

(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.

~~County~~

~~City~~

~~Town of New Paltz~~

~~Village~~

**Local Law No.                    of the year 2017**

A local law to amend the Code of the Town of New Paltz to Add a New Subparagraph (4) to Subdivision A of Section 140-51.3, "Planning Board review" of Chapter 140, "Zoning" of the Code of the Town of New Paltz.

**Be it enacted by the Town Board of the**

~~County~~

~~City~~

~~Town of New Paltz as follow:~~

~~Village~~

## **Section 1. AMENDMENT**

There is hereby added a new subparagraph (4) to subdivision A of Section 140-51.3, "Planning Board review" of Chapter 140, "Zoning" of the Code of the Town of New Paltz to provide for simplified site plan review for certain farm operations to read as follows:

§ 140-51.3 Planning Board review.

Notwithstanding the provisions contained in § 140-52 of this chapter regarding site plan review and approval, the Planning Board, upon recommendation of the Building Inspector and after consultation with the Town Engineer, is authorized to waive site plan approval and the Building Inspector is authorized to issue any building or other required permit for the alteration, modification, improvement, conversion or change in the nature of the occupancy of the building, structure or

permitted use for which the application is being made, provided that:

A. The applicant has demonstrated that:

“(4) The applicant proposes to conduct farm operations, as defined in Section 301 of the New York State 35 Agriculture and Markets Law, on land that: (a) is located in a zoning district that allows agricultural uses; (b) has as a principal use a "farm" as defined in § 140-8 of this chapter to which the proposed farm operations are accessory; (c) is used in agricultural production, as defined in Section 301 of the New York State 35 Agriculture and Markets Law; (d) and the land is either currently enrolled in an Ulster County agricultural district or is qualified under Ulster County and NYS law for an agricultural exemption by the Assessor of the Town of New Paltz; and the applicant has demonstrated to the Building Inspector that the proposed farm operations will be conducted in a manner consistent with any guidelines of the Department of Agriculture and Markets applicable to the proposed use, and that any necessary access, parking, water and sanitary facilities required for the proposed use will be provided; or”

#### **Section 4. SEVERABILITY**

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court or competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other person or circumstances and the Town Board hereby declares that it would not have enacted this local law or the remainder thereof had the invalidity of such provision or application thereof been apparent.

#### **Section 5. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the Secretary of State.