

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 Sackets Harbor

FILED
STATE RECORDS

DEC 06 2011

DEPARTMENT OF STATE

Local Law No. 3 of the year 2011

A local law amending Local Law No. 2 of the Year 1987, providing for an update of the Madison

(Insert Title)

Barracks Planned Development District.

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

☐ County ☐ City ☐ Town ☒ Village
(Select one:)

of Sackets Harbor

as follows:

See attached sheets

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

Section 1. Local Law No. 2 of the year 1987, 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, 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, Inc., 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, Inc., 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, Land Surveying, Inc., P.C., 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 Complex, 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 Bayview Estates Subdivision is expanded to ten (10) lots by adding 2710 square feet of land at the southerly end of Bayview Estates Subdivision to the Madison Barracks Planned Development District, relocating the southerly boundary line of Lot 1 Bayview Estates and adding the land from Lot 1 to form the new Lot 10 to Bayview Estates Subdivision. The area requirements and lot dimensions for the ten lot Bayview Estates single family home sites shown and depicted on the Bayview Estates Plan as shown and described on revised Bayview Estates Utility and Subdivision Plan map, Madison Barracks Complex, Village of Sackets Harbor, Town of Hounsfield, Jefferson County, New York, dated January 24, 2000 and last revised May 23, 2007 by GYMO Architecture, Engineering, Land Surveying, Inc., P.C., signed and sealed by Leo F. Gozalkowski, LLS No. 047408, except the thirty (30) foot waterfront setback is eliminated and the rear yard setback for the Lot 10 Bayview Estates is reduced to fifteen (15) feet and the lot width is reduced to seventy (70) feet, are hereby approved by the Board of Trustees as required by the Subsection 4-6 C. However, said proposed ten (10) 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, and new lot 10 shall further be subject to the restrictive covenants applicable to lot 1.
- D) Single family residential homes are the permitted use for parcels B, Q, 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 of 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.
- G) Multi-family dwellings are a permitted use for parcels R-2 and X, subject to Site Plan Review under Article VII herein, and the Subdivision Control Law of the Village of Sackets Harbor.

Section 3. This Local Law is adopted pursuant to Municipal Home Rule Law. In accordance with Section 22 of the Municipal Home Rule Law, if 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, 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 the Secretary of State, and Lawler Realty, LLC entering into an infrastructure agreement acceptable to the Village.

(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 2011 of the ~~(County)(City)(Town)~~(Village) of Sackets Harbor was duly passed by the Board of Trustees on September 13 2011, 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 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.

5. ~~(City local law concerning Charter revision proposed by petition.)~~

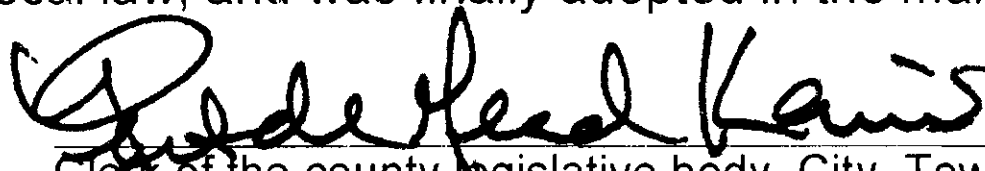
~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 1 _____ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date:

10/27/2011

(Seal)

(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.


Signature

David B. Geurtsen, Attorney

Title

~~County~~

~~City~~

of Sackets Harbor

~~Town~~

Village

Date:

10-21-2011