

ORDINANCE #9

ADOPTED: FEBRUARY 15, 1967
PUBLISHED: MARCH 1, 1967
EFFECTIVE: MARCH 11, 1967

ORDINANCE FOR ESTABLISHING HOMER POINT RESIDENTIAL AREA IN THE LAKE GEORGE PARK

SECTION 1

The word "person" as used in this ordinance shall include an individual, society, club, firm, partnership, corporation or association of persons, and the singular number shall include the area. The words "residential area" shall have the meaning intended and provided by Article 13-C of the General Municipal Law. The legislative intent in the adoption of the ordinance shall be as set forth in Section 280 of the General Municipal Law.

SECTION 2

Pursuant to the provisions of Article 13-C of the General Municipal Law, there is hereby established a residential area in that portion of the Town of Bolton wholly within the Lake George Park bounded and described as follows:

All that parcel of land in the Town of Bolton, Warren County, New York, described as follows:

BEGINNING in the center of State Highway, Route 9N where it would be intersected by an extension westerly of the straight portion of the north boundary of Lot 19 as shown on a "Map of lands at Basin Bay etc., developed by John P. Loomis, Jr." which map is dated June 1, 1925, a copy having been filed in the office of the Warren County Clerk, and running thence in a northeasterly direction along the center of State Highway 9N for a distance of about 2825 feet to a point opposite the center of the Town Board which leads southeasterly along the southerly side of the Bolton Rural Cemetery; thence running southeasterly in the center of the said Town Road for a distance of about 640 feet to the point at which said road divides into two branches; thence north 88 degrees 19 minutes east a distance of 55 feet to the southeasterly corner of the Bolton Rural Cemetery; thence northeasterly along said cemetery about 240 feet to the southeast corner of the Woodward Addition to the cemetery; thence south 55 degrees 53 minutes east a distance of 73.54 feet; thence north 37 degrees 31 minutes east about 446 feet to a boundary of lands heretofore conveyed by the Executors of the Estate of Earl T. Woodward to James and Blanche Cotherman by deed dated June 2, 1958 and recorded in the Warren County Clerk's Office in Book 380 of Deeds, at page 144; running thence northerly along the southeasterly boundary of the last mentioned lands the following three courses, viz. - north 45

degrees 38 minutes east 193 feet, more or less, north 56 degrees 06 minutes east 243.8 feet, and north 63 degrees 11 minutes east 524.53 feet to an iron stake at the shore of Huddle Bay, distant 200 feet, more or less, easterly from the center of the mouth of Trout Lake Brook; thence southeasterly, easterly, northeasterly, northerly and northeasterly along the shore of Huddle Bay, as it winds and turns, for a distance of about 4000 feet to the northerly extremity of Homer Point; thence running southeasterly, southerly, and southwesterly along the shore of Lake George, as it winds and turns for a distance of about 8500 feet to the southerly extremity of Fish Point; thence northwesterly, northerly and northeasterly along the shore of Fish Point, and northerly, northwesterly and westerly along the shore of Basin Bay for a distance of about 4140 feet to a point in the center of Lot 4 on the aforementioned map of lands developed by John R. Loomis, Jr., thence north 42 degrees 18 minutes west along the southwest boundary of lands of Marion E. Russell for a distance of 395.60 feet to a corner in the easterly line of a public right of way; running thence north 7 degrees 46 minutes west across said right of way a distance of 71.8 feet to a point in line with north boundary of the aforementioned Lot 19; thence north 57 degrees 38 minutes west along the north boundary of Lot 19, and a continuation thereof, for a distance of 315 feet to the center of the former highway and continuing the same course to the center of the present State Highway at the place of beginning, containing about 280 acres.

SECTION 3

On and after the effective date of this ordinance, no person shall use any real property within the boundaries of the aforesaid residential area for any industrial or commercial purpose, except that any residence within the said area may be leased or rented for single, private family residential purposes.

SECTION 4

If the Town Board of the Town of Bolton shall hereafter adopt and enact a general zoning ordinance for the entire Town of Bolton and any provisions of such general zoning ordinance relating to the use of real property in the said residential area established by this ordinance shall conflict with or be inconsistent with any provisions of such general zoning ordinance, the provisions of such general zoning ordinance shall supersede the provisions of this ordinance and shall govern the use of such property.

SECTION 5

The Town Board of the Town of Bolton shall have the power to grant a proper and appropriate variance from this ordinance to authorize or permit a necessary or desirable use of land or prevent unnecessary hardship in an individual or particular instance. Such variance shall be by resolution adopted by an affirmative vote of a majority of the total membership of the Town

Board and a variance shall be granted only after a public hearing. Notice of such public hearing shall be published once in the official newspaper and posted on the bulletin board of the Town Clerk, and a copy of such notice mailed to owners of real property located within 500 feet of the boundaries of the real property for which a variance has been requested. Such notice shall contain the name of the owner of the property for which a variance has been requested, a sufficient description to identify the particular property for which a variance has been requested and a concise statement of the particular proposed use for which the variance has been requested. The application by an owner to the Town Board shall be by written petition which shall contain the foregoing information, and a statement of the names of the owners of real property located within 500 feet of the boundaries of the real property for which a variance has been requested.

SECTION 6

A violation of this ordinance shall be an offense punishable upon conviction by a fine not to exceed One Hundred Dollars or imprisonment for not to exceed sixty days, or both and each calendar week's continued violation shall constitute a separate additional violation. In addition to the foregoing penalties provided for a violation of this ordinance, the Town Board of the Town of Bolton shall have the right to apply to any court of competent jurisdiction for an order to restrain an enjoin any proposed or threatened violation of this ordinance.

SECTION 7

This ordinance shall take effect immediately.