

(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

MAR 20 2001

Ryan F. DiGirolamo
Secretary of State

County
City of Newcomb
Town
Village

Local Law No. 3 of the year 2001.

**A LOCAL LAW AMENDING THE TOWN OF NEWCOMB
ZONING AND SITE PLAN REVIEW LOCAL LAW
REGARDING ZONING BOARD OF APPEALS REFERRALS TO THE
PLANNING BOARD AND COUNTY PLANNING AGENCY**

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

County
City of Newcomb as follows:
Town
Village

ARTICLE 1. Section 10.050A. of the Town of Newcomb Zoning and Site Plan Review Local Law is hereby amended to read as follows:

- A. The Zoning Board of Appeals may, by Resolution, refer any complete variance application to the Planning Board for its advisory recommendation. Where required by Section 239-m of the General Municipal Law, the Zoning Board of Appeals shall refer a complete variance application to the county planning agency having jurisdiction for its report and recommendation. In the event of any such referral, then the Zoning Board of Appeals shall not take final action on the variance application until the Planning Board and/or the county planning agency, as appropriate, have submitted recommendations or returned the application to the Zoning Board of Appeals with no recommendation or until thirty (30) days have passed since the date of referral with no action, whichever occurs first.

ARTICLE 2. The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

ARTICLE 3. All Local Laws or ordinances or parts of Local Laws or ordinances in conflict with any part of this Local law are hereby repealed.

ARTICLE 4. This Local Law shall take effect upon publication as required by Section 265 of the New York State Town Law and filing in the office of the New York State Secretary of State.

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

(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 ...2001... of the (County)(City)(Town)(Village) ofNewcomb..... was duly passed by the ...Town Board..... on ...February 27...., 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 199... of the (County)(City)(Town)(Village) of was duly passed by the on, 199..., and was (approved)(not approved)(repassed after disapproval) by the and was deemed duly adopted on, 199..., 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 of the (County)(City)(Town)(Village) of was duly passed by the on, 2000., and was (approved)(not approved)(repassed) after disapproval) by the on, 199... 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, 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 199... of the (County)(City)(Town)(Village) of was duly passed by the on, 199..., and was (approved)(not approved)(repassed after disapproval) by the on, 199... Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of, 199..., 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.)

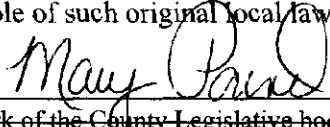
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 199____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 199____, 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 199____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____, 199____, 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 town 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

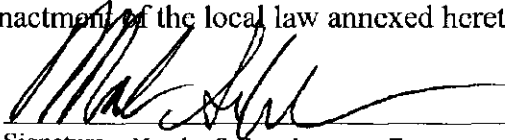
(Seal)

Date: 3-6-01

(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 WARREN

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 Mark Schachner, Esq.

Special Counsel
Title

~~CITY~~
~~CNY~~
Town of Newcomb
~~Village~~

Date: March 16, 2001