

**RESOLUTION**

Councilman \_\_\_\_\_, seconded by Councilman \_\_\_\_\_, introduced the following proposed local law, to be known as Local Law No. \_\_\_\_ of 2008, entitled A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK TO EXTEND LOCAL LAW #4 OF THE YEAR 2007 "A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK TO AMEND THE ZONING CODE OF THE TOWN OF WASHINGTON TO ADD A NEW SECTION 395 ENTITLED 'REGULATION FOR AN INTERIM PERIOD OF DEVELOPMENT AND USE OF LANDS AND BUILDINGS'" FOR AN ADDITIONAL YEAR.

BE IT ENACTED by the Town Board of the Town of Washington that the Town Code is amended to read as follows:

Section 1. PURPOSE

The Interim Development Law, adopted as Local Law No. 4 of 2007, became effective upon filing with the New York State Department of State on November 16, 2007. By its express terms the Interim Development Law was due to expire one (1) year from the date of filing, or November 16, 2008.

The Town Board, the Comprehensive Master Plan Review Committee and all sub-committees, along with the Town's consultants all continue to study, review and consider the content of the Town's future master plan. During the last year, the Comprehensive Master Plan Review Committee and all of its

sub-committees conducted extensive research and met on a regular basis to discuss, evaluate and debate the research gathered. In addition, the Town will be retaining a consultant to assist with conducting a survey of the community, gathering the work of the various sub-committees to date and utilizing that work to draft the master plan document. Subsequently, the proposed master plan document will be reviewed pursuant to the State Environmental Quality Review Act and, upon adoption of the new master plan document, necessary companion updates, if any, to the Town Zoning Code will be prepared.

Inasmuch as the Comprehensive Master Plan Review Committee, the Town Board and the Town's consultants will require some additional time to draft the proposed master plan, set a date(s) for public comment, and adopt the new master plan document and any necessary companion updates to the Town Zoning Code as recommended by the Comprehensive Master Plan Review Committee, much of which will take place after November 16, 2008, the Board deems it prudent to extend the expiration date of the Interim Development Law for an additional one (1) year period to provide the Board sufficient time in which to consider the new Master Plan and obtain public comment. This extension to Local Law No. 4 of 2007 is specifically determined to be necessary in order to maintain the *status quo* pending continued work on the

preparation and enactment of a new Master Plan and any necessary companion updates to the Town Zoning Code.

Section 2.            AUTHORITY

This extension of Local Law #4 of 2007 is enacted by the Town Board of the Town of Washington pursuant to its authority to adopt local laws under the New York State Constitution Article IX and Municipal Home Rule Law Section 10.

Section 3.            ENACTMENT OF EXTENSION TO THE TEMPORARY MORATORIUM

The expiration date of LOCAL LAW #4 OF 2007, ENTITLED "A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK TO AMEND THE ZONING CODE OF THE TOWN OF WASHIGNTON TO ADD A NEW SECTION 395 ENTITLED 'REGULATION FOR AN INTERIM PERIOD OF DEVELOPMENT AND USE OF LANDS AND BUILDINGS'", is hereby extended for a period of one (1) year beginning November 16, 2008, after which date Local Law #4 of 2007 shall lapse and be without further force and effect unless further extended by action of the Town Board.

Section 4. This Local Law shall be filed immediately with the Secretary of State as provided by law and shall be effective as of November 16, 2008.

Councilman \_\_\_\_\_ advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New

York, it will be necessary to hold a public hearing upon this local law. Councilman \_\_\_\_\_ offered the following resolution which was seconded by Councilman \_\_\_\_\_, who moved its adoption:

WHEREAS, on October 9, 2008, Councilman \_\_\_\_\_ has introduced this local law for the Town of Washington, to be known as "Town of Washington Local Law No. \_\_\_ of the Year 2008, a local law of the Town of Washington, Dutchess County, New York, to extend Local Law #4 of the Year 2007 "A local law of the Town of Washington, Dutchess County, New York to amend the Zoning Code of the Town of Washington to add a new section 395 entitled 'Regulation for an Interim Period of Development and Use of Lands and Buildings'" for an additional year.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 10 Reservoir Drive, Millbrook, New York, on \_\_\_\_\_, 2007 at \_\_\_\_\_ o'clock, \_\_.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Washington, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

**NOTICE OF PUBLIC HEARING**

TAKE NOTICE, that the Town Board of the Town of Washington will hold a public hearing at the Town Hall, 10 Reservoir Drive, Millbrook, New York on \_\_\_\_\_, 2008 at \_\_\_\_\_ o'clock, \_\_.m., on Local Law No. \_\_ of the Year 2008, to extend Local Law #4 of the Year 2007 "A local law of the Town of Washington, Dutchess County, New York to amend the Zoning Code of the Town of Washington to add a new section 395 entitled 'Regulation for an Interim Period of Development and Use of Lands and Buildings'" for an additional year.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Washington, at the Town Hall, 10 Reservoir Drive, Millbrook, New York between the hours of 9:00 a.m. to 12:30 p.m. and then between 1:30 p.m. to 3:00 p.m.. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all person interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED:        Millbrook, New York  
                  October 9, 2008

\_\_\_\_\_  
MARY ALEX, TOWN CLERK

The foregoing resolution was duly put to a vote which resulted as follows:

Supervisor Prisco \_\_\_\_\_

Councilman Turletes \_\_\_\_\_

Councilman Rappleyea \_\_\_\_\_

Councilman Murphy \_\_\_\_\_

Councilman Audia \_\_\_\_\_

DATED: Millbrook, New York  
October 9, 2008

\_\_\_\_\_  
MARY ALEX, Town Clerk  
Town of Washington

K:\WPDOCS\Washington - 0040\Local Laws\2008\Local Law \_\_\_ of 2008 (Extension of the Moratorium)\Resolution of Introduction - Extension of Moratorium - 10.9.08.doc