

**COUNTY OF GREENE
TOWN OF NEW BALTIMORE
PUBLIC HEARING ON LOCAL LAW NO 6 OF 2008 ENACTING REVISIONS
TO ZONING ORDINANCE AND ZONING MAP FOR THE TOWN OF NEW
BALTIMORE
DECEMBER 8, 2008- Page 1**

Supervisor called the public hearing on Proposed Local Law No. 6 of 2008 to order at 7:30 p.m. Present were: Councilwoman McKeon, Councilmen Kuenster, Norris and Byas, Attorney for the Town Wukitsch, Highway Superintendent Jordan, Town Clerk Brooks, and Tax Collector Stuart and 15 members of the public.

Supervisor Louis stated the purpose of the meeting was to hear all persons wishing to speak regarding the Proposed Local Law No. 6 of 2008 making technical revisions to the Zoning Ordinance, Local Law 4 of 2008 that was adopted on November 10, 2008. The following changes are made:

- 1) mobile home law, sign law and site plan review law are repealed as these provisions are now included in the newly amended ordinance,
- 2) boundaries of the Hamlet Residential Zoning District in the northeastern section of the Town are revised to be the same as the boundaries prior to the adoption of Local Law 4 of 2008; these boundaries were changed in Local Law 4 of 2008 in error.
- 3) boundaries of the Commercial District in the southern part of Town, specifically in the area adjoining the New York State Thruway (south of Scheller Park Road), are being revised. These boundaries were changed under Local Law 4 of 2008, which inadvertently, in error, changed certain properties from Commercial to Rural Residential-Agricultural, impacting properties currently used for commercial purposes. These properties are being changed back to commercial.
- 4) Commercial design guidelines adopted in the amended Zoning Ordinance will be applicable to new development in the Developmental and Developmental Multi-Family Districts; under Local Law 4 of 2008 the commercial design guidelines were not applicable to these zoning districts. This inconsistency was brought to the Town's attention by the Greene County Planning Board staff in their review of Local Law 4 of 2008.
- 5) The provisions of the amended Zoning Ordinance related to the continuance of a non-conforming use where a building has been destroyed have been clarified to allow for the continuation of a non-conforming use in the event that a structure involved in the non-conforming use is voluntarily replaced or replaced due to damage regardless of the extent of the damage. The Greene County Planning Board staff in their review of Local Law 4 of 2008 recommended that these provisions be clarified.

As the Greene County Planning Board lacked a quorum at their November meeting, they were unable to conduct a review of this Local Law 4 of 2008 under Section 239 and under General Municipal Law, and since the Town Board must wait at least 30 days from the date that the proposal is referred to the Greene County Planning Board for review, and this 30 day period has not yet passed, no final action will be taken at tonight's Regular Meeting of the Town Board of the Town of New Baltimore on this Local Law.

The floor was opened for comments from the public.

With no comments from the public, Councilman McKeon moved to adjourn, seconded by Councilman Norris.

**Motion Carried Ayes-5 McKeon, Kuenster, Louis, Norris, Byas
Nays-0**

The public hearing was adjourned at 7:35 p.m.

Respectfully,

Janet A. Brooks
Town Clerk