

## LOCAL LAW NO. 2 OF 2025

### A LOCAL LAW TO ADD TO THE ZONING LAW OF THE TOWN OF WAWARSING SECTION 112-80

#### BE IT ENACTED

Section 1: This Local Law shall be listed as Section 112-80 in the Town of Wawarsing Zoning Code.

#### Section 2: STATUTORY AUTHORIZATION AND PURPOSE

There is a significant shortage of housing units within the State of New York, County of Ulster and Town of Wawarsing. This shortage significantly impacts not only people over the age of 55 but particularly young people and their families looking for housing within the Town of Wawarsing. The Town of Wawarsing has determined that approved residential developments that require purchasers and tenants to be over the age of 55 creates an unnecessary hardship for developers, owners of housing units and people under the age of 55 looking for residential housing units with the County of Ulster and Town of Wawarsing and would deter the development of approved housing units that have a 55+ age limitation. The Town of Wawarsing has determined that subject to the developer meeting certain conditions, the age restriction should be adjusted so as to allow people of any age to purchase and or rent units within a 55+ housing development once the conditions are met. In order to minimize the impact of age limitations on these developments.

#### Section 3: REMOVAL OF AGE RESTRICTION

Any residential housing development that has received approval from the Town of Wawarsing Planning Board as of September 1, 2025 and includes an age restriction may be marketed to the general public, provided that the developer or seller has actively marketed the unit with the age restriction in place for a period of no less than sixty (60) days following completion of a model unit that is open to the general public for inspection with appropriate certificate of occupancy issued by the Wawarsing Building Department allowing public access to the model. This provision shall not include any project that received a State or Federal grant conditioned upon an age restriction and shall only apply to projects that have been approved by the Town of Wawarsing Planning Board on or before September 1, 2025.

#### Section 4: REQUIRED MARKETING

Before any residential housing unit with an age limitation that is subject to this provision is marketed to the general public, the developer/seller must submit proof to the Town of Wawarsing Building Department that the housing unit was initially marketed in accordance with the age restriction requirement. Marketing shall include an available on site model unit open to the public, appropriate online marketing, signage on the property and listing of the property with a broker on the MLS. All marketing must include a representation by the sponsor/seller that the age limitation is subject to elimination if the sponsor/seller is unable to sell or rent the units with the age restriction within 60 days following the initial marketing of the units for rent or sale to the general public

**Section 5: EFFECTIVE DATE**

This local law shall take effect immediately upon filing in the office of the NYS Secretary of State in accordance with section 27 of the Municipal Home Rule Law.