

**TOWN OF PITTSTOWN
LOCAL LAW #2-2017**

**A LOCAL LAW ESTABLISHING EXPIRATION PERIODS FOR SPECIAL USE PERMITS AND AREA VARIANCES
ISSUED IN THE TOWN OF PITTSTOWN**

Section 1. Purpose. The Town Board finds and determines that special use permits and area variances issued in the Town of Pittstown should include an expiration dates. The purpose of this Local Law is to establish a reasonable expiration period for such permits and variances issued within the Town of Pittstown.

Section 2. Authority. This Local Law is enacted pursuant to the provisions of the Municipal Home Rules Law of the State of New York.

Section 3. Title. This Local Law shall be known as the "Town of Pittstown Expiration of Special Use Permits Law and Area Variances Law of the Town of Pittstown".

Section 4. The Land Use Regulations of the Town of Pittstown, shall be amended to add the following Article 7 C., Expiration of Special Use Permits and Area Variances:

1. A special use permit and an area variance shall be deemed to authorize only the use approved by the Pittstown Zoning Board of Appeals, and said permit and variance shall expire if the use shall cease for more than six (6) months.
2. The special use permit or area variance will expire in the event that:
 - a) Construction has not commenced (completed) in accordance with the approval within two (2) years after the date of the approval of the Special Use Permit and/or area variance.

In the event the special use permit or area variance expires, a new special use permit and/or area variance application(s) must be submitted to the Zoning Board of Appeals for reconsideration if the applicant still wishes to establish the use.

Section 5. Separability. If any clause, sentence, paragraph, section or part of this Local Law shall be adjusted by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 6. Effective date. This Local Law shall take effect immediately upon filing with the New York State Secretary of State.