

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 Shawangunk, Ulster County, New York

Local Law No. 1 of the year 2015

A local law Amending the Zoning Law of the Town of Shawangunk  
(Insert Title)

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County     City     Town     Village

Of SHAWANGUNK, ULSTER COUNTY, NEW YORK as follows:

Be it Enacted by the Town Board of the Town of SHAWANGUNK as follows:

**INSERT LOCAL LANGUAGE/BODY HERE**

**I. PURPOSE, INTENT AND FINDINGS**

The purpose and intent of this local law is to amend the existing Zoning Law of the Town of Shawangunk, also known as Chapter 177 of the Code of the Town of Shawangunk, to provide various revisions to address issues that have been raised since the last amendments were adopted in 2009.

The Town Board finds that the amendments set forth in Section III of this local law are in the public interest and will serve to streamline certain existing land use regulations while, at the same time, insuring the orderly development of the Town.

**II. STATEMENT OF AUTHORITY**

This local law is authorized by the New York State Constitution including Article IX Section 2, the relevant provisions of the New York Municipal House Rule Law, the Statute of Local Governments, the Town Law, the General Municipal Law, the Zoning Law and the local laws and land-use regulations of the Town of Shawangunk and the general police power vested in the Town of Shawangunk to provide for the health, safety and welfare of the citizens of the Town.

### III. ZONING TEXT AMENDMENTS

The Zoning Law of the Town of Shawangunk, also known as Chapter 177 of the Code of the Town of Shawangunk, hereby is amended as follows:

A. At Section 177-43(E)2:

1. add the words "Act (SEQRA)" at the end of the first sentence.
2. Delete the second and third sentences in their entirety and replace with a new sentence as follows:

The potential impact of any Type I or Unlisted Action on the environmental characteristics of the CEA is a relevant area of environmental concern and shall be evaluated in any determination of significance prepared pursuant to 6 NYCRR Section 617.7 of the regulations implementing SEQRA.

B. At Section 177-65 (Definitions) add a new use as follows:

1. **MOTOR VEHICLE SALES** – A lot or parcel of land, with a suitable structure, where operable motor vehicles are stored or displayed only for sale or hire. Motor vehicles may include cars, trucks, boats, recreational vehicles, motorcycles, or other types of motorized equipment.

C. At Section 177-6(I):

1. at the last sentence of subparagraph (1) delete the words "... hamlet of Wallkill" and replace with "... hamlets of Wallkill and Walker Valley ..."
2. add the following as a specially permitted use under subparagraph (4):  
**MOTOR VEHICLE SALES**

### IV. SEVERABILITY:

If any section or subsection, paragraph, clause, phrase or provision of this local law shall be adjudged invalid for any reason or shall be deleted or subsequently repealed, the same shall not affect the validity of this local law as a whole or any part or provisions hereof other than the part to be adjudged to be invalid and/or deleted and/or subsequently repealed.


The determination by any court of competent jurisdiction that any provisions of the within local law is unenforceable, invalid, void, unconstitutional or in conflict with federal or state law shall not in any way affect the enforceability or validity of any other provisions contained herein. Additionally, such determination shall be confined in its operation to the person, individual, entity, firm, corporation, company or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

### V. EFFECTIVE DATE:

This local law shall be effective immediately upon filing with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law for the State of New York.

BE IT ENACTED THIS 5<sup>th</sup> DAY OF MARCH, 2015 BY THE TOWN BOARD OF THE TOWN OF SHAWANGUNK, COUNTY OF ULSTER, STATE OF NEW YORK.

JOHN VALK, JR., SUPERVISOR  
ADRIAN M. DEWITT, COUNCILMAN  
ROBERT T. MILLER, COUNCILMAN  
BRIAN AMTHOR, COUNCILMAN  
MATTHEW WATKINS, COUNCILMAN

  
\_\_\_\_\_  
JANE P. RASCOE, TOWN CLERK  
TOWN OF SHAWANGUNK

ATTEST:

TOWN SEAL:

