

**Local Law Filing**

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**(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.

**Town of Colonie  
Local Law No 2 of the year 2023**

**A local law rezoning an approximately 11.89 +/- acre area of land located at 4232 Albany Street from Industrial District to Single Family Residential District.**

**Be it enacted by the Town Board of the Town of Colonie of as follows:**

**SECTION 1. REZONING**

The following described area consisting of approximately 11.89 +/- acres of land located at 4232 Albany Street, Albany NY 12205 (SBL: 29.03-1-1) in the Town of Colonie, shown on the attached survey map prepared by Hershberg & Hershberg and dated July 11, 2022, is hereby rezoned from Industrial District (IND) to Single Family Residential District (SFR):

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Colonie, County of Albany, and State of New York more particularly bounded and described as follows:

BEGINNING at a point in the westerly line of Albany Street where the same intersects the southerly line of lands now or formerly of the People of New York State as described in a Deed filed as instrument No. 2019-2266; running thence, along the westerly line of Albany Street South 06°47'05" East, 342.94 feet to a point in the northerly line of the lands now or formerly of Ereh I LLC as described in a Deed filed as Instrument No. 2015-2254; Thence along the same South 79°07'30" West, 1124.17 feet to a point in the easterly line of lands now or formerly of New York Central & Hudson R.R. Company; Thence along the same North 29°30'00" West, 544.06 feet to a point in the southwest corner of lands now or formerly of the People of New York State as described in a Deed filed as instrument No. 2019-2266; thence along the southerly line of the lands now or formerly of the People of New York State North 86°36'00" East, 1333.72 feet to the point or place of beginning.

Containing 518,086 Square Feet or 11.89 Acres of land more or less.

## **SECTION 2. ZONING MAP**

Section 190-17 (A) of the Code of the Town of Colonie is hereby amended modifying the map entitled "Town of Colonie Zoning Map" as described therein to reclassify those lands described in Section 1 above from IND to SFR. Said map shall be modified and a copy of the revised map shall be filed with the Town Clerk of the Town of Colonie.

## **SECTION 3. CONDITIONS**

This rezoning shall be subject to any conditions of approval as articulated by the Town Board of the Town of Colonie and filed with the office of the Town Clerk.

## **SECTION 4. SEVERABILITY**

If any clause, sentence or provision of this local law or the application thereof to any person or circumstance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity thereof shall not affect, impair or invalidate the remainder of the provisions of this local law or the application thereof to other persons and circumstances.

## **SECTION 5. SEQR DETERMINATION**

The Town Board of the Town of Colonie hereby determines that this amendment is an Unlisted action that will not have a significant effect on the environment and, therefore, no other determination or procedure under the State Environmental Quality Review Act is required.

## **SECTION 6. EFFECTIVE DATE**

This local law shall take effect upon its proper filing in the Office of the Secretary of State.

**(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. 2 of 2023 of the **Town of Colonie** was duly passed by the Town Board on April 6, 2023 in accordance with the applicable provisions of law.

**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 (Town) of was duly passed by the on 20\_, and was (approved)(not disapproved)(repassed (Name of Legislative Body) after disapproval) by the and was deemed duly adopted 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 (Town) of was duly passed by the on 20\_, and was (approved)(not disapproved)(repassed after (Name of Legislative Body) disapproval) by 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 I 9 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 (Town) of was duly passed by the (Name of Legislative Body) on 20 and was (approved)(not disapproved)(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.

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**\*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 chairman 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 of 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.)**

\_\_\_\_\_  
Clerk of the Town or officer designated by local legislative body  
Date:

*(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 ALBANY

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 Town of Colonie Town Attorney  
Date: