

PROPOSED LOCAL LAW NO. ____ OF THE YEAR 2023

Purpose

The purpose and subject of this Local Law is to amend the Town of Coeymans Code Chapter 165- Zoning to establish and define the terms “Trucking Terminal” and “Fuel Storage Terminal”, and to set forth the zoning districts in which such uses will be permitted.

Authority

The Town Board of the Town of Coeymans as Legislative Body for the Town of Coeymans hereby enacts this Local Law pursuant to authority conferred by New York State Town Law Article 16, New York State Municipal Home Rule Law, and the New York State Constitution.

Legislative Intent

The intent of this Local Law is to clarify the Zoning Code by establishing and defining the terms “Trucking Terminal” and “Fuel Storage Terminal”, and setting forth the zoning districts in which such uses are permitted.

THE TOWN BOARD OF THE TOWN OF COEYMANS HEREBY ENACTS LOCAL LAW NO. ____ OF THE YEAR 2023 AS FOLLOWS:

SECTION 1

Chapter 165-3 of the Code of the Town of Coeymans is hereby amended to add the definitions of “Fuel Storage Terminal” and “Trucking Terminal”, and to authorize the allowable and permitted districts for the siting of Trucking Terminals and Fuel Storage Terminals in the Town of Coeymans. Section 165-3 entitled: “Definitions”, shall be amended as follows:

§165-3 Definitions.

Fuel Storage Terminal means a storage and distribution facility or terminal for fuel, including, but not limited to, liquefied petroleum gas, supplied by pipeline, marine vessel, vehicle or other modes of transportation, which has the capacity to receive and store a bulk transfer of fuel (more than 10,000 gallons). The fuel storage terminal may include loading racks or other equipment through which fuel cargo and freight is transferred for further distribution, docking or storage areas for vessels and vehicles, areas for the repair of vessels or trucks associated with the facility, and any customary use incident to a fuel storage terminal.

Trucking Terminal means an area or building where trucks or trailers are parked, stored or used to load and unload cargo and freight (not to include fuels such as liquefied petroleum gas, natural gas, oil, coal, gasoline or diesel). The trucking terminal facility may include areas where cargo and freight are broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation,

parking or storage areas for trucks or trailers, areas for the repair of trucks associated with the facility, and any customary use incident to a trucking terminal.

SECTION 2

Section 165-Attachment 5 “Schedule of District Zoning Regulations” shall be amended (i) by removing the previously undefined term “Trucking Terminals” as a principal use in the Planned Commercial (C1-P) Zoning District, and (ii) by adding the newly defined terms “Trucking Terminal” and “Fuel Storage Terminal” as a use Permissible Upon the Issuance of a Special Permit in the Planned Commercial (C1-P) Zoning District, and as a Principal use in all Industrial Zoning Districts (I-1 and I-2).

SUPERCESSION

The Town of Coeymans hereby exercises its authority pursuant to New York State Municipal Home Rule Law to supersede any conflicting state or local laws contrary to this Local Law.

SEVERABILITY

If any portion of this Local Law or the application thereof shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remaining portions of this Local Law.

EFFECTIVE DATE

This Local Law shall become effective immediately upon filing with the NYS Secretary of State in conformity with NYS Municipal Home Rule Law.