

Local Law No. 1 of 2015, entitled:

“A Local Law amending Chapters 206 and 250 of the Town Code regarding the approval of certain lot line adjustments”:

Be it enacted by the Town Board of the Town of Clinton as follows:

1. Section 13 (B) of Chapter 206 of the Code of the Town of Clinton (“Town Code”) is hereby amended by removing subsections (6) and (7) and replacing them with the new subsections (6) and (7) which shall read as follows:

**CHAPTER 206
SUBDIVISION OF LAND**

§ 206-13. Approval of lot line adjustments.

(6) In accordance with NYS Real Property Tax Law (RPTL) § 560, no subdivision may be abandoned in whole or in part for a period of five years from the filing date. Other RPTL rules related to abandoned subdivisions also apply (See RPTL § 560).

(7) In accordance with Chapter 250, Zoning § 250-89 (H) (approval of lot line adjustments), any merger of lots requires approval of the Zoning Administrator as well as completion of the merger form prescribed by the Town Assessor and subsequent filing with Dutchess County.

2. Section 89 of Chapter 250 of the Town Code is hereby amended by re-lettering subsections H, I, J and K as follows:

**CHAPTER 250
ZONING**

- a. Subsection H shall be re-lettered subsection I.
- b. Subsection I shall be re-lettered subsection J.
- c. Subsection J shall be re-lettered subsection K.
- d. Subsection K shall be re-lettered subsection L.

3. Section 89 of Chapter 250 of the Town Code is hereby amended by adding a new subsection H which shall read as follows:

H. Approval of lot line adjustments. An applicant seeking to merge one or more adjoining lots shall submit an application to the Zoning Administrator for a lot line adjustment. All applications submitted to the Zoning Administrator must include:

1. Existing description of the metes and bounds of all lots affected by the proposed lot line adjustment;
2. A plat or map of all lots affected by the proposed lot line adjustment;
3. Proposed description of the metes and bounds of all lots affected by the proposed lot line alteration; and
4. Proposed plat or map certified by a surveyor licensed in the State of New York of all lots affected by the proposed lot line alteration.

The Zoning Administrator shall review and approve the lot line adjustment to ensure compliance with all applicable provisions of the Town Code, including but not limited to the provisions of this Chapter.

4. Section 95 of Chapter 250 of the Town Code is hereby amended by removing subsection K (Lot line alterations).

Pursuant to the Municipal Home Rule Law of the State of New York, it is necessary to hold a public hearing upon this Local Law. Councilman Michael offered the following resolution, which was seconded by Councilperson Venezia, who moved its adoption:

WHEREAS, on January 13, 2015, the Town Board introduced this proposed Local law for the Town of Clinton, to be known as Town of Clinton Proposed Local Law No. 1 of 2015, entitled “A Local Law amending Chapters 206 and 250 of the Town Code regarding the approval of certain lot line adjustments”.

WHEREAS, Section 239-m of the N.Y. General Municipal Law mandates that local laws amending zoning be referred to Dutchess County Department of Planning and Development.

WHEREAS, Chapter 250-101 (B) of the Town Code provides that this Local Law be referred to the Town of Clinton Planning Board (“Planning Board”) for their review and recommendations;

WHEREAS, Chapter 206-37 of the Town Code provides that this Local Law be adopted by the Planning Board prior to being adopted by the Town Board;

BE IT RESOLVED, that Proposed Local Law No. 1 of 2015, entitled “A Local Law amending Chapters 206 and 250 of the Town Code regarding the approval of certain lot line adjustments” be referred to the Dutchess County Department of Planning and Development for review and recommendations;

BE IT RESOLVED, that Proposed Local Law No. 1 of 2015 entitled “A Local Law amending Chapters 206 and 250 of the Town Code regarding the approval of certain lot line adjustments” be referred to the Town of Clinton Planning Board for review and adoption; and

BE IT FURTHER RESOLVED, that a public hearing be held in relation to the proposed Local Law 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 on February 10, 2014, at 6:25 o’clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Clinton by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

Town of Clinton
Town Board

Notice of Public Hearing

PLEASE TAKE NOTICE that the Town of Clinton will hold a Public Hearing on Tuesday, February 10, 2015 at the Town of Clinton Town Hall, 1215 Centre Rd, Rhinebeck (Town of Clinton), New York at 6:25 p.m. Prevailing Time, or as soon thereafter as the matter is reached on the agenda, concerning proposed Local Law No.1 of 2015, entitled, “A Local Law amending Chapters 206 and 250 of the Town Code regarding the approval of certain lot line adjustments” pursuant to Article 16 of the N. Y. Town Law.

This Local Law will take effect immediately upon filing with the Secretary of State. Complete copies of the proposed Local Law are available at the Town of Clinton Clerk’s Office for inspection during regular business hours.

All interested persons and citizens shall have an opportunity to be heard on said proposals at the date, time and place aforesaid.

Dated: January 13, 2015

By order of the Town of Clinton

Carol Mackin, Town Clerk