


**TOWN OF CLARKSTOWN
OFFICE OF THE TOWN ATTORNEY
INTER OFFICE-MEMORANDUM**

TO: George Hoehmann, Supervisor
Town Board Members

FROM: Lino J. Sciarretta, Town Attorney 

RE: Proposed Local Law - Amending Chapter 290-7.1 H.
Re Expiration of AAR Floating Zone

DATE: July 7, 2017

Enclosed, for your information, is a copy of the proposed local law referred to above.

The purpose of this proposed local law is to amend Section 290 of the Town Code to add language to set an expiration of the AAR zone and a reversion back to the zoning classification that existed before the AAR zone change if final site development approval is not granted within 2 years.

LJS/pm
Encl.

cc: Town Clerk ✓

TOWN OF CLARKSTOWN

LOCAL LAW NO. - 2017

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

Section 1. Title.

A Local Law amending Chapter 290-7.1 H. of the Clarkstown Town Code with respect to expiration of the Active Adult Residence (AAR) floating zone.

Section 2. Legislative intent.

The purpose of this Local Law is to amend Chapter 290-7.1 H. of the Town Code to add additional language to set an expiration of the AAR zone, and a reversion back to the zoning classification that existed before the AAR zone change if final site development plan approval is not granted on said AAR project within two years. AAR projects currently before the Planning Board will have two years to receive final site development plan approval upon enactment of this Local Law.

Section 3. AAR Zoning District Expiration.

Section 290-7.1 H. Active Adult Residence Zone – Time Limit on Validity of Rezoning, is hereby amended to read as follows:

Time limit on validity of rezoning. Any rezoning of property to the AAR zoning district shall be null and shall revert back to the zoning classification that existed before the AAR zone change by a ministerial redesignation on the official Zoning Map by the GIS Coordinator, unless actual construction, pursuant to a valid building permit, is commenced within two years from the date of final site plan approval. Reversion back to the zoning classification that existed before the AAR zone change shall also occur if the project has not received final site development plan approval from the Planning Board within 2 years of the Town Board granting rezoning to the AAR zoning district. Property which has been granted rezoning to the AAR zoning district shall have 2 years from the effective date of this legislation to receive final site development plan approval before zoning reverts back to the zoning classification that existed before the AAR zone change.

Section 4. When effective.

This local law shall become effective immediately upon filing with the Secretary of State.