agreement, the Infrastructure Agreement may be enforced and defaults thereof prosecuted in accordance with Article IX as if such agreement was fully set forth in the Village of Sackets Harbor Zoning Law.

Section 2. This Local Law shall take effect upon filing with the Secretary of State and complying with the provisions of Section 7-706 of the Village Law.

(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. 3 of 2005 of the ~~(County)(City)(Town)(Village)~~ of Sackets Harbor was duly passed by the Board of Trustees on August 22, 2005, 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.

Lisa M. Gregory
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: August 23, 2005

(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. Whelpley
Signature Dennis G. Whelpley
Village Counsel
Title

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

Date: August 25, 2005