

STATE OF NEW YORK  
DEPARTMENT OF STATE  
ONE COMMERCE PLAZA  
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ALBANY, NY 12231-0001  
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ANDREW M. CUOMO  
GOVERNOR

ROSSANA ROSADO  
SECRETARY OF STATE

August 8, 2016

Jo A Smith  
Town Clerk  
219 Main Street  
North Creek NY 12853

**RE: Town of Johnsburg, Local Law 1 2016, filed on August 8, 2016**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492

RECEIVED  
AUG 12 2016

BY: ARS



Department  
of State

# 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  Town  Village  
(Select one.)

of JOHNSBURG

Local Law No. 1 of the year 2016

A local law AMENDING THE TOWN OF JOHNSBURG ZONING LAW  
(Insert Title)

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of JOHNSBURG as follows:

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

(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. 1 of 2016 of the (County)(City)(Town)(Village) of JOHNSBURG TOWN BOARD was duly passed by the (Name of Legislative Body) on JULY 19 2016, 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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the (Name of Legislative Body) on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (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 (Name of Legislative Body) on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (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 (Name of Legislative Body) on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (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.)**

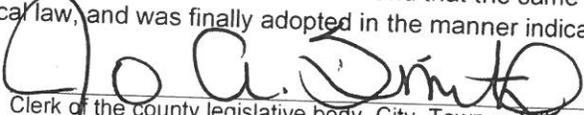
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 \_\_\_\_\_ above.

  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: July 28 2016.

(Seal)

**TOWN OF JOHNSBURG**  
**COUNTY OF WARREN, STATE OF NEW YORK**  
**Local Law 1 of 2016**  
**A LOCAL LAW AMENDING THE TOWN OF JOHNSBURG ZONING**  
**LAW**

Be it enacted by the Town Board of the Town of Johnsburg as Follows:

**Section 1 - PREAMBLE AND ENACTING CLAUSE**

The Town of Johnsburg adopted the Town of Johnsburg Zoning Law as Local Law 3 of 2007, adopted on August 7, 2007. The Town of Johnsburg, by the Town Board, had previously entered into an agreement titled "Master Agreement" dated November 3, 2005, with Frontstreet Mountain Development, LLC, whereby certain parcels of land as set forth therein and described herein, were to have permitted certain land uses as noted in said agreement. In the process of adopting the Town of Johnsburg Zoning Law, the parcels identified in the above reference agreement were not zoned to permit the uses as approved in the agreement, or as part of the Frontstreet Mountain Development, LLC project. This local law is intended to amend the Zoning Map of the Town of Johnsburg to permit such allowed uses, to amend certain parcels as identified herein from the "HP" zone to the "HX" zone.

**Section 2 – IDENTIFICATION OF PARCELS SUBJECT TO MAP AMENDMENT**

The Town of Johnsburg Zoning Map as set forth in Section 410 of the town of Johnsburg Zoning law is hereby amended such that the following parcels are hereby removed from the "HP" District as set forth in Section 400 of the Town of Johnsburg Zoning Law, and are to hereafter be included in the "HX" District as set forth in Section 400 of the Town of Johnsburg Zoning Law:

1: Property labeled "TO BE CONVEYED FROM THE TOWN OF JOHNSBURG, PARCEL A, 4.147+/- AC." on the "Map of Survey Showing Ski Trails & Parcels A, B & C of the Lands of Frontstreet Mountain Development, LLC" dated April 25, 2005, and prepared by W.J. Rourke Associates, Licensed Land Surveyor, 10264 Saratoga Road, South Glens Falls, NY 12803"; and

2: Property labeled "TO BE CONVEYED FROM THE TOWN OF JOHNSBURG, PARCEL B, 4.400+/- AC." on the "Map of Survey Showing Ski Trails & Parcels A, B & C of the Lands of Frontstreet Mountain Development, LLC" dated April

25, 2005, and prepared by W.J. Rourke Associates, Licensed Land Surveyor, 10264 Saratoga Road, South Glens Falls, NY 12803”; and

3. Property labeled “TO BE CONVEYED FROM THE TOWN OF JOHNSBURG, PARCEL C, 8.206+/- AC.” On the “Map of Survey Showing Ski Trails & Parcels A, B & C of the Lands of Frontstreet Mountain Development, LLC” dated April 25, 2005, and prepared by W.J. Rourke Associates, Licensed Land Surveyor, 10264 Saratoga Road, South Glens Falls, NY 12803”.

### **Section 3 – SEVERABILITY**

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

### **Section 4 - EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with the Municipal Home Rule Law.