(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.

COMMO	
City XXXXX	ofPLATTSBURGH
XXXXX	
	Local Law No of the year 20.02
A local law	DESIGNATING SUB ZONES FOUR AND FIVE OF THE CITY OF
	PLATTSBURGH'S EMPIRE ZONE.
•	
Be it enacte	d by the COMMON COUNCIL of the
_	
XXXXX City	
ToxXX Village	VI

- 1. Findings: The Common Council finds as follows:
 - a. the City of Plattsburgh must depend on its ability to attract and retain business establishments and industry in order to promote economic growth and expand employment opportunities; and
 - b. the City of Plattsburgh submitted an application to the New York State Department of Economic Development on or about January 1988 to be considered for designation of a portion of the City as an Economic Development Zone, under the provisions of New York General Municipal Law, Article 18-B, and the application was subsequently approved, officially designating the Plattsburgh Economic Zone on June 22, 1988; and
 - c. the Zone is administered by a Zone board (EZAB) consisting of at least seven members appointed by the Mayor. Said board membership shall include, when feasible, members with experience in banking, real estate development, economic development, local industry, education, job training and human resource activities and a representative of the Town of Plattsburgh; and

- d. the original boundary line delineating that portion of the City as an Economic Development Zone was formed as a result of specific demographic and physical conditions that exist in the portion of the City and as further stipulated as a prerequisite of one designation in Article 18-B, Section 958. Said boundary line was also formed by following the boundary lines of existing government census tracts, artificial and natural barriers, where possible; and
- e. the original Zone boundary line was amended and approved by the New York State Department of Economic Development, effective October 31, 1990, January 25, 1994, and November 17, 1997 to include additional parcels that now comprise Subzones 1, 2, and 3; and
- f. subsequent to approval of the Zone (now Empire Zone) by the State, it was determined that numerous eligible parcels having demographic and physical conditions similar to those within the Zone also represent significant development opportunities by virtue of their character or location, and it is now necessary and desirable to include these parcels as part of the Plattsburgh Empire Zone in order to maximize the potential impact upon the local economy; and

- g. the Empire Zone Program limits the size of a Zone to no more than 1280 acres or 2 sq. mi.; and an Empire Zone shall consist in whole or part eligible census tracts from the 1980 census and areas contiguous to an eligible census tract in order to develop an Empire Zone area that is eligible for approval under said program; and
- h. the Zone is proposed to be revised to include two additional Sub-zones in the Town of Plattsburgh based on their potential for future development, and their eligibility based on State guidelines for the Empire Zone program; and

- 2. Zone Board There is hereby established an Empire Zone Administrative Board that shall consist of eight persons with experience in banking, real estate development, economic development, industry, education, job training and human resource development. Such Board members shall be appointed by the Mayor of the City of Plattsburgh and confirmed by the affirmative vote of three members of the Common Council. One member of the Board shall be nominated by resolution of the Town Board of the Town of Plattsburgh.
- 3. <u>Ratification of Previous Appointments and Actions</u>. The appointments of the current members of the Empire Zone Administrative Board, and the actions heretofore approved or taken by such Board, are hereby ratified and confirmed.
- 4. Ratification and Confirmation of the Boundaries of Plattsburgh Empire Zone
 - a. The boundary of the Plattsburgh Empire State Zone is ratified and confirmed to be as follows: The boundaries of sub-zones 1,2 and 3 as described in 4b and the boundaries of sub-zones 4 and 5 as described in paragraph 5.
 - b. The boundaries of sub-zones 1,2, and 3 are ratified and confirmed to be as follows:

SUB-ZONE 1

Starts at a point where the City line meets State park property owned by NYS along Route 314; and continues west and south along NYS Route 9 to a point where NYS DEC Wetland Maps show Class I wetlands on the west side of Route 9. The Zone boundary runs along the wetlands boundary line so as not to include any designated wetland and continue westerly to the Plattsburgh city line, then follows south then west along City line to a point where Truman Avenue intersects the City line. Zone runs along Truman Avenue to a point where it meets Boynton Avenue. Zone continues east along Boynton Avenue to a point where it meets the Margaret Street B-1 Zoning District line. The Zone boundary continues south along the designated B-1 Zoning District line to a point where it meets the C or Central Business District Zoning Line at Cornelia and Margaret Streets. The Zone then follows the Zoning line south along Oak Street to Broad Street where it then follows the Zoning District line to a point where it meets the Peru Street B-1 Zoning District, continues following Peru Street and Pike Street north till it intersects with Bridge Street, then runs southeasterly along Bridge Street to the intersection of Jay Street where it runs south to the northern boundary of the former Plattsburgh Air Force Base (PAFB). At this point, the Zone boundary follows in a westerly direction to the east side of Peru Street and then south along Peru Street to the intersection with South Peru Street. The Zone boundary then continues southwest along the area zoned B-2 to its end and then along a line intersecting Crete Blvd. and South Peru Street. The Zone boundary then follows Crete Blvd. along the south boundary of St. Peter's Cemetery to Wall Street, then north on Wall Street to Main Mill Street and through the intersection north to the Saranac River. At this point, the Zone boundary follows the water line along the eastern shore of the Saranac River as it winds in a southwesterly direction to the City limits. The Zone

boundary then follows the City line due south to the north side of Perimeter Road on PAFB land and follows Perimeter Road in a southeasterly direction to a point directly opposite the end of south Peru Street. From this point, the boundary turns in a northeasterly direction to the end of south Peru Street and along South Peru Street to a point that intersects Sharron Ave. It then runs along Sharron Avenue to New York Road and along New York Road to a point where it meets United States Avenue. The Zone boundary then follows the east side of United States Avenue in a southerly direction to the City limits and then east along the City line to Lake Champlain. At this point, which is the southeast corner of PAFB, the Zone boundary then follows the shoreline of Lake Champlain, along the boundary of Plattsburgh Boat Basin, D&H Railroad yard, and City-owned lands to the Delaware & Hudson Railroad Bridge where it crosses over the Saranac River. Zone boundary continues along the D&H rail line north to a point where it meets Lorraine Street, then heads west to the east side of the B-1 Zoning District line. Continuing north, it follows the eastern side of the B-1 Zoning District line as it twists and turns to a point where it intersects with Lake Champlain. Zone boundary then follows the Lake Champlain shoreline north to City Beach and back to the starting point.

SUB-ZONE 2

BEGINNING AT A POINT which point is located in the southwest corner of a Clinton County, Town of Plattsburgh Tax Map Parcel ("TMP" herein after) no. 220-1-3.1 ("Parcel 3.1" hereinafter) which point is also in the northerly bound of a public road identified as Industrial Boulevard, running thence northerly along the west bound of said parcel 3.1 to the northwest corner of parcel 3.1, thence easterly along the north bound of parcel 3.1 and the north bound of TMP 220-1-3.34, the north bound of TMP 220-1-3.14, the north bound of TMP 220-1-3.131, and the north bound of TMP 220-1-3.132 to the northeast corner of said TMP 220-1-3.132 which point is also the northerly corner of TMP 220-1-3.9, which point is also in the west bounds of a public town road identified as Military Turnpike Extension, continuing thence in the last described line across the Military Turnpike Road Right of Way ("ROW" hereinafter) to a point in the west bound of a TMP 220-13.241, which point is also in the east bound of the Military Turnpike Road ROW; proceeding thence in the northwesterly direction along the east bound of the Military Turnpike Road ROW and the west bound of TMP 220-1-3.241, in the west bound of TMP 220-1-3.342 and the west bound of TMP 220-1-3.23, to a point in the westerly bound of said TMP 220-1-3.23 and the east bound of the Military Turnpike Road ROW, running thence northerly along the west bound of TMP 220-1-3.23 to the northwest corner of TMP 220-1-3.23, turning thence and running in a general easterly direction along the north bound of TMP 220-1-3.23 and a portion of TMP 220-1-3.312 to a point in the southwest corner of TMP 220-1-10; which point is also in the north bound of TMP 220-1-3.212, turning thence and running northerly along the west bound of TMP 220-1-10 to a point which is in the northwest corner of TMP 220-1-10 and which point is also in the southerly bound of a New York State ("NYS" hereinafter) Route 3 ROW (ROW hereinafter); turning thence and running easterly in the south bound of NYS Route 3 Road ROW and the northerly bounds of TMP 220-1-10, 220-1-3.3211 and 220-1-3.32 to a point which is the northeast corner of said TMP 220-1-3.32, which point is also in the westerly bounds of a public road ROW identified as Area Development Drive; thence proceeding easterly in the last described line across the ROW of Area Development Drive to a point in the east side of the Area Development Drive ROW which point is also the northwest corner of TMP 220-1-3.221, and which point is also in the southerly bound of NYS Route 3 Road ROW; thence continuing in the last described line in the southerly bound so of NYS Route 3 Road ROW along the northerly bound of TMP 220-1-3.221 and TMP 220-1-3.222, to a point, which is the northeast corner of TMP 220-1-3.222 and which point is also in the southerly bound of NYS Rte. 3 road ROW; thence turning and running in a generally southerly direction along the east bound of TMP 220-1-3.222 to a point which is the southeast corner or TMP 220-1-3.22 and which point also is in the northerly bound of TMP 220-1-3.271; thence turning and running easterly along the northerly bound of TMP 220-1-3.271 and the northerly bound of TMP 220-1-3.72 to the northeast corner of TMP 220-1-3.72; turning thence and running southerly in the east bound of TMP 220-1-3.272 to the northwest corner of TMP 220-7-10; thence turning and running easterly in the northerly bound of TMP 220-7-10 to the northeasterly corner of TMP 220-7-10, turning thence and running southerly along the east bound of TMP 220-7-10 to the northerly bound of a proposed road ROW identified as Kaycee Loop Road; thence proceeding southerly across the Kaycee Loop Road ROW in the easterly bounds of the proposed Kaycee Lop Road ROW to the northwest corner of a TMP 220-7-10; thence turning and running

easterly in the northerly bound of TMP 220-7-10 to the northeast corner of TMP 220-7-10; thence turning and running southerly in the east bound of said TMP 220-7-10 to the southeast corner of said TMP 220-7-10; thence turning and running westerly I the south bound of TMP 220-7-10 to the southwest corner of TMP 220-7-10; thence turning and running northerly along the westerly bounds of TMP 220-7-10 and westerly bounds of TMP 220-1-16 to the southeast corner of TMP 220-1-3.31; thence turning and running in a westerly direction along the southerly bound of TMPs 220-1-3.31, 220-1-3.29, and 220-1-3.28 to the southwesterly corner of TMP 220-1-3.28; which point is also in the easterly bounds of the Military Turnpike road ROW; thence continuing in the last described line across the Military Turnpike Road ROW to the westerly bounds of the Military Turnpike Road ROW, which point is also in the northeasterly bound of TMP 220-1-3.37; thence turning and running southeasterly in the northeasterly bound of TMP 220-1-3.7 and the westerly bounds of the Military Turnpike Road ROW over and across the Industrial Boulevard road ROW and in the east bound of TMP 220-1-19.2 and TMP 220-1-19.1 to the southeast corner of TMP 220-1-19.1; thence turning and running in a westerly direction in the south bounds of TMPs 220-1-19.1, 220-1-3.6, 220-1-3.5, 220-1-3.4 and 220-1-3.3 to the southwesterly corner of TMP 220-1-3.3; thence turning and running in a generally northerly direction in the west bound of TMP, over and across the Industrial Boulevard road ROW to the southwest corner of TMP 220-1-3.14, thence continuing ina northerly direction in the west bound of TMP 220-1-3.14 to the southeasterly corner of TMP 220-1-3.34 which point is in the westerly bound of TMP 220-1-3.4; thence turning and running in a westerly direction in the south bound of TMP 220-1-3.34 and TMP 220-1-3.1 to the southwesterly corner of TMP 220-1-3.1 which point is the POINT AND PLACE OF BEGINNING.

INTENDED HEREIN TO DESCRIBE a 159-acre more or less parcel made up of 34 TMP is in the Town of Plattsburgh and as shown on a plan identified as Clinton County, Plattsburgh Economic Development Zone Map in 1997, dated July 4, 1997.

SUB-ZONE 3

The Zone Boundary starts at a point on the north side of Cornelia Street at the eastern corner of Plattsburgh Plaza and moves west along Cornelia Street to the City line. It then turns north along the City line to the end of the B-2 Zoning District. Zone boundary then follows easterly along the B-2 Zoning District line to the eastern boundary of Plattsburgh Plaza which coincides with B-2 Zoning District boundary. Zone boundary then follows B-2 Zoning District line in a southerly direction to the starting point on Cornelia St.

5. <u>Establishment of Sub-zones Four and Five</u>. There is hereby established two Sub-zones, designated as Sub-zone four and Sub-zone five, which are described as follows:

SUB-ZONE 4

Beginning at a point in the easterly bounds of the Banker Road which points in the northwest corner of the parcel herein described and is also the southwest corner of lands Walter and Edith Banker #Deed Instrument # 129839; Thence S 07° 32′ 42″ W, along the easterly bounds of the Banker Road, 66.27 feet to a point; Thence S 06° 26′ 22″W and continuing along the easterly bounds of said Banker Road, 342.92 feet to the intersection of the easterly bounds of the Banker Road and the northerly bounds of the Atwood Road; Thence S 68°29′ 51″ E, along the northerly bounds of said Atwood Road, 102.40 feet to a point; Thence S 53° 58′ 40″ E and continuing along the northerly bounds of said Atwood Road, 266.61 feet to a point; Thence S 60° 22′ 52″ E and continuing along the northerly bounds of said Atwood Road, 206.69 feet to the northeast corner of the Atwood Road; Thence S 26° 15′ 24″ W, along the easterly bounds of said Atwood Road, 50.00 feet to the southeast corner of the Atwood Road; Thence N 60° 22′ 36″ W, along the southerly bounds of said Atwood Road 261.75 feet to a point; Thence N 68°29′ 51″ W, and continuing along the southerly bounds of said Atwood Road, 82.88 feet to the intersection of the southerly bounds of said Atwood Road, Thence S 09° 30′ 49″ W, along the easterly bounds of said Banker Road, Thence S 09° 30′ 49″ W, along the easterly bounds of said Banker Road.

307.51 feet to a point; Thence S 11° 06' 27" W and continuing along the easterly bounds of said Banker Road, 356.93 feet to a point; Thence S 11° 05' 09" W and continuing along the easterly bounds of said Banker Road, 144.28 feet to the northwest corner of lands of BT-NEWYO-LLC (Deed Instrument #125142); Thence S 81° 02' 58" E, 582.15 feet to the northeast corner of said BT-NEWYO-LLC; Thence S 10° 50' 29" W, 749.99 feet to the southeast corner of said BT-NEWYO-LLC; Thence N 81° 02' 55" W, 582.14 feet to a point in the easterly bounds of the aforesaid Banker Road, said point being the southwest corner of said BT-NEWYO-LLC, Thence along the easterly bounds of said Banker Road on the following bearings and distances; S 11°17' 17" W, 178.95 feet to a point; Thence S 11° 49' 15" W, 186.88 feet to a point; Thence S 11°42' 02" W, 219.46 feet to a point; Thence S 10° 38' 44" W, 182.00 feet to a point; Thence continuing on the same bearing of S 10° 38' 44" W, 272.00 feet to the beginning of a curve concave to the west, said curve having a radius of 550.57 feet; Thence southwesterly along said curve and continuing along the easterly bounds of said Banker Road, passing through an angle of 09° 56' 50", 95.59 feet to a point, said point being the southwest corner of the parcel herein described and is also the northwest corner of lands of Brian and Lucinda Pytlak (Vol. 616, Page 19); Thence S 78 45' 43" E, along the northerly bounds of said Pytlak, 189.33 feet to a point, said point being the northeast corner of said Pytlak and is also the northwest corner of lands of Verville Enterprises (Book 98001, Page 04549); Thence S 78° 45' 15" E, along the northerly bounds of said Verville, 210.64 feet to a point; Thence continuing o the same bearing of S 78° 45' 15" E and along the northerly bounds of said Verville and along the northerly bounds of Brian and Lucinda Pytlak (Book 953, Page 285);439,24 feet to a point, said point being the northeast corner of said Pytlak; Thence S 11° 01' 00" W, along the easterly bounds of said Pytlak, 293.46 feet to a point in the northerly bounds of the Tom Miller Road, said point being the southeast corner of said Pytlak; Thence along the northerly bounds of the Tom Miller Road on the following bearings and distances; S 78 51' 43" E, 162.40 feet to a point; Thence S 78° 45' 18" E, 107.65 feet to a point; Thence S 78° 51' 43" E, 217.23 feet to a point, said point being the southeast corner of the parcel herein described and is also the southwest corner of a land of Kenneth Rascoe (Book 679, Page 187); Thence N 10° 47' 24" E, along the westerly bounds of said Rascoe, 231.56 feet to a point; Thence continuing on the same bearing of S 10° 47' 24" and continuing along the easterly bounds of said Rascoe, 312.88 feet to a point, said point being the southeast corner of Kenneth Maurier (Liber 889, Page 85); Thence N 80° 01' 36" W, along the southerly bounds of said Maurier, 276.03 feet to a point, said point being the southwest corner of said Maurier, Thence N 09°58' 24" E, along the westerly bounds of said Maurier, 170.00 feet to a point, said point being a northwest corner of said Maurier; Thence S 80° 01' 36" E, along the northerly bounds of said Maurier, 276.03 feet to a point in the westerly bounds of said Maurier; Thence N 10° 47' 24" E, along the westerly bounds of said Maurier, 96.95 feet to a point; Thence N 10° 47' 25" E, along the westerly bounds of said Maurier, 301.83 feet to a point, said point being a northwest corner of said Maurier and which point is the southwest corner of lands of Arthur Renadette (Book 637, Page 158); Thence N 10°42' 28" E, along the westerly bounds of Renadette, 1507.35 feet to a point, said point being the northwest corner of said Renadette and is also the southwest corner of Wayne Garrand (Liber 680, Page 130); Thence along the westerly bounds of said Garrant on the following bearings and distance N 11°01' 06" E, 209.36 feet to a point; N 11°01' 56" E, 252.73 feet to a point; N 12°05' 27" E, 200.00 feet to point; N 09° 09' 05" E, 172.06 feet to a point, said point being the northeast corner of the parcel herein described and is also the northwest corner of said Garrant and is a point on the southerly bounds of lands of Brian S. Pytlak and Lucinda Pytlak (Liber 616, Page 19); Thence N 79°06' 38" W, along the southerly bounds of said Pytlak, 763.43 feet to a point, said point being the southwest corner of said Pytlak and is also the southeast corner of lands of Walter and Edith Banker (Deed Instrument #129839); Thence N 79° 06' 38" W, along the southerly bounds of said Banker, approximately 13.1 acres of wetland area as shown on a map for the City of Plattsburgh Empire Zone Application.

SUB-ZONE 5

Beginning at an iron pipe found at the intersection of the easterly bounds of the Carbide Road and the southerly bounds of the right of way, nor or formerly, owned by the Delaware and Hudson Railroad; Thence along the easterly bounds of the aforesaid Carbide Road on the following bearings and distances; S 10°10′ 15″ E, 88.92 feet to a point; S 19° 23′ 54″ E, 144.82 feet to a point; S 23°03′51″ E, 490.30 feet to appoint; S 25° 48′ 58″ E, 30.00 feet to an iron in set; Thence N 75°52′ 42″ E, 663.75 feet to an iron pin set; Thence N 00°40′ 25″ E, 388.91 feet to an iron pin set in the southerly bounds of the aforesaid Delaware and Hudson Railroad right of way; Thence N 80° 37′ 35″ W, along the southerly bounds of the aforesaid Delaware and Hudson right of way, 929.63 feet to the point or place of beginning and containing 10.00 acres more or less.

(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.)	
of the (County)(City)(Town)(Village) of	of 20 was duly passed by the
Name of Legislative Body)	20, in accordance with the applicable provisions of law.
•	
2. (Passage by local legislative body with approval, n by the Elective Chief Executive Officer*.)	o disapproval or repassage after disapproval
of the (County)(City)(Town)(Village) of PLATTSB COMMON COUNCIL. on 13 DEC	of 2002 **BURGH
disapproval) by the MAYOR (Elective Chief Executive Officer*) in accordance with the applicable provisions of law.	and was deemed duly adopted on 17 Dec 2001.,
of the (County)(City)(Town)(Village) of	ated as local law No of 20 was duly passed by the 20 20, and was (approved)(not approved)(repassed after
	on 20 Such local law was submitted
to the people by reason of a (mandatory)(permissive) refethe qualified electors voting thereon at the (general)(spectaccordance with the applicable provisions of law.	erendum, and received the affirmative vote of a majority of cial)(annual) election held on 20, in
	and the second s
4. (Subject to permissive referendum and final adopt referendum.)	ion because no valid petition was filed requesting
- Sala (Canada) (Cita) (Tanada) (Milaga) of	ated as local law No of 20 was duly passed by the
Name of Legislanve Body)	20, and was (approved)(not approved)(repassed after
	on 20 Such local law was subject to
permissive referendum and no valid petition requesting saccordance with the applicable provisions of law.	uch referendum was filed as of 20, in

^{*} 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 revis	ion proposed by pentionin
of the City of	reto, designated as local law No
6. (County local law concerning adoption o	of Charter.) eto, designated as local law No of 20
of the County ofat the General Election of November	State of New York, having been submitted to the electors 20
(If any other authorized form of final adopti	ion has been followed, please provide an appropriate certification.)
I further certify that I have compared the precess a correct transcript therefrom and of the who dicated in paragraph2, above.	eding local law with the original on file in this office and that the same ole of such original local law, and was finally adopted in the manner in-
	Clerk of the County legislative body. City. Town or Village Clerk or officer designated by local legislative body. Keith A. Herkalo, City Clerk
(Seal)	Date: 2 JANUARY 2002
	-
(Certification to be executed by County Attoorher authorized attorney of locality.)	orney, Corporation Counsel, Town Attorney, Village Attorney or
STATE OF NEW YORK COUNTY OFCT_INTON	
I, the undersigned, hereby certify that the foreghave been had or taken for the enactment of the	going local law contains the correct text and that all proper proceedings e local law annexed hereto. Signature John E. Clute Corporation Counsel
	City of PLATTSBURGH XXXXX
	TANKIANIZ TOOT