

**TOWN OF STOCKBRIDGE
TOWN BOARD RESOLUTION**

November 4, 2024

LOCAL LAW NO. A OF 2024

**(A Local Law Amending the Land Use Law for the Town of Stockbridge
With Respect to the Standards for the Granting of Special Use Permits)**

The following resolution was offered by Councilor Marshall, who moved its adoption, seconded by Councilor Meeker, to wit:

WHEREAS, pursuant to the Municipal Home Rule Law, a proposed local law titled “A Local Law Amending the Land Use Law for the Town of Stockbridge With Respect to the Standards for the Granting of Special Use Permits,” was presented and introduced at a regular meeting of the Town Board of the Town of Stockbridge held on October 7, 2024; and

WHEREAS, a public hearing was held on such proposed local law on the 4th day of November, 2024, by the Town Board of the Town of Stockbridge and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Stockbridge in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the proposed Local Law was duly referred to the Madison County Planning Department for review and comment pursuant to the New York State General Municipal Law; and

WHEREAS, the enactment of Proposed Local Law No. A-2024 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. A-2024.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Stockbridge, Madison County, New York, does hereby enact proposed Local Law No. A-2024 as Local Law No. 1-2024 as follows:

**“TOWN OF STOCKBRIDGE
LOCAL LAW NO. 1 OF 2024**

**A LOCAL LAW AMENDING THE LAND USE LAW FOR
THE TOWN OF STOCKBRIDGE WITH RESPECT TO
THE STANDARDS FOR THE GRANTING OF SPECIAL USE PERMITS**

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

SECTION 1. AUTHORITY.

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. PURPOSE AND INTENT.

The Town of Stockbridge recognizes that the issuance of certain Special Use Permits are significantly tied to the location/property on which said Special Use Permit activity is to occur. Accordingly, it the Town’s belief that due to the nature of certain Special Use Permits, said Special Use Permit should be transferable to any future owner of said property. It is therefore the intent of the Town of Stockbridge to amend the Town’s Land Use Law, specifically with respect to the standards for granting Special Use Permits to meet this potential need.

**SECTION 3. AMENDMENT TO THE TOWN OF STOCKBRIDGE LAND USE LAW
SECTION 605.10 – STANDARDS FOR GRANTING SPECIAL USE
PERMITS**

The Town of Stockbridge Land Use Law Section 605.10 (Standards for Granting Special Use Permits) is hereby amended by deleting the existing subsection “F” in its entirety and replacing said subsection “F” with the following:

“F. RESERVED.”

SECTION 4. VALIDITY & SEVERABILITY.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE.

This Local Law shall be effective upon its adoption and filing with the Secretary of State.”

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Timothy Meeker	Councilor	Voted	Yes
David Fort	Councilor	Voted	Yes
Roland Shea	Councilor	Voted	NA
Fred Marshall	Councilor	Voted	Yes
Alexander Stepanski	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: **November 4, 2024**

CERTIFICATION

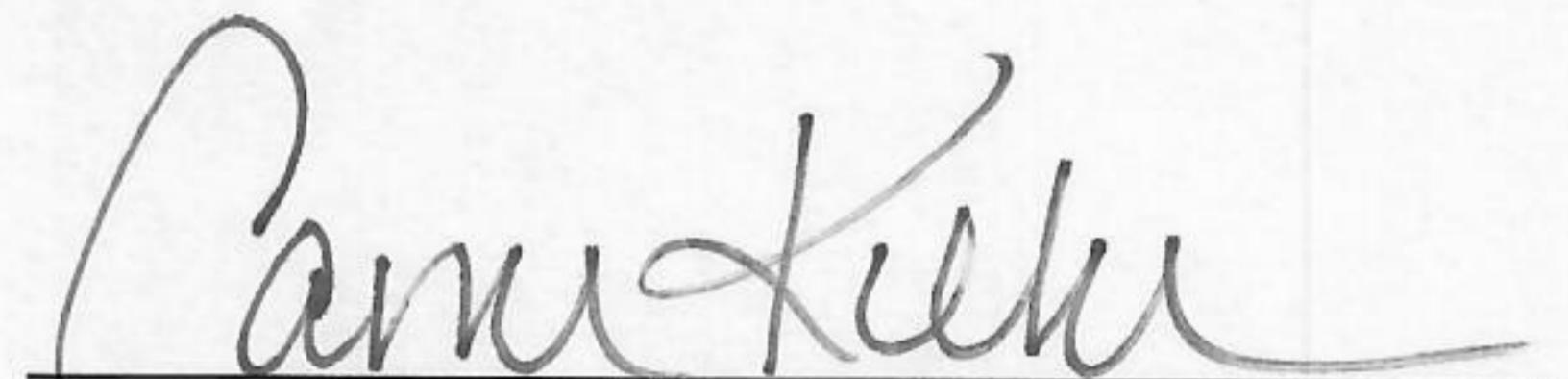
**STATE OF NEW YORK)
COUNTY OF MADISON)**

I, the undersigned Clerk of the Town of Stockbridge, Madison County, New York, **DO**
HEREBY CERTIFY:

That I have compared the foregoing Resolution with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town of November 6, 2024.



CAMI KIEHN, Town Clerk

(SEAL)

