

**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 7 of the year 2015**

**A local law** rezoning 7.92 ± acres of land located at 32 and 40 Aviation Road from Commercial Office Residential (COR) to a Planned Development District (PDD) to be known as The Crossings Apartments.

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

**SECTION 1.**

The following described area consisting of 7.92± acres of land located at 32 and 40 Aviation Road is hereby rezoned from Commercial Office Residential (COR) to a Planned Development District (PDD):

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Colonie, County of Albany, and State of New York more particularly described on the Albany County Tax Map as Section 42.02, Block 1, Lot 2.1 (32 Aviation Road) and Section 42.02, Block 1, Lot 8 (40 Aviation Road) as depicted upon the map attached hereto as Exhibit "A".

**SECTION 2. ZONING MAP**

Section 190-4(B)(1) of the Code of the Town of Colonie is amended by modifying the Town of Colonie Zoning Map described therein to reclassify those lands described in Section 1 above from a Commercial Office Residential (COR) district to a Planned Development District (PDD). 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

The subject 7.92± acre parcel described in Section 1 above is rezoned to Planned Development District upon the condition that it be developed as two three-story residential apartment buildings, one on each lot, totaling 152 units; a 1,600 sq. ft. maintenance building; 12 garage structures with 99 single bays; 176 parking spaces; 213 banked parked spaces that could be constructed at a later date if deemed necessary; and 36.4% green space, as more fully detailed in the narrative description, plans, and additional materials provided with the request for rezoning and filed in the office of the Town Clerk.

### SECTION 4. SEVERABILITY

Rezoning of the subject 7.92± acre of land described in Section 1 above is also conditioned upon the written findings developed by the Planning Board which are attached hereto as Exhibit “B” and made a part hererof.

### SECTION 5. SEQRA

The Town of Colonie Planning Board, as Lead Agency, has determined this proposal is a Type I action and will not have a significant impact on the environment.

### 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. 7 of 2015 of the **Town of Colonie** was duly passed by the Town Board on May 14, 2015, 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  
(Seal) 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.

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