

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- of Claverack
Town
Village

Local Law No. 1 of the year 2016

A local law amending the Mt. Ida wellhead protection overlay district
for the Town of Claverack;

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

County
City- of Claverack
Town
Village

Section 1. LEGISLATIVE HISTORY.

The Town of Greenport has established a system of wells utilized as a public water supply located within the Town of Claverack. The Town of Claverack adopted wellhead protection regulations with a wellhead protection overlay zone through the adoption of local law #2 of 2004 for the Town of Claverack. To protect the public health, general welfare and safety of those utilizing this water supply the wellhead protection overlay district was adopted to eliminate or prevent the possibility of groundwater contamination in the vicinity of the wells that supply public drinking water.

In 2004 the New York Rural Water Association assisted the town by study of the area, and delineated an area as a wellhead protection area, the outer boundary of any parcels that intersected this area were included in the protection overlay district. To update this study, New York Rural Water was able to obtain considerable hydrogeological data for the Mud Creek Aquifer near the Mt. Ida wells, inclusive of private water well data and test borings compiled from NYS Department of Transportation and NYS Department of Environmental Conservation records. Information was also evaluated from the results of a 1953 study conducted for the Town of Greenport when test wells were drilled, along with mapping of

the surficial geology and unconsolidated aquifers of the Town of Claverack. Using the data and more refined techniques now available, the resultant wellhead protection overlay district should be modified to better accomplish the goals of water protection for this water source.

Section 2. ENACTMENT.

The map attached hereto as Exhibit "A" shall be established as the Mt. Ida Wellhead Protection Overlay District.

Section 3. VALIDITY & SEVERABILITY.

If any section or part of this local law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this local law.

Section 4. EFFECTIVE DATE.

This local law shall take effect immediately upon approval of the Claverack Town Board, and shall then be immediately filed with the Secretary of State of the State of New York.

(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 Town of Claverack Board was duly passed by the Town Board on April 14, 2016, in accordance with
(Name of Legislative Body)
the applicable provisions of law.

~~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
(Name of Legislative Body)
approved)(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
(Name of Legislative Body)
approved)(repassed after disapproval) by the _____ on _____,
(Elective Chief Executive Officer*)
20____. 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 (approved)(not
(Name of Legislative Body)
approved)(repassed after disapproval) by the _____ on _____, 20____.
(Elective Chief Executive Officer*)
Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, _____, 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 chairman 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.)

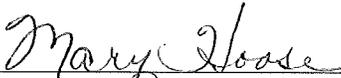
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, _____, 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.



Mary Hoose, Town Clerk
Town of Claverack

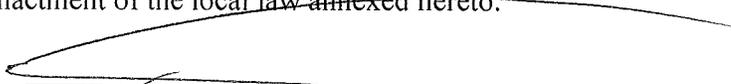
(Seal)

Date: 4/14/16

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF COLUMBIA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

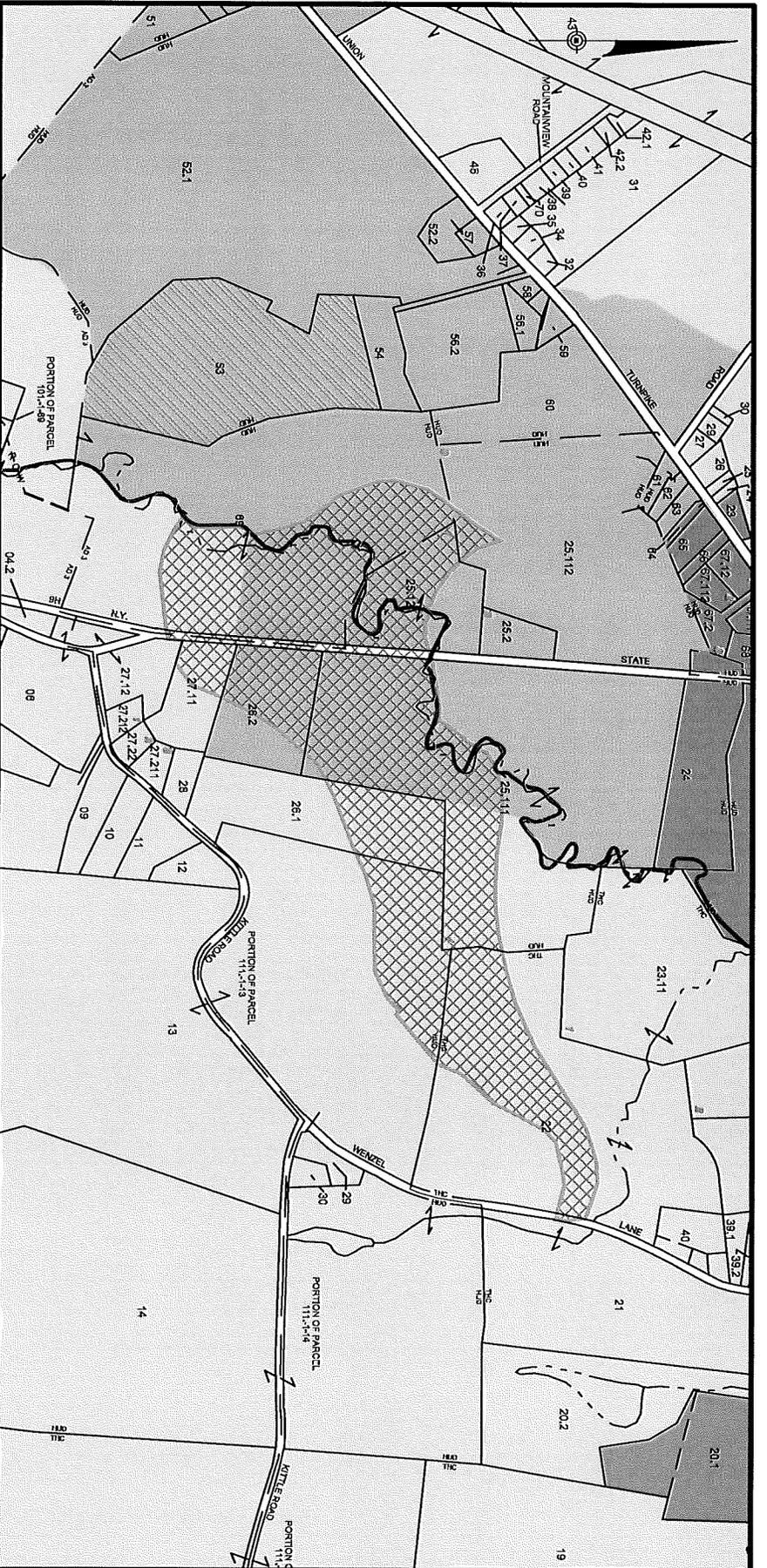


Signature Robert J. Fitzsimmons
Attorney for the Town

County
City
Town of Claverack
Village
Date: 4/14/16

Town of Claverack, Local Law #1 of 2016
Exhibit "A"

The Wellhead protection overlay boundaries are determined by water source data and applied by GIS data to the zoning map. Determinations as to boundary lines shall be made pursuant to Claverack Zoning Law § 4.4.5, and 4.4.6. The person or party making application for a use in the area shall have the burden to demonstrate the boundary as applied to the parcel.



MAP NOTES:

1. TAX MAPS SHOWN ARE BASED ON 2013 MAP FILES.
2. THE EXISTING ZONING BOUNDARIES ARE AS DIGITIZED FROM THE TOWN OF CLAVERRACK ZONING MAP DATED JAN. 18, 2013; PREPARED BY DON MELTZ PLANNING AND GIS.
3. THE PROPOSED NEW WELLHEAD PROTECTION OVERLAY ZONE BOUNDARY IS AS PROVIDED BY NYS RURAL WATER.

LEGEND:

-  HIGHWAY COMMERCIAL
-  WELLHEAD PROTECTION OVERLAY
-  COMMERCIAL INDUSTRIAL PARK
-  RURAL AGRICULTURE
-  ADULT USE OVERLAY
-  MOBILE HOME PARK



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 Fax No. (518) 828-3863

DATE	SCALE	DESIGNED BY:	FILE NO.
3/14/2016	1" = 1000'	RJJ	212935
		DRAWN BY:	
		GS	
		CHECKED BY:	
		RJJ	

REV. No.	DESCRIPTION	DATE	BY
	TOWN OF CLAVERRACK		
	REVISED ZONING MAP		
	REVISED WELLHEAD PROTECTION OVERLAY ZONE BOUNDARY		
	TOWN OF CLAVERRACK		
	COLUMBIA COUNTY, NY		
	REVISED WELLHEAD PROTECTION OVERLAY ZONE BOUNDARY		
	DWG		1-1

(6)