

# 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 Yorktown

Local Law No. 1 of the year 2016

A local law to amend Chapter 300 of the Code of the Town of Yorktown entitled "Zoning".  
(Insert Title)

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

County  City  Town  Village  
(Select one:)

of Yorktown

as follows:

Section I. The Zoning Map of the Town of Yorktown, New York as established under Chapter 300 of the Code of the Town of Yorktown is hereby amended as follows:

Portions of the following lots on the Tax Map of the Town of Yorktown are rezoned from the R1-20 Zoning District to the C-2R and R-3 zoning districts, as shown on Exhibit "A," and as further described by metes and bounds in Exhibit "B," both of which are annexed hereto and incorporated as if set forth in full herein:

Section 26.18, Block 1, Lots 11, 12, 13, 14, 15, and 16 (±20.29 acres);

Section 26.18, Block 1, Lot 9 (±2.59 acres)

Section 26.18, Block 1, Lot 10 (±0.73 acres)

Section II. Severability.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section III. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

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

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.  
Section IV. Effective Date.

This local law shall become effective upon filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law.

## EXHIBIT A

### Bear Mountain Triangle Rezoning Lands to be Rezoned C-2R

Situate, lying and being in the Town of Yorktown, County of Westchester, and State of New York, being more particularly bounded and described as follows:

BEGINNING AT A POINT on the Northerly side of Old Crompond Road at the intersection formed by the Southwesterly corner of lands now or formerly of Americo Realty, LLC and the Southeasterly corner of lands formerly of Old Crompond Rd. LLC;

Running thence from said point of beginning along the boundary line between Americo Realty, LLC and Old Crompond Rd. LLC North  $02^{\circ}22'40''$  West for a distance 184 feet to a line dividing the R-3 and C2-R zones;

Thence running along the proposed zoning boundary the following courses and distances:

N 53-15-21 E - 118.02 feet  
N 85-26-37 E - 241.91 feet  
N 00-36-56 E - 145.62 feet  
N 82-49-00 E - 106.37 feet  
S 87-56-39 E - 96.33 feet  
S 73-06-54 E - 15.16 feet  
S 82-19-10 E - 46.31 feet  
N 08-55-00 E - 109.98 feet  
S 81-28-04 E - 227.08 feet  
S 00-21-20 E - 105.88 feet  
S 02-18-20 E - 26.47 feet  
S 70-14-19 E - 126.15 feet  
S 88-09-53 E - 195.73 feet to the Eastern boundary of the lands of Chan and Chen;

Thence running in a Southerly direction along the lands of Chan and Chen the following courses and distances:

S 02-01-10 W - 105.69 feet  
S 02-16-40 W - 112.89 feet  
S 01-58-20 W - 175.43 feet  
S 08-03-10 W - 21.53 feet to Old Crompond Road

Thence running in a Westerly direction along Old Crompond Road the following courses and distances:

N 58-26-50 W - 172.23 feet  
N 55-43-50 W - 38.00 feet  
N 47-28-50 W - 126.54 feet  
N 46-19-50 W - 46.94 feet  
N 58-15-30 W - 73.17 feet  
N 59-17-10 W - 67.40 feet  
N 77-31-10 W - 30.86 feet  
N 89-05-50 W - 51.51 feet  
S 84-11-20 W - 45.67 feet  
S 82-44-50 W - 33.74 feet  
S 56-55-30 W - 50.10 feet  
S 86-41-40 W - 37.98 feet  
S 26-36-30 E - 21.26 feet  
S 74-07-20 W - 24.71 feet  
S 68-14-08 W - 52.03 feet  
S 68-37-51 W - 6.12 feet  
S 69-19-50 W - 161.40 feet  
S 75-45-36 W - 56.33 feet  
S 81-45-20 W - 88.95 feet  
S 70-07-20 W - 111.00 feet to the point and place of beginning.

Containing 321,514 sq. ft. 7.38 acres

## EXHIBIT B

### Bear Mountain Triangle Rezoning Lands to be Rezoned R-3

Situate, lying and being in the Town of Yorktown, County of Westchester, and State of New York, being more particularly bounded and described as follows:

BEGINNING AT A POINT on the Northerly side of Old Crompond Road at the intersection formed by the Southwesterly corner of lands now or formerly of Americo Realty, LLC and the Southeasterly corner of lands formerly of Old Crompond Rd. LLC

Running thence from said point of beginning along the boundary line between Americo Realty, LLC and Old Crompond Rd. LLC North  $02^{\circ}22'40''$  West for a distance 184 feet to a line dividing the R-3 and C2-R zones;

Thence running along the proposed zoning boundary the following courses and distances:

N 53-15-21 E - 118.02 feet  
N 85-26-37 E - 241.91 feet  
N 00-36-56 E - 145.62 feet  
N 82-49-00 E - 106.37 feet  
S 87-56-39 E - 96.33 feet  
S 73-06-54 E - 15.16 feet  
S 82-19-10 E - 46.31 feet  
N 08-55-00 E - 109.98 feet  
S 81-28-04 E - 227.08 feet  
S 00-21-20 E - 105.88 feet  
S 02-18-20 E - 26.47 feet  
S 70-14-19 E - 126.15 feet  
S 88-09-53 E - 195.73 feet to the Eastern boundary of the lands of Chan and Chen

Thence running in a Northerly direction along the lands of Chan and Chen the following courses and distances:

N 02-01-10 E - 133.08 feet  
N 02-23-10 E - 124.69 feet  
N 02-26-50 E - 715.47 feet to the Bear Mountain Parkway ROW

Thence running in a Westerly direction along the Bear Mountain Parkway ROW the following courses and distances:

N 87-59-40 W - 140.08 feet  
Curve - 153.51 feet Radius: 220.85 feet

S 52-10-50 W - 67.17 feet  
S 52-10-50 W - 401.20 feet

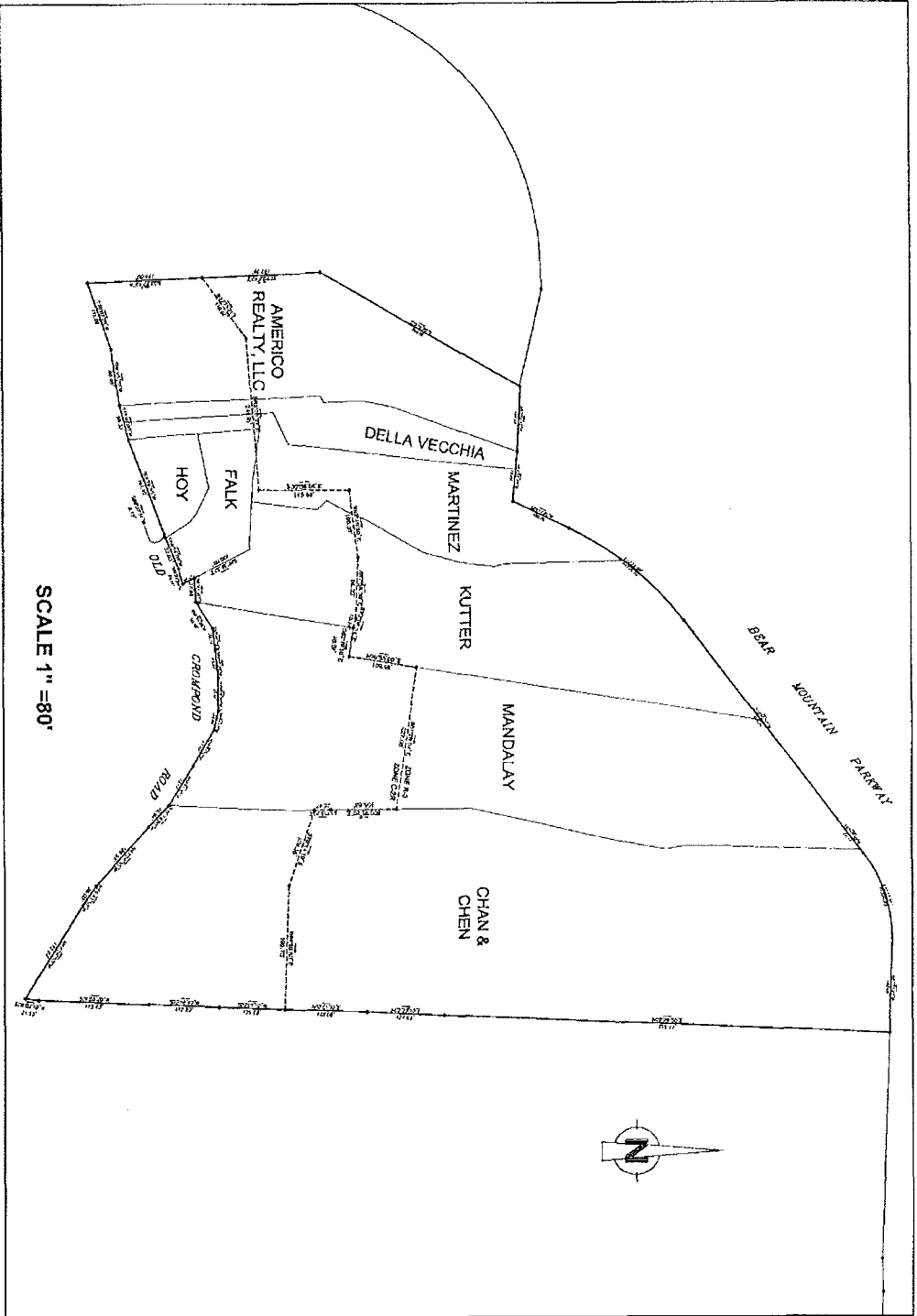
Curve - 235.58 feet Radius: 501.92

S 25-17-20 W - 100.25 feet  
N 84-37-40 W - 79.20 feet  
N 87-22-40 W - 104.67 feet to the lands of Old Crompond Rd.  
LLC

Thence along the lands of Old Crompond Road LLC, the following courses and distances:

S 29-15-20 W - 368.50 feet  
S 02-22-40 S - 190.39 feet to the beginning of the zoning  
boundary

Containing therein 695,082 sq. ft. 15.96 acres



**CROMPOND TERRACES REZONING**  
**DECEMBER 23, 2015**

CIARCIA ENGINEERING, P.C.  
 260 UNDERHILL AVENUE  
 SUITE 200  
 WESTFIELD, NY 12094  
 (518) 262-2123

(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 Yorktown was duly passed by the Town Board on January 19 2016, 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\*)*

\* 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.

*Diana L. Quast*

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

(Seal)

Date: January 22, 2016