

SUPERVISOR
716-778-8531

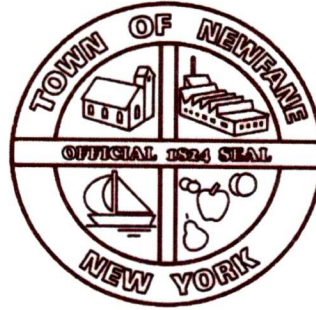
TOWN CLERK
716-778-8822
FAX 716-638-4183

ASSESSOR
716-778-8827

TAX COLLECTOR
716-778-6052

BUILDING INSPECTOR
716-778-5947

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716-778-8132



TOWN OF NEWFANE

2737 Main Street
Newfane, New York 14108
FAX 716-638-4261

JUSTICE COURT
2896 Transit Road
Newfane, New York
14108
716-778-9292

HIGHWAY
716-778-8844

WATER/SEWER
MAINTENANCE
716-778-8587

6176 McKee Street
Newfane, New York
14108

TDD 1-800-662-1220

RESOLUTION NO. 20 – 2024

PROPOSING ENACTMENT OF LOCAL LAW REZONING PART OF 6604-6590 RIDGE ROAD, NEWFANE, NY

WHEREAS, the Town of Newfane has proposed to rezone 2.54 acres of premises known as 6604-6590 Ridge Road, part of SBL Number 81.02-2-68, in the Town of Newfane, NY, from Multi-Family Residential (R-2), to Agricultural/ Residential (AIR), by the amendment of the Town of Newfane Zoning Map, dated July 1999, updated June 2016. See description of said 2.54 acres of premises attached hereto, and

WHEREAS, the amendment of the Town of Newfane Zoning Map, dated July 1999, updated June 2016, is proposed in the form of a Local Law, pursuant to the authority granted to the Town of Newfane ("Town") Town Board ("Town Board") and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments, and the Town Board is authorized and empowered by Chapter 280, Article XLVIII of the Code, and Article 16 of New York Town Law to amend the Zoning Map of the Town to meet the growing and changing needs of the Town, and

WHEREAS, the Town of Newfane is desirous of rezoning said 2.54 acres of premises zoned Multi-Family Residential (R-2), to Agricultural- Residential (A/R), since the nature of the surrounding area is residential and agricultural in nature, and 2.46 acres of premises is already zoned Agricultural/Residential, and

WHEREAS, with such rezoning, the premises would then be in conformance with the

agricultural and residential character of the neighborhood

WHEREAS, such rezoning will also be in furtherance of the comprehensive master plan of the Town of Newfane, would not cause harm to the surrounding properties, and would promote the general welfare of the Town, and

WHEREAS, a review is not required under the State Environmental Quality Review Act (SEQR), because premises to be rezoned is less than 5 acres.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF
THE TOWN OF NEWFANE, AS FOLLOWS:**

1. For the reasons set forth in this Resolution, the 2.54 acres of premises zoned Multi-Family Residential which is part of 6590 Ridge Road, Town of Newfane, NY as described herein, is proposed to be rezoned by Local Law from Multi-Family Residential (R-2), to Agricultural Residential (AR), and the aforesaid Zoning Map is proposed to be AMENDED to reflect such zoning change.
2. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board hereby schedules a public hearing on the proposed zoning map amendment at its meeting on Wednesday, July 24, 2024, at ~~7:00~~ ^{6:45} p.m., to be held at the Town of Newfane Town Hall, located at 2737 Main Street Newfane, NY 14108. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements set forth in the New York State Municipal Home Rule Law, Article 16 of New York Town Law, and § 280-340 of the Code, and directs the Town Clerk to publish of the proposed zoning map amendment in the Town's official newspaper not less than five (5) calendar days prior to the public hearing.
3. The Town Board also directs the Town Clerk to post a copy of the proposed zoning map amendment on the Town's web site, and to make a paper copy of the proposed Local Law available for review by the public at the Town Hall, located at 2737 Main Street, Newfane, NY 14108.

AYE X NAY _____

John Syracuse, Supervisor

AYE X NAY _____

Richard Coleman, Councilman

AYE _____ NAY _____
ABSENT 
Robert Horanburg, Councilman

AYE X NAY _____

Sue Neidlinger, Councilwoman

AYE ✓ NAY _____

Peter Robinson, Councilman

DATED: July 11, 2024

DONNA LAKES
Newfane Town Clerk

EXHIBIT A

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Newfane, County of Niagara, State of New York, and being part of Lot Numbers 1 and 3, Section 13, Town- ship 15, Range 6 of the Holland Land Company Survey (so-called), bounded and de- scribed as follows:

BEGINNING AT A POINT where the centerline of Ridge Road intersects with the north line of lands conveyed to Wrights Comers cemetery Association by deed dated February 3, 1950, and recorded in the Niagara County Clerk's Office in Li her 977 of Deeds at Page 495;

RUNNING THENCE: Southerly, $49^{\circ} 17' 00''$ East, along the north line of said Cemetery lands, a distance of 358' more or less,

RUNNING THENCE: Northerly, parallel with the centerline of Ridge Road, 195', more or less, to a point;

RUNNING THENCE: Northwesterly, 270 feet, to a point on the south line of lands now or formerly owned by Baico, LLC, recorded in Instrument No. 2011-23756, in the Niagara County Clerk's Office, which point is 210.00' east of the centerline of Ridge Road; RUNNING THENCE: Westerly, 201.00', along the south line of lands now or formerly owned by Baico, LLC, recorded in Instrument No. 2011-23756, in the Niagara County Clerk's Office, to the centerline of Ridge Road;

RUNNING THENCE: South $32^{\circ} 55' 27''$ West along the centerline of Ridge Road, 166.60' to an angle point on the centerline of Ridge Road;

RUNNING THENCE: South $39^{\circ} 49' 28''$ West along the Centerline of Ridge Road 162.11', to the POINT OR PLACE OF BEGINNING, containing 2.54 Acres, be the same, more or less.

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 NEWFANE, NEW YORK

Local Law No. _____ of the year 20²⁴

A local law TO AMEND CHAPTER 270 OF THE NEWFANE TOWN CODE, ENTITLED "ZONING"
(Insert Title)
TO PROVIDE FOR A REZONING OF PREMISES KNOWN AS 2.54 ACRES OF
6604-6590 RIDGE ROAD, NEWFANE, NY, FROM R-2 MULTI-RESIDENCE TO AR
AGRICULTURAL RESIDENTIAL, (DESCRIPTION OF PREMISES ATTACHED HERETO.)

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

County City Town Village
(Select one)

of NEWFANE, NEW YORK as follows:

SECTION 1: This Local Law amends Chapter 270 "Zoning", of the Code of the Town of Newfane, to provide for a change in zoning of 2.54 acres of premises zoned Multi-Family Residential, (R-2), part of 6590 Ridge Road, Town of Newfane, NY, (see description of said property attached hereto), SBL Number 81.02-2-68, under the Newfane Zoning Map, dated July 1999, and updated June 2016, to Agricultural Residential (AR), and the aforesaid Zoning Map is hereby AMENDED to reflect said change of zoning.

SECTION 2: This Local Law shall take effect immediately upon filing with the Secretary of State.

(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. _____ of 2024 of the ~~(County)~~(City)(Town)(Village) of Newfane was duly passed by the Town Board on _____ 2024, 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 *(Elective Chief Executive Officer*)* 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

(Seal)

Date: _____