

**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.

**Town of Colonie  
Local Law No 11 of the year 2018**

**A local law** amending Chapter 190 of the Code of the Town of Colonie to provide for brewing uses.

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

**SECTION 1. AMENDMENT.**

Chapter 190-6 is hereby amended to add definitions as follows:

**BREWERY** – A building or establishment for the enclosed process of making beer and other malt beverages primarily for off-site distribution, bottling, packaging and delivery, including the storage of plant-owned vehicles.

**MICRO-BREWERY/BREW PUB** – A limited-production brewery, typically producing specialty beers, with small scale on-site production and consumption, and with accessory off-site distribution.

**FARM BREWERY** – A brewery or micro-brewery which produces only “New York State labelled beer” in accordance with New York State laws.

**CRAFTING STUDIO, ALCOHOL LICENSED** – A place in which the principal income is derived from crafting classes, with accessory sale or provision of alcoholic beverages for on-site consumption.

**SECTION 2. AMENDMENT.**

Chapter 190-26 (D) (5), is hereby created as follows:

In any district, no portion of any Crafting Studio, Alcohol Licensed nor any related waste, refuse or recycling containers, or related accessory uses, shall be located within 50 feet of the zone boundary line of any Single Family Residence District or Multifamily Residence District; no portion of any micro-brewery/brew pub or farm brewery nor any related waste, refuse or recycling containers, or related accessory uses, shall be located within 100 feet of the zone boundary line of any Single Family Residence District or Multifamily Residence District; and no portion of any brewery nor any related waste, refuse or recycling containers, or related accessory uses, shall be located within 200 feet of the zone boundary line of any Single Family Residence District or Multifamily Residence District.

**SECTION 3. AMENDMENT.**

Chapter 190, section 190a, Table of Permitted Uses, is hereby amended as follows:

	SFR Single-Family Residential	MFR Multi-Family Residential	OR Office Residential	CO Commercial Office	NCOR Neighborhood Commercial Office Residential	COR Commercial Office Residential	HCOR Highway Commercial Office Residential	IND Industrial	ABA Airport Business Area	LC Land Conservation	CEM Cemetery
<b>BREWERY</b>								X	X		
<b>MICRO-BREWERY/BREW PUB</b>			SUP		X	X	X	X	X		
<b>FARM BREWERY</b>			<b>SUP</b>		X	X	X	X	X		
<b>CRAFTING STUDIO, ALCOHOL LICENSED</b>			SUP		X	X	X	X	X		

**SECTION 4. SEQR DETERMINATION.**

The Town hereby determines that this amendment is a Type 1 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 (“SEQRA”) is required.

**SECTION 5. EFFECTIVE DATE.**

This local law shall become effective upon its 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. 11 of 2018 of the **Town of Colonie** was duly passed by the Town Board on August 30, 2018 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 2018 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2018, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed adopted on \_\_\_\_\_ 2018, in accordance with applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 2018 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2018, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed adopted on \_\_\_\_\_ 2018. 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 \_\_\_\_\_ 2012, 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 2018 of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2018, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed adopted on \_\_\_\_\_ 2018. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2018, 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 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 2018 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 \_\_\_\_\_ 2018, 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 2018 of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 2018, 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.)**

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 \_\_\_\_\_, above.

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

**(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.

\_\_\_\_\_  
Town of Colonie Town Attorney  
Date: