

# 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.

- County
- City of Philipstown
- Town
- Village

Local Law No. \_\_\_\_\_ of the year 20 08

A local law to amend Land Development Regulations Sections 112-1 and 112-2,  
(Insert Title)  
the definition of "subdivision" and initial requirements.

Be it enacted by the Town Board of the  
(Name of Legislative Body)

- County
- City of Philipstown as follows:
- Town
- Village

(Delete this line of text and enter text of local law here)

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 1. Chapter 112 of the Code of the Town of Philipstown, Sections 112-1 and 112-2 are hereby amended to read as follows:

Section 112-1. Definitions.

The definition of "subdivision" is hereby amended to read as follows:

SUBDIVISION – Either or both of the following:

- A. 1) Any tract which shall be divided after the effective date of these regulations into two or more lots, plots or parcels along existing or proposed streets, highways, easements or rights-of-way, said lots to be used for any purpose and regardless of whether the lots, plots or parcels are described by metes and bounds or by reference to a map or survey of the tract or by any other means of description and regardless of whether the lots, plots or parcels are contiguous, is a subdivision;
- 2) A conveyance or exchange of land between adjoining owners that exceeds 10% of the smaller of the original lots is a subdivision;
- 3) A conveyance or exchange of land between adjoining owners that does not exceed 10% of the smaller of the original lots is not a subdivision, provided that the resulting lots conform to the Zoning Law and no additional lot or lots are created. The merging of 2 or more lots into 1 lot is not a subdivision. However, any subdivision, conveyance or exchange of land between adjoining owners which does not require approval from the Philipstown Planning Board is subject to the requirements of §112-2;
- 4) A tract shall constitute a "subdivision" upon the creation of the second lot; and/or

[B. – No change]

Section 112-2. Initial Requirements.

The following requirements are applicable:

- A. No person or applicant shall create a subdivision as defined in §112-1, for any purpose and regardless of how described,

without approval from the Philipstown Planning Board.

[B., C. and D. – No change]

- E. Any conveyance or exchange of land between adjoining owners which does not constitute a subdivision and/or does not require approval from the Philipstown Planning Board shall be shown on a plat signed and sealed by a licensed surveyor, who shall certify thereon that said conveyance or exchange of land complies with all applicable land development, zoning and other laws and regulations of the Town of Phillipstown. Such plat shall be filed with the offices of the Planning Board, Code Enforcement Officer and Board of Assessors prior to recording any deed creating such subdivision, conveyance or exchange of land.

SECTION 2. Effective Date. This Local Law shall become effective immediately upon its filing with 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. \_\_\_\_\_ of 20 08 \_\_\_\_\_ of the ~~(County)(City)(Town)(Village)~~ of Philipstown \_\_\_\_\_ was duly passed by the \_\_\_\_\_ Town Board \_\_\_\_\_ on \_\_\_\_\_ 20 08 \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

~~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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) 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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ (Elective Chief Executive Officer\*)

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 \_\_\_\_\_ 20 \_\_\_\_\_, 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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (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.

\* 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 chairperson 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 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 \_\_\_1\_\_\_, above.~~

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body  
TINA MERANDO, Town Clerk

Date: \_\_\_\_\_, 2008

(Seal)

(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 PUTNAM

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 EDWARD W. DOYLE  
Town Attorney  
\_\_\_\_\_  
Title

~~County~~  
~~City~~  
of Philipstown  
\_\_\_\_\_  
Town  
~~Village~~

Date: \_\_\_\_\_, 2008