

## **A Local Law Amending Town of Martinsburg Development Law Local Law #2-08**

Article 1. Statement of Authority. The Town Board of the Town of Martinsburg, pursuant to the authority granted it under Article 16 of the Town Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2. Statement of Purpose and Findings. The Town Board of the Town of Martinsburg is in receipt of a request to extend the wind overlay district to include additional properties. The Town Board finds such amendment to be appropriate and in keeping with the best interests of the residents in the Town of Martinsburg and that such amendment will allow for the development of additional wind power facilities in the Town helping to provide a more stable tax base. It also takes advantage of existing wind resources in the Town in a responsible manner. It is the purpose of this local law to amend the Wind Overlay District as shown on the map annexed hereto.

Article 3. Enactment. The Town Board of the Town of Martinsburg hereby amends Section 425 of the Town of Martinsburg Development Code to the extent that it expands the Wind Overlay District to include an extended area to the southwest of the current District, the area in the proposed amendment consists of the area south of the Flat Rock Road, west of Carey Road, west of French Road to the Town of Montague and southwest of French Road. Such additional Wind Overlay is shown on the map annexed hereto which map shall become part of the Wind Overlay District of the Town of Martinsburg and shall include the tax map parcels annexed hereto.

Article 4. Severability. If any part of this local law shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity of enforceability of any remaining section or provision of this local law.

Article 5. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.