

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 Eaton

Local Law No. 3 of the year 2023

A Local Law Amending the Land Use Map of the Town of Eaton to Change the Zoning Designation for Certain Property from Being Zoned Residential District No. 2 (RD2) to Agricultural/ Residential/ Commercial District (ARC) in the Town of Eaton

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

County City Town Village
(Select one:)

of Eaton as follows:

**“TOWN OF EATON
LOCAL LAW NO. 3 of 2023**

A Local Law Amending the Land Use Map of the Town of Eaton to Change the Zoning Designation for Certain Property from Being Zoned Residential District No. 2 (RD2) to Agricultural/ Residential/ Commercial District (ARC) in the Town of Eaton

Be it enacted by the Town of Eaton Town Board, as follows:

Section 1. Amendment of the Land Use Map of the Town of Eaton (Section 120-8 of the Code of the Town of Eaton).

The Land Use Map of the Town of Eaton, as provided for in Section 120-8 of the Code of the Town of Eaton and filed with the Town Clerk, shall be amended to change the zoning use designation of certain lands described herein in **Schedule “A”** from Residential District No. 2 (RD2) to Agricultural/ Residential/ Commercial District (ARC) as such zoning districts are defined and regulated pursuant to the provisions of Chapter 120 of the Code of the Town of Eaton.

Section 2. Parcel Subject to Zone Change

The parcel of land which shall be the subject of said zoning change is as follows: the Parcel designated as Tax Map Parcel ID No. 137.-1-37.131 situated on New York State

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

Route 12B (current owner being Uvanni Family, LTD Partnership), totaling approximately 11.49 acres – *see* **Schedule “A”**.

Section 3.

The Town of Eaton Land Use Map shall be amended and shall incorporate the change of zoning classification, as herein provided.

Section 4. Effective Date.

This Local Law shall become effective upon its filing with the New York Secretary of State.

**SCHEDULE “A”
BOUNDARY DESCRIPTION**

**LEGAL DESCRIPTION
PORTION OF THE LANDS OF
UVANNI FAMILY LIMITED PARTNERSHIP
NEW YORK STATE ROUTE 12B**

ALL THAT TRACT OR PARCEL OF LAND BEING SITUATE IN THE TOWN OF EATON, COUNTY OF MADISON AND STATE OF NEW YORK BEING DESCRIBED AS FOLLOWS:

Beginning at a point on the centerline of New York State Route 12B, said point located at the intersection of the centerline of New York State Route 12B with the northerly boundary of Eyecare of CNY-Hamilton, LLC (Now or Formerly) as described in a Warranty Deed dated February 1, 2016 and recorded in the Madison County Clerk's Office as Instr. #2016-550; thence N12°16'37”W 600.00 feet along the centerline of New York State Route 12B to a point; thence N12°21'46”W 755.78 feet continuing along the centerline of New York State Route 12B to a point; thence N76°05'57”E 653.51 feet to a point on the municipal boundary between the Town of Eaton and the Town of Madison; thence S10°30'00”W 1484.21 feet along the municipal boundary to a point located on the northerly boundary of Eyecare of CNY-Hamilton, LLC; thence S73°25'33”W 77.73 feet along the northerly boundary of Eyecare of CNY-Hamilton, LLC to the point and place of beginning.

The above described premises containing 11.338± acres of land more or less.

Subject to the rights of the public to that portion of the above described premises situate within the bounds of New York State Route 12B.

Also subject to any other easements, covenants or restrictions of record.”

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

David Verne	Councilor	Voted	Yes
Jean Hilts	Councilor	Voted	Yes
Stephen Dickerson	Councilor	Voted	Yes
Jeff Golley	Councilor	Voted	Yes
Joseph Wicks	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: October 10th, 2023

1. **(Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. **3** of 2023 of the **Town of Eaton** was duly passed by the **Town Board** on **October 10th, 2023**, in accordance with 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 **Town of Eaton** was duly passed by the **Town Board** on _____, 20__, and was (approved/not approved/ repassed after disapproval) by the **Town Board** and was deemed duly adopted 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 **Town of Eaton** was duly passed by the **Town Board** on _____, 20__, and was (approved/not approved/ repassed after disapproval) by the **Town Board** on _____, 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 **Town of Eaton** was duly passed by the **Town Board** on _____, 20__, and was (approved/not approved/ repassed after disapproval) by the **Town Board** 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.~~

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.

**Hon. Dean Curtis, Town Clerk
Town of Eaton**

(Seal)

Date: **November 14th, 2023**

