

**Town of Rosendale**

**Local Law No. 1 of the year 2013**

A Local Law to amend Chapter 75 of the Code of the Town of Rosendale entitled “Zoning Law of the Town of Rosendale, New York” (hereinafter referred to as the “Zoning Law”).

Be it enacted by the Town Board of the Town of Rosendale as follows:

**SECTION 1. TITLE**

This local law shall be known as “A Law Amending the Zoning Law of the Town of Rosendale to Establish the Binnewater Lakes Conservation Planned Development Area.”

**SECTION 2. AUTHORITY**

This Local Law is enacted pursuant to the authority of Municipal Home Rule Law Section 10, the Town Law, and in accordance with the Zoning Law of the Town of Rosendale, New York - Article IX entitled “Amendments.”

**SECTION 3. ZONING LAW AMENDMENT**

A. Chapter 75 of the Town Code of the Town of Rosendale is hereby amended with the addition of the following new section:

**BINNEWATER LAKES CONSERVATION PLANNED DEVELOPMENT AREA**

§75-58 (A). Intent.

The Binnewater Lakes Conservation Planned Development Area (“BLCPDA”) is a special planning area intended to recognize the unique environmental, historic and economic importance of the Binnewater Lakes and their surrounds, consistent with the principal objectives of the Town of Rosendale Comprehensive Plan. The area is home to important geologic, surface water and habitat resources and has historically served as an important economic resource for the Town via the extraction and tourism industries. The area also contains an approximately 1.5 mile section of the Wallkill Valley Rail Trail that has been closed to public access. Creating public access to this 1.5 mile section enables uninterrupted access from both the north and the south of the area to a 24 mile regional rail trail from Wallkill to Kingston, NY. The area is also unique in that it has principally remained in uniform ownership and/or control for the last 80 years and it is likely to remain that way into the foreseeable future. The Town Board wishes to take advantage of all of these unique characteristics by establishing a mechanism that will create the opportunity for the uniform conservation, planning and development of this area as well as a sustainable redevelopment of the Williams Lake Hotel Resort, which has served for

decades as a principal tourist destination within the Town. Such a mechanism is in keeping with the specific objectives of the Comprehensive Plan to preserve existing businesses and ensure conservation, planning and development while ensuring public access connectivity to the Wallkill Valley Rail Trail. The Rosendale Comprehensive Plan's principal goals are: 1) the preservation of resources (including open space, water resources, ecosystems, historic features, etc.); 2) enhancing the value of land through planned development; and 3) improving the efficiency of community infrastructure and services. In furtherance of these objectives, this zoning section authorizes the location of a "Lakes Conservation Planned Development" within the BLCPPDA consisting of both resort and residential uses as well as public recreational use of the Wallkill Valley Rail Trail through the property, and sets forth comprehensive regulations for such development to ensure that it can be properly located, maintained and constructed to accomplish its purpose without detriment to the environment and the general health, safety and welfare of the residents of the Town of Rosendale.

§75-58 (B). Establishment of Binnewater Lakes Conservation Planned Development Area.

The Binnewater Lakes Conservation Planned Development Area (BLCPPDA) is hereby established as a special planning area within the Town of Rosendale. The area is depicted on the Zoning Map promulgated pursuant to §75-5 of the Zoning Law. The area presently consists of approximately 779 acres (6+/-% of Town's total land mass). The Town Board may amend the Zoning Map to place additional adjoining acreage into the BLCPPDA. The BLCPPDA designation does not alter the underlying zoning classification of the properties located within its boundaries. Any application for a Lakes Conservation Planned Development made pursuant to this section shall be solely governed by the regulations contained herein.

§75-58 (C). Lakes Conservation Planned Development.

A. A Lakes Conservation Planned Development (LCPD) is a planned, mixed use development on a large tract of land within the BLCPPDA designed to maximize conservation and protection of important natural resources while authorizing compact development of a range of uses that can support and sustain a responsible economic development model for the Town. The appropriate redevelopment of the Williams Lake Hotel Resort is a critical component of this model and is required as part of any Lakes Conservation Planned Development application.

B. A Lakes Conservation Planned Development requires Master Development Plan approval from the Town Board, site plan and as necessary, subdivision approvals from the Town Planning Board in accordance with the procedure set forth and upon compliance with the standards and regulations herein. No application for site plan, subdivision or other site specific approval for any phase or section of a Lakes Conservation Planned Development shall be reviewed or approved until a Master Development Plan has been approved by the Town Board in accordance with the requirements herein.

§75-58 (D). Development Standards and Objectives.

A. A Lakes Conservation Planned Development shall demonstrate compliance with the following development standards and objectives:

(1) Protection of important natural resources including but not limited to the Binnewater Lakes, other important surface and ground water resources, wetlands, vernal pools, endangered species and their habitat, mature forest and sensitive geological features including steep slopes and sites with Karst geology (hydrogeologically sensitive carbonate geology). Protection of large, contiguous unaltered tracts. Preservation of links between natural habitats on adjacent properties. Restoration and maintenance of broad buffer zones of natural vegetation along streams and water bodies and minimization of impervious areas.

(2) Redevelopment of the Williams Lake Hotel Resort as a principal tourist destination for the Town.

(3) Utilization of a compact development footprint.

(4) Preservation of a significant expanse of open space with minimization of the fragmentation of existing forested areas. A minimum 65% of the development's gross site acreage must be preserved as open space.

(5) Preparation of a long term resource management plan for existing lands under conservation easement as well as additional lands that become subject to conservation protection. Such plan shall include mechanisms to provide for public access to conservation areas for research and/or educational purposes.

(6) Protection of significant pre-historic and historic cultural resources deemed important by the New York State Historic Preservation Office.

(7) Incorporation of an environmental and historical education feature into the development plan.

(8) Inclusion of a public access component into the development plan that provides the following public recreational uses:

a) Free public access/ connectivity to the Wallkill Valley Rail Trail system. Such access should be accorded generally along the existing historic railbed, and shall be effective no later than First Phase Site Plan Approval by the Town Planning Board. The Master Plan shall include the mechanism to assure permanent and free public access.

b) Public access to Williams Lake, Fourth Binnewater Lake and lands protected by conservation easement whether free or via a fee day pass or some other method as may be applicable

(9) Provision of an affordable and/or workforce housing component within the development plan or, support of another affordable housing effort or project within the Town. An affordable housing plan shall be submitted as part of the Master Development Plan materials.

(10) Incorporation of sustainable practices applicable in the construction and operation of the development. Sustainable practices include, but are not limited to: green infrastructure techniques for onsite storm water filtration, local sourcing of materials, water conservation methods, use of energy efficient building materials, mechanical systems and home appliances, use of certified sustainable products and materials, generation of on-site renewable energy, recycling and composting of solid waste, pedestrian-focused design, protection of natural resources and habitat, etc. Demonstration of sustainability will require commitments to participate in one or more of the following or substantially similar green building certification standards: LEED, Living Building Standards, Green Globes, Energy Star, etc.

(11) Provision of central water and sewer, cable television, telephone, propane gas and electric service. Utility service lines will be buried underground to the maximum extent practicable.

(12) Access to the development must be from a public street which meets current accepted design standards with respect to roadway width and alignment.

(13) The planned development shall incorporate a second means of ingress/ egress for safety/ emergency reasons. Private roadways shall be designed to assure adequate emergency access at all times during the construction phase and afterward.

(14) Identification of appropriate legal mechanisms to preserve and protect important natural resources and open spaces and to govern and regulate common area elements of the development plan.

(15) Conformance with Parking Guidelines as described in §75-57 (G) (4)

§75-58 (E). Permitted Principal and Accessory Uses.

A. Principal Uses. The following principal uses shall be permitted in a Lakes Conservation Planned Development:

(1) Hotel/Resort rooms and suites within a single building or multiple buildings

(2) Recreational amenities supportive of the hotel/resort as a seasonal or year round destination. Such amenities shall include both indoor and outdoor recreational and/or health related facilities. Examples include, but are not

limited to, a spa, gymnasium, boating, swimming, hiking, mountain biking, agricultural, equestrian, and winter sports facilities.

(3) Single family dwellings.

(4) Two family dwellings.

(5) Multi-family dwellings.

(6) Any other residential use or housing / dwelling type approved by the Town Board in the Master Development Plan.

(7) Buildings and structures for the common recreational or social use, education, wellness and enjoyment of guests or residents of the resort and/or Rosendale community, or designed for the provision of services to the guests or residents of the resort and/or Rosendale community.

(8) Park and conservation areas.

(9) Community buildings and activity spaces.

(10) Entry gate, security, valet and concierge stations.

(11) Community oriented agricultural uses.

#### B. Permitted Accessory Uses.

Any uses which are customary, incidental or subordinate to a principally permitted use within the approved Master Development Plan. Examples include special events associated with resort amenities, parking areas, utilities and utility structures (including renewable energy installations), restaurants, bars, kiosks, and gift shops servicing hotel/resort guests or development residents.

#### §75-58 (F). Bulk and Lot Requirements.

A. Due to the unique nature of the LCPDA and the intent to provide design flexibility in the creation of a Lakes Conservation Planned Development, the bulk and lot requirements established elsewhere in the Zoning Law are not applicable here. Bulk and lot requirements for both residential and non-residential uses (principal and accessory), including minimum lot area, minimum yards, minimum setbacks, open space and other bulk and lot standards shall be determined by the Town Board as part of the Lakes Conservation Planned Development Master Plan review process.

B. Notwithstanding the above, the maximum residential and non-residential development in a Lakes Conservation Planned Development shall be as follows:

(1) Maximum nonresidential development.

- (a) No more than 35 acres shall be used for nonresidential development. For purposes of this provision non residential development does not include lakes, trails, or beach areas.
- (b) The maximum building height shall for a hotel lodge shall be 75 feet or 5 stories, whichever is less. All other nonresidential buildings shall have a maximum height of 3 stories or 45 feet, whichever is less.

(2) Maximum residential development.

- (a) No more than 45 acres shall be used for residential development. Land that is prohibited from development by deed restrictions, whether held in common ownership or within a residential lot, is excluded.
- (b) The maximum building height shall be 3 stories or 45 feet whichever is less.
- (c) Maximum residential lot coverage of all buildings, structures and other paved/ concrete surfaces (including parking/ walking surfaces) on any residential lot shall be no more than 40% of the lot area.

(d) Residential Lot sizes and Setbacks.

Single-family residences shall have a minimum lot size of 22,000 square feet (approximately ½ acre), minimum front setbacks of 15 feet, minimum rear setbacks of 25 feet and minimum side setbacks of 10 feet for any structure.

Multi-family sites (whether 2 family, 3 family or greater) shall have a maximum density of 15 units per acre, and all multi-family structures shall have minimum separations of 20 feet, minimum front setbacks of 20 feet and minimum rear set backs of 25 feet.

- (3) Total residential and nonresidential site disturbance shall not exceed the maximum amount of site disturbance determined during the SEQRA process.

§75-58 (G). General Design Guidelines

A Lakes Conservation Planned Development shall comply with the following general Design Guidelines:

- (1) Architectural elements shall be used to provide visual interest and promote integration of design elements.

(2) Groups of related buildings shall be designed to present a visually attractive appearance in terms of combination of juxtaposition of architectural style and massing of buildings.

(3) Provide safe, efficient and convenient vehicular and pedestrian access and circulation patterns, including pedestrian connectivity between residential and commercial components, including parking areas.

(4) Parking will meet underlying zoning requirements as per §75-19 in terms of number of spaces required. Shared parking facilities are encouraged. On-street parking may be allowed provided the street width is adequate to safely accommodate on-street parking and safe passing by Emergency Vehicles. Parking areas should be designed for a safe and orderly flow of traffic throughout the site as well as for on-site stormwater management. Major circulation patterns within parking areas should be well defined with appropriate landscaped buffers and/or islands. Parking spaces along main circulation drives should be avoided. To the maximum extent practicable, dead-end parking lots shall be avoided. Parking areas shall be designed to maximize on-site ground filtration of stormwater and shall include those of the following practices and techniques or other Best Management Practices as deemed appropriate and necessary for site specific conditions:

- i. Use of underground stormwater chambers to divert stormwater through impervious parking surfaces;
- ii. Integration of stormwater practices in landscape islands to help treat stormwater runoff on site;
- iii. Use of pervious paving blocks and/or pervious composite surfaces;
- iv. Incorporation of compact car spaces to reduce impervious surface cover;
- v. Integration of green swale areas on the perimeter of parking lots to reduce stormwater flow;
- vi. Use of shared parking among adjacent uses to reduce impervious surface cover.

(5) Building lines shall be varied to the extent practical to provide an interesting interplay of buildings and open spaces.

(6) The layout of residential areas shall create neighborhoods of appropriate scale and design, providing entrance features, landscaping, pedestrian and vehicular circulation suitable to the type of housing provided.

(7) Buildings shall be designed with consideration of their appearance from vantage points both within and outside the BLCPPDA.

(8) Appurtenances on buildings and accessory structures shall receive architectural treatment consistent with that of principal buildings.

(9) Where practical, use of natural materials shall be utilized for construction of buildings and site features. Natural materials shall be locally sourced to the extent feasible.

(10) Palettes and colors consistent with the natural landscape shall be used.

(11) Provision of more than one point of access to the site.

(12) Site Lighting

Eliminate adverse impacts of light through spillover; provide attractive lighting fixtures and layout patterns that contribute to unified exterior lighting design of non-residential developments; and provide exterior lighting that promotes safe vehicular and pedestrian access to and within a development, while minimizing impacts on adjacent properties and wildlife.

(13) Landscaping, Screening and Fencing

Use landscaping to visually tie the entire development together, define major entryways and circulation (both vehicular and pedestrian) and parking patterns, and, where appropriate, help buffer less intensive adjacent land uses. Use natural and landscaped areas wherever feasible to visually soften paved areas and buildings, screen service areas (e.g., mechanical and utility equipment, loading docks, parking, solid waste facilities, etc.) as well as to mitigate stormwater runoff. Incorporate landscaping (with a preference for trees) to screen parking areas for visual and noise impacts and to provide shading. Incorporate existing trees and shrubs into landscape design to the extent possible by beginning landscape design planning prior to clearing and grading of site. When incorporating new plantings into landscape design, use non-invasive and preferably native plant species, and environmentally sustainable design to efficiently lower the use of required irrigation. Minimize fencing.

(14) Signage

A Master Signage Plan, containing announcement and directional signage, shall be established for the planned development. Signage shall be at a scale and design that is consistent with the character of the planned development. In developing the Master Signage Plan, consideration shall be given to section 75-22 of the Zoning Code although, strict compliance with that section shall not be required.

§75-58 (H). Specific Design Standards.

The BLCPPDA allows flexibility to encourage innovative site planning and design. Toward that end, specific design standards are to be established for the Lakes Conservation Planned Development as part of the Master Development Plan process. The adopted Design Standards shall govern and be incorporated into the design of individual site plans and/or subdivision plans for each building phase and/or section of the development.

§75-58 (I). Master Development Plan; Application, Review and Approval

A. Application.

(1) An application for approval of a Master Development Plan shall be made in writing to the Town Board and on forms and in such quantity as may be prescribed by the Planning Board. In addition, the Applicant shall provide electronic copies of all submitted application materials on a CD, flash drive or other electronic storage means.

(2) The application shall include the following information:

(a) Site location map. A site location map showing the location of the site in relation to existing roads, properties, structures, land uses, zoning districts, service and utility districts and other significant information for the subject property and all areas within 500 feet of the subject property.

(b) Constrained Lands map. A map or series of maps on a current topographic base depicting all Constrained Lands on the site. For purposes of this section, constrained lands shall include, but not necessarily be limited to: wetlands or other waters of the U.S. (perennial, intermittent and ephemeral streams), vernal pools, lakes, streams, rivers, steep slopes (15% or greater), abandoned mines, caves, fissures, bedrock outcroppings, delineated endangered/ threatened species habitat (unless prohibited by regulatory wildlife agencies), and other sensitive natural habitats.

(c) A narrative report describing how the proposed Master Development plan is compliant with applicable SEQRA findings.

(d) A narrative report describing how the proposed Master Development plan is compliant with the BLCPPDA development standards and design guidelines as described in §75-57 (D) and §75-57 (G).

(e) Land use and development plan. A proposed land use and development plan illustrating the applicant's land use and development concept for the entire property. The plan shall also depict those lands proposed to be set aside for open space, public access and/or conservation, including, but not limited to, proposed conservation areas, lands set aside for public recreation, rail trails, roads and/or structures provided for public transportation, etc.

(f) Phasing plan. A proposed phasing plan indicating the phasing of site development and infrastructure improvements (both on and off-site), including the anticipated general order of construction and the estimated timing of each phase. Phases should be identified on the Master Development Plan and each phase should be able to stand independent of other phases for water, sewer and access.

(g) Affordable/workforce housing plan. An affordable (and/or workforce) housing plan indicating the number of units, physical design, timing of inclusion in the construction phase and income thresholds to access the affordable/ workforce housing units.

(h) Additional information. Such additional information in narrative or graphic form as may be required to enable the Town Board to make its determinations as required herein.

Fully engineered plans and construction details are not required at this stage of the process.

(3) Fees. An application shall be accompanied by an application fee as prescribed by the Town Board. If professional review of the application is required by a designated private planning, engineering, legal or other consultants or, if other extraordinary expense to review documents or conduct special studies in connection with the proposed application is incurred, reasonable fees shall be paid for by the Applicant, through an escrow account established by the Applicant and the Town. An escrow agreement shall be signed by the Applicant and a payment shall be made to the Town prior to the review of any application materials by the Town's consultant(s).

#### B. Application Review.

The review of a Master Development Plan shall be conducted in accordance with the following procedure.

(a) Upon receipt of application, the Town Clerk shall notify the applicant of the place, date, and time of the meeting at which the application is to be considered. The applicant or the applicant's representatives shall be present at meetings at which the application is to be considered.

(b) Upon receipt the Town Clerk shall forward the application to the Town Planning Board for review and recommendations. The Town Planning Board shall have 30 days from receipt of the application to provide its recommendations to the Town Board.

(c) GML review. The complete application shall be referred to the Ulster County Department of Planning for any review under GML 239 l, m, n or nn.

(d) SEQRA review. The Town Board shall determine whether the application complies with any applicable SEQRA findings. If the application complies with such SEQRA findings, no further SEQRA review shall be conducted. If the application does not comply with such findings the Town Board shall proceed to issue or recommend issuance of a determination of significance for the proposed action and the application shall not be deemed complete until it is determined that no further SEQRA review is

required; a negative declaration is issued or, a draft Supplemental Environmental Impact Statement has been accepted by the lead agency.<sup>1</sup>

(e) Public hearing. Within 62 days of receipt of a complete application, the Town Board shall hold a public hearing on the Master Development Plan application. Notice of the public hearing shall be published in the official newspaper of the Town at least 10 days prior to the date set for public hearing. The Town Board may provide that the hearing be further advertised in such manner as it deems most appropriate for public consideration of the application. All notices shall include the name of the development, the location of the development site, and the date, place, time and subject of the public hearing at which the application will be reviewed.

(f). Town Board action. Within 62 days of the close of the public hearing the Town Board shall act to approve or disapprove the Master Development Plan application. The time within which the Town Board must render its decision may be extended by the mutual consent of the applicant and the Town Board. The Town Board may, if it deems it necessary in order to protect the public health, safety and welfare of the community, attach to its approval any reasonable conditions or requirements for the applicant to meet. The decision of the Town Board shall be filed in the office of the Town Clerk within five business days of the date such decision was rendered, and a copy thereof shall be mailed to the applicant.

(g) Amendment. Amendment of an approved Master Development Plan is required if:

(i) There are proposed construction activities which extend materially beyond the limits of disturbance shown on the approved Master Development Plan.

(ii) Principal development areas or significant uses are relocated from the general locations shown on the approved Master Plan to completely different locations on a property.

(iii) Changes are proposed that would result in a potentially significant adverse impact to the environment not otherwise addressed in the original Master Development Plan Approval process.

(iv) Changes are proposed that would require new material approvals or permits not identified in the original Master Development Plan Approval process from other agencies.

(v) It is proposed to eliminate any public access element previously identified on the approved Master Development Plan.

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<sup>1</sup> An environmental impact statement was prepared and findings issued in connection with the adoption of this section of the Zoning Law. That EIS reviewed a conceptual plan for the project which served as the basis to establish environmental performance criteria governing the future development of the LCPDA.

Any required Amendment shall be by application to the Town Board and the Town Board shall review such amendment in accordance with the procedure set forth above.

Deviations from the approved Master Development Plan which do not fall within the criteria for required amendment set forth above may be authorized by the Planning Board during site plan review.

Chapter 75 of the Town Code of the Town of Rosendale is hereby further amended with the addition of the following new sections:

§75-58 (J). Criteria for approval of a Master Development Plan.

In determining whether or not to approve a Master Development Plan, the Town Board shall consider the extent to which, the proposed plan meets the following criteria:

- (a) The plan is consistent with the goals of the Town's Comprehensive Plan.
- (b) The plan meets the Development Standards and Objectives set forth in §75-57 (D).
- (c) The plan meets the General Design Guidelines set forth in §75-57 (G)
- (d) The plan provides Specific Design Standards that conform with accepted design principles and further the intent and purpose of this section.

§75-58 (K). Site Plan and Subdivision approvals.

1. Site Plan approval required. Site Plan review and approval by the Planning Board as provided in §75-40 of the Zoning Law shall be required prior to the commencement of any site work or the issuance of a building permit.

2. Subdivision approval. If a subdivision of property is proposed, subdivision approval from the Planning Board in accordance with Chapter 60 of the Town Code is required. Such approval shall be received prior to commencement of any site work or the issuance of a building permit. The subdivision plan application may be for a single phase or multiple phases of the Master Development Plan, or it may be for the whole area covered by the Master Development Plan. A bulk subdivision of the Master Plan Development area which divides the site into a single residential area and a single non residential area shall be treated as a minor subdivision.

3. Concurrent reviews. Applications for site plan and subdivision approval may be processed concurrently by the Planning Board. Similarly, at the Applicant's request and at the Applicant's sole risk, the Planning Board may process an application for site plan approval or site plan and subdivision approval or any phase thereof concurrent with the Town Board's processing of an application for Master Development Plan approval. In

cases of concurrent review, the review process shall be coordinated to the extent practical including, as necessary, the conduct of a combined public hearing and continued public hearing covering applications for multiple approvals.

4. Conflicts. In the event of a conflict between a provision of this section 75-57 and a provision of the site plan regulations contained in section 75-40 or a provision of the subdivision regulations contained in Chapter 60, this section 75-57 shall control.

#### § 75-58 (L) Time Limits and Vesting

1. An application for site plan approval of either a Master Development Plan or a phase thereof shall be submitted within two years of the Town Board's grant of Master Plan Development approval. Failure to submit an application for site plan approval within that period shall provide the Town Board with the ability to render the Master Plan Development approval null and void and of no force or effect with all fees forfeited.

2. Construction work on the Lakes Conservation Planned Development shall commence within three years of the date of any final site plan approval, including the satisfaction of any conditions stipulated in the site plan approval and the receipt of all other required permits and approvals from involved agencies. If construction does not commence within said period, then the Town Board shall have the right to declare the Master Plan Development Approval to become null and void and all rights shall cease with all fees forfeited.

3. Individually approved phases of the Master Development Plan shall be substantially completed, defined as 75% complete, within five years of commencement of construction of such phase, as determined by the Code Enforcement Officer. If the phase is not substantially completed within said timeframe, and failure to substantially complete such phase negatively impacts future phases, then construction of any new phase may be prohibited by the Town Board until the required substantial completion of such phase occurs.

4. Upon written request by the applicant, any of the time limits prescribed above may be extended by the Town Board for good cause. Among the examples of good cause are delays occasioned by lawsuits, poor market conditions, unforeseen site conditions and force majeure. The Town Board shall not withhold such extension unless it finds that the applicant is not proceeding with due diligence or is otherwise violating the conditions upon which the approvals were granted. Extensions shall not exceed three years unless the applicant submits a request for further extensions.

5. Within the time limits prescribed above, and for any extension period granted by the Town Board, the Master Development Plan and the Lakes Conservation Planned Development shall be deemed to have obtained vested rights for purposes of completing the approved development notwithstanding any subsequent changes in zoning. Nor shall anything herein be deemed to abrogate the applicant's right to acquire common law vested rights based on its substantial "in-ground" investment in the development project.

**SECTION 4. SEVERABILITY**

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

**SECTION 5. EFFECTIVE DATE**

This law shall become effective upon filing with the New York State Secretary of State.

**SECTION 6. AUTHORITY**

This local law is enacted pursuant to the Municipal Home Rule Law. This local law shall supersede the provisions of the Town Law to the extent it is inconsistent with the same, and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.