

Local Law Filing

(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.

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Shawangunk, Ulster County, New York

Local Law No. 1 (Introductory) of the year 2026

A local law Amending various provisions of the Zoning Law, Code Section 177
(Insert Title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Shawangunk as follows:

See attached.

SECTION I – STATEMENT OF PURPOSE

Based upon input from Town officials, various board members, other agencies and the public, certain provisions of the Zoning Law of the Town of Shawangunk, also known as Chapter 177 of the Code of the Town of Shawangunk, are in need of review and clarification. The Town Board finds that the amendments set forth below are in the public interest and will add clarity to the text of the Zoning Law and will assist in the administration of the Zoning Law and in the orderly development of the Town.

SECTION II – STATEMENT OF AUTHORITY

This local law is authorized by the New York State Constitution including Article IX, Section 2, the relevant provisions of the New York Municipal Home Rule Law, the Statute of Local Governments, the Town Law, the General Municipal Law, the Zoning Law, the local laws and land-use regulations of the Town of Shawangunk to provide for the health, safety and welfare of the citizens of the Town.

SECTION III – ZONING LAW TEXT CHANGES

The Zoning Law of the Town of Shawangunk, also known as Chapter 177 of the Code of the Town of Shawangunk, hereby is amended as follows:

- A. At Section 177-6.I(2) Small-Scale Business District – add “(s)” to the word “Apartment” above ground floor business.
- B. At Section 177-6.K(2) – Mixed Use Business – Conservation District – add “(s)” to the word “Apartment” located on upper floors of mixed use building.
- C. Add a new definition to Section 17-65 as follows: APARTMENT(S) OVER GROUND FLOOR COMMERCIAL USES - A dwelling or dwellings located in a building with ground floor commercial uses. Where allowed in the particular zoning district, each apartment shall have a gross floor area of no less than 650 square feet, must be located on a conforming lot, must not exceed three (3) bedrooms and must meet all NYS Building and Fire Safety Code requirements. These apartments shall not be subject to the additional density requirements of Section 177-16. Parking shall be provided in accordance with requirements for a “dwelling.”
- D. At Section 177-11.B Minimum Lot Area – add after the phrase – “including NYS designated wetlands” – “or wetlands deemed eligible for designation and/or regulation as per the NYSDEC”
- E. At Section 177-23.1.E(3)(e) - Large Scale Solar Systems – delete the phrase “Clear-cutting of mature trees” ... at line four (4) and replace with the phrase: “Cutting or destruction of all trees from sapling to and including maturity.

F. At Section 177-23.1.E(3) – Special Use Permit – standards for Large Scale Solar Systems – add a new subsection (t) as follows:

(t) the Planning Board is authorized to require that the applicant submit a draft Host Community Agreement (“HCA”) to mitigate any potential adverse environmental or non-environmental impacts to the Town as identified by the Planning Board during the review process. Any monetary benefits to the Town of any such Host Community Agreement shall be limited to mitigating the adverse impacts of the particular project so identified and shall not extend to impacts or existing conditions not caused by the project. If an HCA is required, the Town Board shall retain final approval of the terms and conditions of the HCA provided that if the agency responsible for final permit approval and/or for a final determination pursuant to the SEQRA concludes that an HCA is a necessary mitigation measure, the Planning Board or the Lead Agency, if different, shall refer the draft HCA to the Town Board for its review and comments prior to the issuance of a final SEQRA determination and/or a final land use approval.

G. At Section 177-23.1.A, add a new last sentence as follows: Battery Energy Storage Systems, also defined as “Solar Storage Battery” herein, either in connection with a Large Scale Solar facility or as an independent, stand alone, or principal use, are not to be deemed to be a Solar Energy System nor an Essential Service nor a Public Utility and all of them are prohibited uses except in connection with a Small Scale Solar Energy system.

H. At Section 177-23.1.C(3), add the following new, first sentence:

Solar storage batteries are prohibited for all Large Scale Solar Systems. Notwithstanding, solar storage batteries are allowed for Small Scale Solar Systems provided all relevant requirements have been met to the satisfaction of the Town Building Department.

I. At Section 177-23.1.F(3), delete the phrase “mature” at the last line.

J. Add a new subsection (9) to 177-23.1.F as follows:

(9) The Decommissioning Plan and related Performance Security shall include a reforestation requirement to replace trees that were removed during construction of the facility.

K. At Section 177-25B.(2) – Special Use Permits – Planning Board action – regarding GML 239 referrals – move Section 2(f)[3] to new Section (2)(h) and add: “Notwithstanding, if the Planning Board of the Town and the Ulster County Planning Board agree in writing to exempt the referral of certain actions, those actions need not be referred.”

L. Mobile homes. The Zoning Law is hereby amended as follows:

1. At Section 177-6.B(4), C(4), D(4), E(4) and G(4) delete “Mobile homes and mobile home courts, now known also as manufactured housing and manufactured housing courts, in accordance with §177-29(b) and (c) of this Zoning Law” and replace with “Manufactured Housing Parks or Courts,” in accordance with §177-29(c) of this Zoning Law.”
2. At Section 177-29.B, delete Section B in its entirety and replace with “Intentionally Omitted.”
3. At Section 177-29.C, revise the title of the section to “Manufactured home park or court”. Replace all references to “mobile” in 177-29.C with “manufactured” and at c-(4)e replace the word “camp” with the words “Park or Court.”
4. At Section 177-65, delete the definition for “MOBILE/MANUFACTURED HOME” and replace with the following: “MANUFACTURED HOME - A factory-manufactured dwelling built on or after June 15, 1976, conforming to the federal HUD Manufactured Home Construction and Safety Standards (24 CFR Part 3280), constructed on a permanent chassis, transportable in one or more sections, and designed for use as a dwelling with or without a permanent foundation.” A Manufactured Home is deemed a dwelling unit and is a permitted use wherever a dwelling unit is allowed in accordance with this Zoning Law. In the event that the permanent chassis requirement is nullified by future revisions to State or Federal laws or regulations, the requirement of having a permanent chassis, likewise, shall then be inapplicable in this Zoning Law. A Manufactured Home shall require all Building Permits in the same fashion as a conventionally built home.”
5. At Section 177-65, add the following definition: “MOBILE HOME - A moveable or portable dwelling unit built prior to June 15, 1976, designed and constructed to be towed on its own chassis, composed of a frame and wheels, connected to utilities, and designed without a permanent foundation for year-round living, excluding travel trailers and recreational vehicles. Mobile homes are not permitted in the Town of Shawangunk.”
6. At Section 177-65, delete the definition of MOBILE.MANUFACTURED HOME PARK OR COURT” and replace with the following definition: “MANUFACTURED HOME PARK OR COURT – Any plot of ground upon which two (2) or more manufactured homes are located.”
7. At Section 177-65, add the following definition: “MODULAR HOME - A type of residential dwelling unit constructed by a method or system of construction whereby the structure or its components are wholly, or in substantial part, manufactured in manufacturing facilities, and as regulated under 19 NYCRR Part 1209. A modular dwelling is deemed a dwelling unit and permitted wherever a dwelling unit is allowed in accordance with this Zoning Law provided all Building Permits are first obtained.

8. At Section 177-65, add the following definition: "TRAVEL TRAILER/RECREATIONAL VEHICLE - A recreation vehicle mounted on wheels or self-propelled, designed to provide temporary living quarters for recreational, camping, or travel use, and complying with applicable federal vehicle regulations. A travel trailer or recreational vehicle may be used for temporary residential occupancy only in accordance with Section 177-52.F of this Zoning Law" or Section 177-27.B (campsites).
9. Unless a prior local law repealed Chapter 115 of the Code of the Town of Shawangunk entitled, "Mobile Homes and Recreational Vehicles," such Code Section 115 hereby is repealed in its entirety.

M. At Section 177-35 – Site Plan Review – add a new subsection B(12) as follows:

(12) For any Site Plan proposing residential uses or for any subdivision not requiring a Site Plan that contains proposed dwelling units, the Planning Board is authorized to require a reservation for parkland or a recreation fee in lieu thereof, per Town Law 274-a(6), as amended. Any such parkland must be approved by the Town Board. Any such recreation fee in lieu thereof shall be as per the Town Board Fee Schedule in effect at the time of final approval. No such reservation or fee shall be required absent the findings required by Town Law 274-a(6), as amended.

- N. At Section 177-35.G – Submission to County Planning Board – add at the end:
"Notwithstanding, if the Planning Board of the Town and the Ulster County Planning Board agree in writing to exempt the referral of certain actions, those actions need not be referred."
- O. At Section 177-35.H – Site Plan in Relation to Subdivision Regulations – add a new sentence at the end as follows: "Notwithstanding, if any use proposed on any such subdivision plat otherwise requires a Site Plan approval per 177-35 (subsection A), such Site Plan must meet the requirements of this Section 177-35 and must be approved by the Planning Board."
- P. At Section 177-43 – Environmental Considerations – add the following clause at subsection B, line 2 after the phrase "freshwater wetlands" . . . "or those wetlands deemed eligible for mapping or regulation by the NYSDEC."
- Q. At Section 177-44 - Performance Standards. The Zoning Law is hereby amended as follows:
 1. Revise the title of Section 177-44-A to read "Performance standards; purpose." In the first line of Section 177-44-A, delete the term "Light industrial uses" in two (2) places and replace with "Uses" and "such

uses", respectively, and delete the balance of 177-44-A after the word "premises" in line 6.

2. Delete subsections "B" and "C" in their entirety and replace with the following:

"B. As part of the Special Use Permit and/or Site Plan review, the Planning Board, in addition to all other authority granted by law, shall apply the performance standards set forth in Subsection (D). Where supported by the record, the Planning Board may require more stringent standards as reasonably necessary to protect the public health, safety, and welfare or to mitigate site-specific impacts associated with the proposed use.
C. For uses projects that do not require Planning Board review, and for projects that have received Planning Board approval, the Building Department shall ensure compliance with the performance standards set forth in Subsection D."

3. At Section 177-44.D(8), second sentence, delete the phrase "No light industrial uses" and replace with "No uses."
4. Section 177-44.D(9), delete the phrase "light industrial uses" and replace with "all uses" at the last line.
5. Section 177-44D(11), delete the phrase "light" and add after the word "use: . . . or traffic intensive commercial use..."
6. At 177-44.E, line 5, add the following phrase in front of the existing second sentence as follows: "If required by the Building Department," and change the capital "T" to a lower case "t" on the following word, "The."
7. At 177-44(E), line 5, add a new second sentence as follows:

Such plan shall include, at a minimum, all relevant performance standard conditions of any Planning Board Special Use and/or Site Plan approval.

- R. At Section 177-52(F) – ZBA authority to allow temporary uses. Delete this section and add a new Section 177-55(D) as follows:

The Building Department may allow the temporary use and occupancy of one recreational vehicle or camper trailer to be occupied as a temporary residence by the owner of the land while a permanent home is being built or substantial repairs or renovated on the same site. Such temporary permit shall not be issued without compliance with all applicable NYS Building Codes for these types of uses including all connections for water, sewer, HVAC and electric service approved by the utility company. No such permit shall be issued in the absence of a

Building Permit for the construction, repair or renovation of the permanent structure. The duration of the temporary permit shall be not more than six (6) months and may be extended for an additional period of not more than six (6) months, after which it shall terminate. The Building Department may refuse to allow the six (6) month extension if, in its sole discretion, it determines that the owner has not diligently pursued the construction or renovation during the first six (6) months. The temporary recreational vehicle or camper trailer shall be decommissioned as living quarters and shall be vacated upon the earlier happening of the termination of the temporary permit or the issuance of a Certificate of Occupancy for the permanent structure, whichever first occurs. The recreational vehicle/camper trailer shall be removed from the site unless it is otherwise allowed to be stored on the site in accordance with the other provisions of this Zoning Law.

- S. At Section 177-59 – ZBA Public Hearing and Notice – add a new Section A(3) as follows:
 - (3) Referral to the Ulster County Planning Board for variances shall be governed by General Municipal Law 239(m), as amended. Notwithstanding, if the Zoning Board of Appeals and the Ulster County Planning Board agree in writing to exempt the referral of certain variance applications, those applications need not be referred.
- T. At Section 177-51 – Organization and procedure for the ZBA – add a new sentence as follows: “See Section 177-58 for the procedure for Appeals and see Section 177-59 for public hearing and notice requirements for the Zoning Board of Appeals.”
- U. At Schedule 1 – Zoning District Bulk Requirements – delete the maximum front yards for all districts except for the H-1, 52BC, HGW and A-1.
- V. At Section 177-12 – Lot Regulations – Delete Section H in its entirety - and replace with the following: “H. Additional dwelling on a lot. Not more than one single family or one two-family dwelling with attendant accessory uses, as allowed in the particular Zoning District, shall be permitted on an individual lot except where a property owner obtains any required variances from the Zoning Board of Appeals. This provision is not intended to limit the installation of an accessory dwelling unit which meets the regulations and standards set forth in this Zoning Law.”
- W. At Section 177-6(N) the Aquifer Protection Overlay, paragraph (3)(G), delete the two references to “35%” and replace with “30%”.

SECTION IV – ZONING LAW MAP CHANGES

The Zoning Map of the Town of Shawangunk hereby is amended to extend the SB (Small Business Zone) in Walker Valley as follows:

BEGINNING at a point at the southeast side of Oregon Trail which point is also at the northeastern edge of the existing SB (Small Business) zoning district and continuing northeast along Oregon Trail and tax lot 98.004-1-16.1 to tax lot 16.2, then around said lot 16.2 to tax lot 17, then following the easterly line of tax lot 16.1 to the northwest line of tax lot Section 104.001, Block 4, Lot 1.3 thence along the northeasterly line of tax lot Section 98.004, Block 1, Lots 13 and 35.1, thence continuing along the northeasterly side of tax lot 4 to its most northeasterly point, thence along the southeasterly side of tax lot 4 to tax lot Section 98.004, Block 1, Lot 1, thence along the northeasterly sides of tax lots 1, 2 and 3, then along the westerly line of lot 3 where it meets NYS Route 52, then along the southerly line of lot 4 to the southeasterly corner of tax lot 5, then along the southeasterly side of tax lot 5 and crossing over NYS Route 52 to the northeast side of tax lot Section 104.001, Block 4, Lot 4, thence southeasterly along Route 52 and said tax lot 4 to the most southwestern corner of tax lot 4, thence in a generally north westerly direction along the rear lot lines at tax lots 4, 3, 2 and 1.2 and continuing in a straight line through tax lot 1.1 to the southerly corner of tax lot Section 104.001, Block 3, Lot 19.1, thence in a northeasterly direction along the southeasterly edge of lots 19.1 to a point perpendicular with and across to the southwestern corner of tax lot 27, thence along the southwestern line of tax lot 27 to Weed Road, thence in a generally northeasterly direction along the southeasterly side of Weed Road, continuing across NYS Route 52 and along the southeasterly side of Oregon Trail to the point and place of beginning.

SECTION V: SEVERABILITY

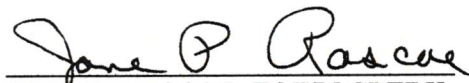
If any section or subsection, paragraph, clause, phrase or provision of this local law shall be adjudged invalid for any reason or shall be deleted or subsequently repealed, the same shall not affect the validity of this local law as a whole or any part or provisions hereof other than the part to be adjudged to be invalid and/or deleted and/or subsequently repealed. Additionally, such determination shall be confined in its operation to the person, individual, entity, firm, corporation, company or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION VI: EFFECTIVE DATE

This local law shall be effective immediately upon filing with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law for the State of New York.

BE IT ENACTED THIS 26th DAY OF August, 2026, BY THE TOWN BOARD OF THE TOWN OF SHAWANGUNK, COUNTY OF ULSTER, STATE OF NEW YORK.

KENNETH RONK, JR., SUPERVISOR
BRIAN AMTHOR, COUNCILMAN
JOSEPH LOCICERO, COUNCILMAN
ALEX DANON, COUNCILMAN
MICHAEL VOSS, COUNCILMAN


JANE P. RASCOE, TOWN CLERK
TOWN OF SHAWANGUNK

ATTEST:

TOWN SEAL:

(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.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2026 of the (County)(City)(Town)(Village) of Shawangunk, New York was duly passed by the Town Board on August 20 2026, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*)
on _____ 2026, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local (Elective Chief Executive Officer*)
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* 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 revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

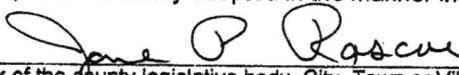
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 _____ above.

(Seal)


Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body
JANE P. RASCOE
Date: 8-25-26