

Bishops Square Planned Development District

Owner:

Peter Belmonte

Consultants:

The Jones Firm

Matthew J. Jones

Alexandra Besso

Environmental Design Partnership, LLP

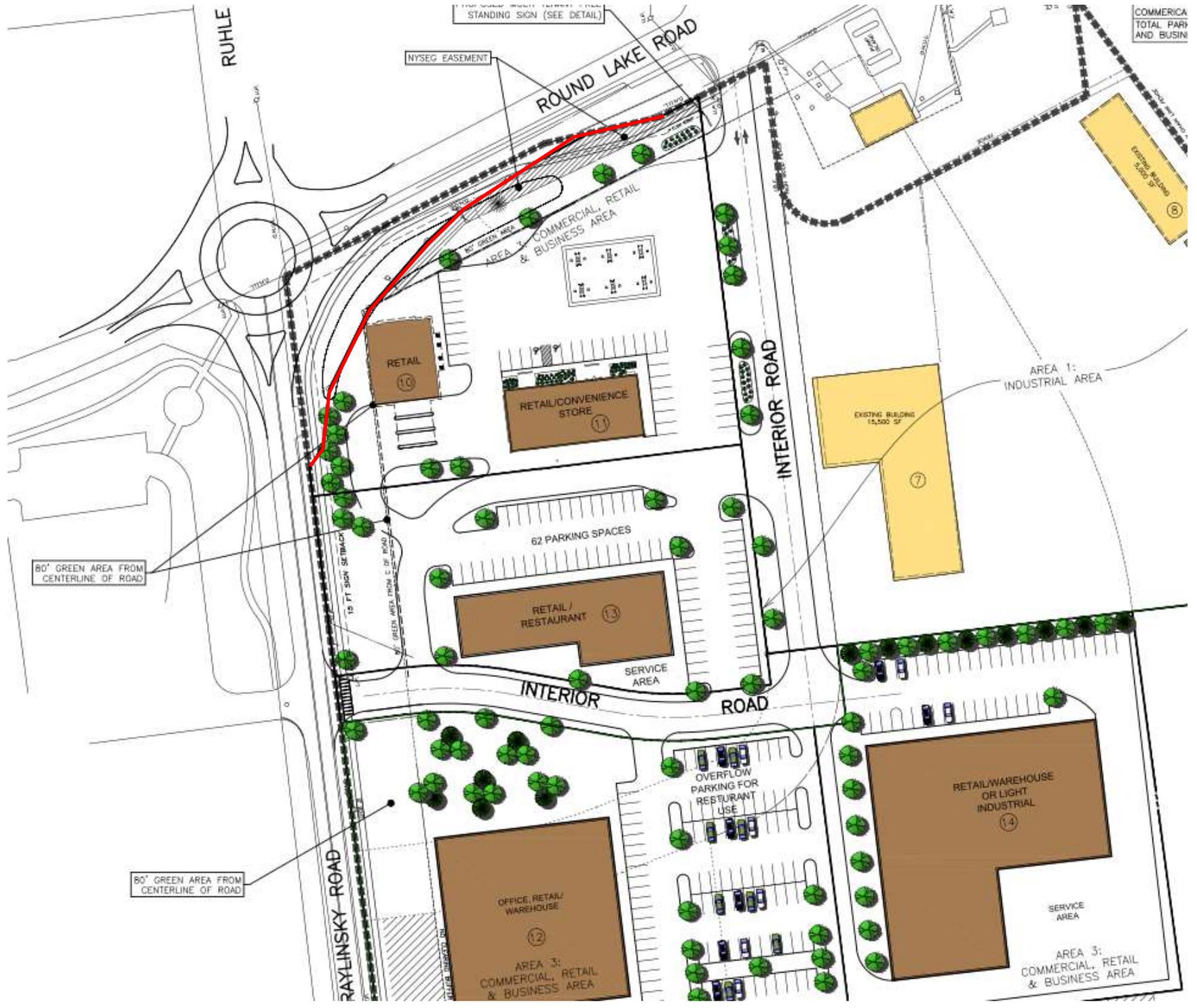
Travis Mitchell, P.E.

January 25, 2016



APPROVED USES:

- Retail stores
- Supply stores
- Wholesale/retail stores
- Consumer goods repair facilities
- Storage and warehouse
- Health and fitness centers
- Pet stores and pet care
- Light equip and appliance rental
- Dry cleaner / laundry
- Funeral homes
- Personal services
- Restaurants
- Offices
- Banks
- Fast food restaurants (up to 2)







SITE LOCATION MAP
SCALE: 1" = 2,000'

SITE STATISTICS

EXISTING ZONING:	PDD No. 7 (BISHOPS SQUARE)
EXISTING PDD BOUNDARY AREA:	21,506.6 ACRES
SUBTRACTION OF NEW ROUNDABOUT R.O.W.:	0.2512 ACRES
TOTAL AREA OF NEW PDD BOUNDARY:	21,255.4 ACRES

REQUIRED BUFFERS

RAYLANKY ROAD	80 FT. (FROM ROAD C.L.)
ROUND LAKE ROAD	80 FT. (FROM ROAD C.L.)
SOUTHERN PROPERTY LINE	100 FT.
I-87 NORTHWAY	300 FT. (FROM EDGE OF PAVEMENT)
STORMWATER MANAGEMENT	1.4 ACRES

BUILDING COVERAGES:

EXISTING RESIDENTIAL BUILDINGS #1-6	12,000 SF
EXISTING BUILDING #7	15,500 SF
EXISTING BUILDING #8	5,000 SF
EXISTING BUILDING #9	4,000 SF
PROPOSED BUILDING #10	8,500 SF MAX.*
PROPOSED BUILDING #11	18,000 SF MAX.*
PROPOSED BUILDING #12,13,14	62,000 SF MAX.*

*NOTE:
MAXIMUM BUILDING COVERAGE WITHIN AREA 3 (COMMERCIAL, RETAIL AND BUSINESS AREA) TO BE 78,000 SF



	PREVIOUSLY APPROVED P.D.D. LOCAL LAW No. 4 of 1984	KDPF PROPERTY ADDITION	PROPOSED 2012 PDD AMENDMENT	* PROPOSED 2016 PDD AMENDMENT
PDD BOUNDARY AREA	21.04 ACRES	0.466 ACRES	21.51 ACRES	21.26 ACRES
BUILDING PERCENTAGE	15% MAXIMUM (3,156 AC.)	N/A	15% (3,226 AC.)	15% (3,226 AC.)
PAVEMENT PERCENTAGE	30% MAXIMUM (6,312 AC.)	N/A	30% (6,452 AC.)	30% (6,452 AC.)
GREENSPACE PERCENTAGE	55% MINIMUM (11,572 AC.)	N/A	55% (11,828 AC.)	55% (11,828 AC.)
BUILDING SF AT RAYLANKY & ROUND LAKE ROAD INTERSECTION	8,500 SF	N/A	8,500 SF MAXIMUM	8,500 SF MAXIMUM
BUILDING SF OF No. 11 AS DESIGNATED ON PDD SKETCH PLAN	18,000 SF	N/A	18,000 SF MAXIMUM	18,000 SF MAXIMUM
TOTAL BUILDING NO. OF BUILDINGS IN COMMERCIAL, RETAIL AND BUSINESS AREA	6 BUILDINGS	N/A	UP TO 6 BUILDINGS	UP TO 6 BUILDINGS
TOTAL PARKING IN COMMERCIAL, RETAIL AND BUSINESS AREA	241 SPACES MAXIMUM	5 SPACES	246 SPACES MAXIMUM	246 SPACES MAXIMUM

* NOTE: REMOVING THE AREA FOR THE ROUNDABOUT RIGHT OF WAY (R.O.W.) CREATES THE NEW AREA AND SITE PERCENTAGES

BISHOP'S SQUARE PLANNED DEVELOPMENT DISTRICT
BELMONTE BUILDERS
EXIT 11 SITE, ROUND LAKE ROAD

TOWN OF MALTA
SARATOGA COUNTY, NEW YORK
JANUARY 10, 2018

ENVIRONMENTAL DESIGN PARTNERSHIP, LLP
ROUTE 146 CLIFTON PARK, N.Y. 12065 (518) 371-7621
ENGINEERING LANDSCAPE ARCHITECTURE

epd

SHEET TITLE
APPENDIX "B"
SKETCH PLAN
ALTERNATIVE "g"

REVISIONS	DATE	BY

SCALE: N.T.S.

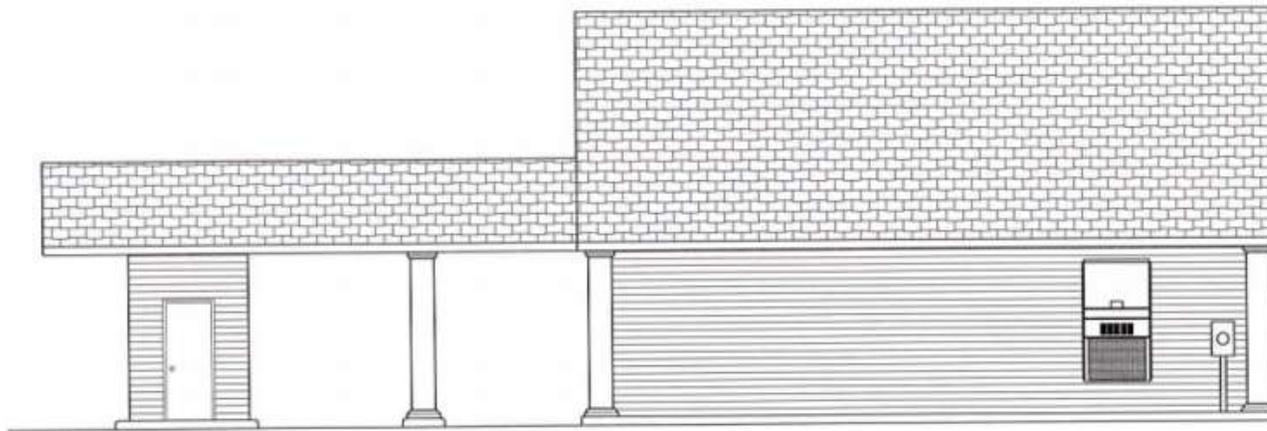
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SHEET NO. 1

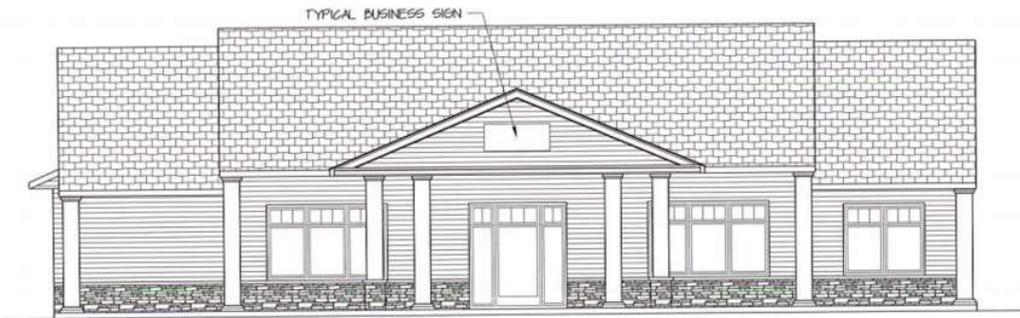




NORTH ELEVATION



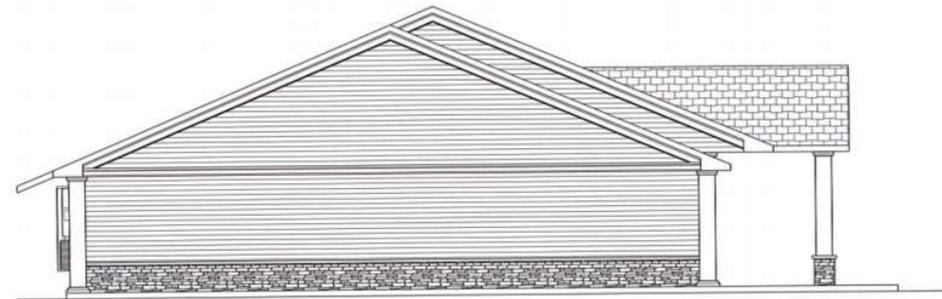
SOUTH ELEVATION



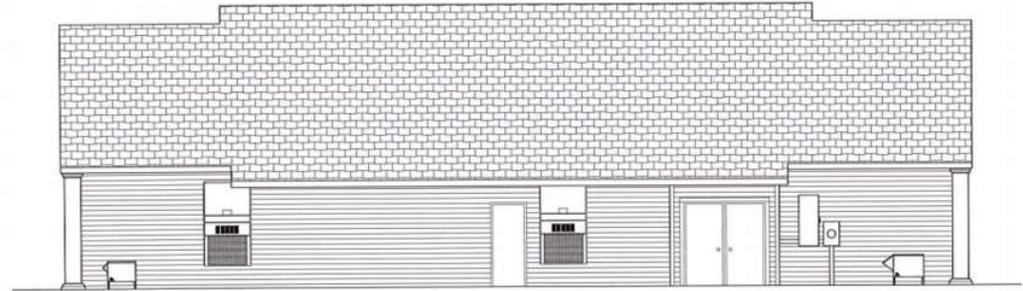
NORTH ELEVATION



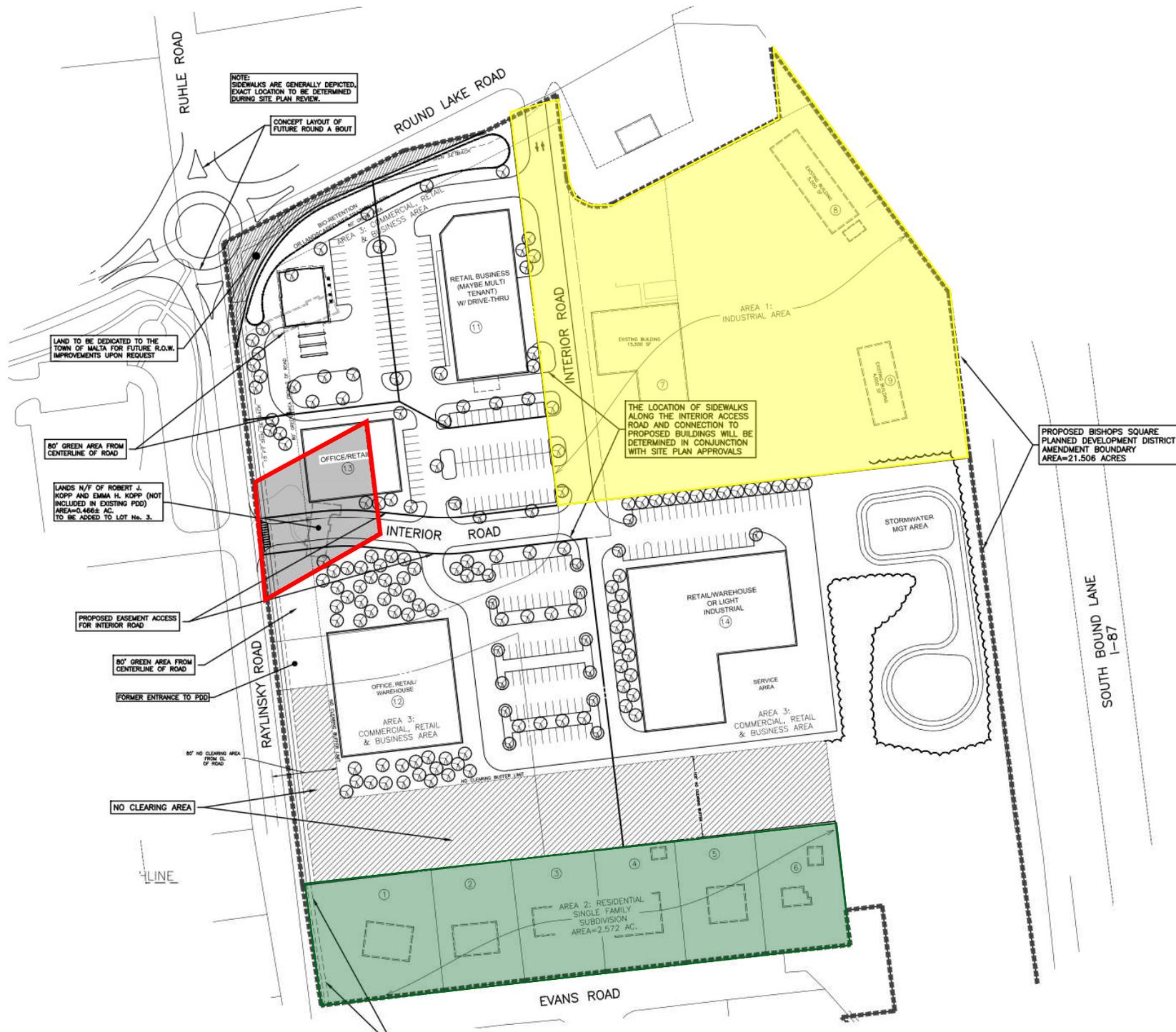
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



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§167A-8. Schultz Industrial Planned Development District No. 7 (now named "Bishops Square Planned Development District")

[Adopted 4-6-1976 by Ord. No. 1-1976; amended in its entirety 6-6-1994 by Ord. No. 4-1994; amended by Ord. No. 3-2013]

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A. This ordinance shall be known as "Ordinance No. 4 of 1994" and amends the Town of Malta, New York, Zoning Ordinance and Ordinance No. 1 of 1976 (as amended) to provide for certain changes in the Planned Development District No. 7, Schultz Industrial Planned Development District, Town of Malta, and to add certain lands to said district.

B. The Town of Malta, New York, Zoning Ordinance and the Zoning Map of the Town of Malta as set forth therein be and the same hereby are amended by changing the following described area as set forth below from the current Schultz Industrial Planned Development District and R-1 Residential as such is now zoned, to a new planned development district to be known and described as "Planned Development District No. 7, Bishops Square Planned Development District, Town of Malta."

C. The area of said planned development district consists of 21.25 acres in the Town of Malta and is bounded and described as set forth in Appendix A (legal description) attached hereto and made a part hereof.

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D. The planned development district will contain six single-family residences, one industrial office and shop building and two related buildings and up to six buildings for retail, commercial and office uses as defined in Subsection N, the erection of which is hereby authorized subject to the terms and conditions of this legislation. The buildings will cover not more than 3.226 acres of the site; the roads and other paved surfaces other than sidewalks in the proposed development district will cover not more than 6.452 acres of the site; and the remaining area of the site will be used for green space, to include open space, buffer strips, landscaped areas including sidewalks and an on-site stormwater management area all as generally shown on a map entitled "Bishops Square Development District", prepared by Environmental Design Partnership dated January 15, 2016 (Appendix B, hereinafter referred to as "sketch plan"). The planned development district will be authorized to have parking for up to 246 cars. Shared parking and access shall be encouraged. The design, construction and maintenance of all buildings and landscaping within the development district will be done by the developer to assure a compatible, aesthetically pleasing development. The developer shall construct a turnaround at the eastern end of Evans Road. The design and construction of said turnaround shall be approved by the Town Engineer, and shall be offered for dedication to the Town by the developer at no cost to the Town.

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E. Location of buildings, sidewalks, etc.

(1) The developer shall construct the project substantially in accordance with the approved sketch plan, annexed hereto (Appendix B). However, the exact location of buildings, green areas, pedestrian sidewalks and other related matters may be changed, altered or amended during the Town of Malta Planning Board site plan review process. Except with respect to parking lots, it is the intention of this provision to provide the developer with flexibility for a mixture of residential, industrial and commercial, retail and business space. The sketch plan is

Deleted: The developer shall grant an option to the Town of Malta to purchase for \$1 a fifteen-foot-wide strip of land at the edge of Raylinsky Road at its intersection with Round Lake Road and a fifteen-foot-wide strip of land at the edge of Round Lake Road at its intersection with Raylinsky Road, for such distance along said roads as may be necessary for the purpose of widening said roads. The developers have agreed to contribute to the Town of Malta an amount equal to 7% of the actual cost of the installation of a traffic light at the intersection of Round Lake Road and Raylinsky Road. Said improvements to be made by the developer and said contributions shall be complete prior to the issuance of any certificate of occupancy for any building on the site.

not intended to limit the developer to specific location of buildings or other related items customarily considered by the site plan review process, provided however, parking lots shall, to the maximum extent practicable, be located to the sides and rear of the buildings.

(2) There will be a sidewalk provided by the developer along the easterly side of Raylinsky Road from Evans Road to Round Lake Road and on the northerly boundary of the PDD extending along Round Lake Road, substantially as shown on the sketch plan (Appendix B). In addition, site plan applications to the Planning Board shall include sidewalks within the parcel to enhance pedestrian circulation on the interior and between buildings as they are constructed.

(3) In addition, the developer shall provide sidewalks connecting the various areas in the interior of the planned development district, the exact location of which are to be determined by the Town Planning Board in the site plan process.

(4) The developer shall provide an eighty-foot green area, inclusive of Town property, along the westerly boundary of the PDD measured from the center line of Raylinsky Road. The developer shall also provide an eighty-foot green area, inclusive of Town property, measured from the center line of Round Lake Road, from Raylinsky Road to the entrance to the PDD, along the northerly boundary of the PDD. These areas shall contain quality landscaping which will not impede visibility of the interior areas of the PDD, as determined by the Town of Malta Planning Board during site plan review process, which landscaping shall be in place prior to the issuance of any certificate of occupancy for any building on the site, except for planting of trees and shrubbery which may be planted at the appropriate season. There shall be an eighty-foot buffer area, measured from the center of Raylinsky Road, and extending along the western boundary of the PDD from the corner of Evans Road and Raylinsky Road to the former entrance to the PDD (as shown on the sketch plan – Appendix B) which shall be maintained in its present treed state (with the exception of the improvements required herein). All site plan applications proposing to improve or modify the eighty-foot buffer area shall include an existing conditions plan as well as a vegetative buffer plan. The latter shall seek to preserve mature trees within the buffer. There shall be a one-hundred-foot no-cut, no-build area located within the commercial, retail and business area, along the rear lot lines of the residential lots, as shown on the sketch plan (Appendix B). The developer shall construct an eight-foot-high opaque, stockade-type fence along the rear property lines of the lots in the residential area.

(5) There shall be no access to the PDD other than the entrances on Round Lake Road and Raylinsky Road, as shown on the sketch plan. All dumpsters located in the project will be buffered.

(6)

F. Building height; site plan; certificates of occupancy.

(1) The maximum building height of any building shall be 30 feet. The developer has also agreed to retain, to the maximum extent practical, the large mature trees existing on the site.

(2) Prior to the issuance of building permits for the buildings within the district, the owner shall submit a site plan, including but not limited to a stormwater management plan, for approval by the Town Planning Board in accordance with Article VI of the Town Zoning Ordinance. No building permits shall be issued without final approval of the site plan and stormwater management plan by the Town Planning Board, provided that the Town Planning Board may in its discretion authorize the issuance of building permits in stages to allow work to progress without the necessity of the completion of the entire site plan review process. The

Deleted: The Town Board contemplates that at some point in the future the intersection of Round Lake road and Raylinsky Road may be reconfigured to accommodate a roundabout or some other form of traffic reconfiguration. At that point, the Malta Town Board may request of the developer and thereupon

Deleted: tThe developer shall convey to the Town of Malta, without cost or charge, the shaded area depicted on the sketch plan (Exhibit B) denoted "Lands to be dedicated to the Town of Malta for future R.O.W. improvements upon request." Simultaneously with such conveyance, the developer shall also provide to the Town without cost or charge a temporary construction easement and grading easement sufficient in size and duration to allow the construction contemplated to be undertaken in a safe and appropriate manner.

specific details concerning the work allowed pursuant to such permits and any bonds which may be required shall be established by the Planning Board during the site plan review process.

(3) In addition to the certificate of occupancy for an entire building, individual certificates of occupancy must be obtained from the Town of Malta Building Department by each individual tenant prior to occupying any building or any portion of a building within the Bishop's Square Planned Development District, regardless of whether the tenant is one of the original tenants, or a successor, following approval of a site plan by the Town Planning Board in accordance with Article VI of the Town Zoning Ordinance.

G. All traffic control signs required for this project, and all road markings associated with the project, shall be completed by the developer prior to the issuance of any certificate of occupancy concerning this project, and shall conform with the requirements of the New York State Department of Transportation Manual of Uniform Traffic Control Devices.

H. Signs.

(1) There shall be one sign located at the Round Lake Road entrance not to exceed a total of 100 square feet of sign area (exclusive of supports), and not to exceed 12 feet in height, and one double-faced sign located at the north side of Raylinsky Road entrance not to exceed a total of 25 square feet per side, and not to exceed 12 feet in height, both of which signs shall substantially conform to the sign drawing appended as Appendix C. No signs shall be located within 15 feet of any public right-of-way. No sign or any structure (other than existing structures) shall be located within 300 feet of the edge of the pavement of the Adirondack Northway (Interstate 87).

(2) The facade signs for all tenants shall be substantially as shown on the building elevation drawing appended as Appendix D, and shall not exceed 25 square feet of sign area. In no event shall signs be placed on the roof of any structures in the PDD. No flashing, moving, oscillating or neon signs will be allowed in the PDD.

(3) Identification signs may be used to identify rear doors and delivery areas of the tenants of the buildings. Lettering on such signs shall be limited to the name of the tenant and shall be no more than three inches in height.

(4) There shall be a directory sign located along the interior road near the Round Lake Road entrance listing tenants within the district, such sign not to exceed 50 square feet of sign area, and shall not exceed six feet in height.

(5) Directional signs may be located within the PDD, such signs to be in compliance with the Zoning Law of the Town of Malta.

(6) Notwithstanding the provisions in subsections 1-5 above, all signage within this planned development district shall conform to the applicable provisions set forth in the Malta Zoning Code. Where there is a conflict between any provision in the subsection 1-5 above and the Malta Zoning Code, the more restrictive provision shall apply.

I. The building(s) in the commercial, retail and business area are authorized to have a maximum total area of up to 78,500 square feet, and shall be constructed in an architectural design which is compatible with the architectural drawings appended as Appendices E and E-1, and with the surrounding residences.

Deleted: The building located closest to the intersection of Raylinsky Road and Round Lake Road (building designated "10" on the sketch plan) shall have an area of up to 8,500 square feet, and shall be constructed substantially in conformance with the architectural drawings appended as Appendix D. The adjacent building (building designated as "11" on the sketch plan) shall have an area of up to 18,000 square feet and shall be constructed substantially in accordance with the architectural drawings appended as Appendix E.

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J. Water will be supplied by the Clifton Park Water Authority. Sanitary sewage will be provided throughout the site during development and permanent sewage disposal will be provided by connection to the County sewer system. The connection to the existing system will be provided by the developer at its expense. All sewer facilities shall be designed and constructed in accordance with the standards of the Saratoga County Sewer District No. 1. The developer agrees to offer for dedication to the Saratoga County Sewer District No. 1 all completed sewer facilities at no cost to the Saratoga County Sewer District No. 1. The Sewer District shall determine what portion of these facilities are appropriate for public ownership.

K. All buildings in the commercial, retail and business area will be constructed in accordance with New York State Building and Fire Codes. All blueprints and building specifications shall be approved and stamped by a duly licensed engineer or architect. All construction shall be subject to the inspection and approval of the Town Building Inspector and Town Engineers. All buildings will contain a fire alarm system having direct alarm connection to the appropriate fire company and/or fire control center. Each business location within the project shall have its own alarm system to separately indicate the location of a fire, and shall be equipped with a key/lock box system conforming to the standards for such systems adopted by the Round Lake Fire Department. Any enunciator panel will be viable from outside the building. All buildings shall be equipped with sprinklers in accordance with New York State Building and Fire Prevention Codes and the standards of the National Fire Protection Association. Fire hydrants shall be installed in accordance with and provide sufficient fire flows to comply with appropriate standards and codes. Any building constructed over 28 feet from grade shall provide direct access to the roof. There shall be a maximum of 500 feet between fire hydrants, and a maximum of 500 feet between any building and a fire hydrant.

L. The Planning Board is specifically authorized to review site plan applications with easements for common parking and utilities. All utilities shall be installed underground. The site may not be subdivided without the approval of the Malta Planning Board; provided, however, that the residential lots as shown on the sketch plan may be subdivided and sold, subject to the conditions and provisions hereof. The District shall not be subject to setback requirements elsewhere provided in the Zoning Code. The site may be developed, in whole or in part, by the use of ground leases.

M. No outside storage of any products or equipment shall be permitted in the commercial, retail and business area, except for daytime outside display of merchandise and products for sale in the normal course of business.

N. The planned development district shall consist of three areas:

(1) The first area, designated as "industrial area" on the sketch plan, will contain the existing office building and shop presently being used and occupied by Schultz Construction Company, Inc., together with an existing wood storage building and an existing metal building presently on the site. The uses permitted within the industrial area shall be an office building, and a facility for the storage, maintenance, and repair of heavy equipment and materials of the owner or occupant of the facility and uses pertaining thereto. There will be no storage of explosives in this area.

(2) The second area, designated as "residential area" on the sketch plan (Appendix B), will contain six residential lots as shown thereon, said lots to be 150 feet deep and minimum frontage of 100 feet, and a minimum rear yard building line setback of 40 feet and minimum side yard building line setback of 15 feet. Only one one- or two-story single-family residence may be constructed on each of said lots, with a minimum square footage of 1,500 square feet of living space for a one-story home and 1,800 square feet for a two-story home. The deeds conveying these parcels shall contain a provision advising the purchaser that the parcel abuts the commercial, retail and business area to the rear of the lot.

(3) The third area, designated as commercial, retail and business area on the sketch plan, will contain no more than six buildings, with the uses set forth hereafter. The uses permitted within the commercial, retail and business area shall be retail stores, supply stores, wholesale/retail stores; consumer goods repair facilities, storage and warehouse, building and construction specialties sales and services, health and fitness centers, pet store and pet care, light equipment and appliance rental, dry cleaner/laundry, funeral homes; personal services; convenience stores, including sale of fuel; restaurants; offices; professional offices; banks; and accessory uses, provided that amusement/video arcades, veterinarians and boarding of animals, and car washes shall not be permitted. Fast-food restaurants shall be permitted. "Fast-food restaurant" for purposes of this, shall mean a restaurant where food is served primarily at a pick-up counter or a drive-through window such as McDonald's, Burger King, Wendy's, Kentucky Fried Chicken, Taco Bell, Roy Rogers, etc. No more than two Fast-food restaurants are permitted within this Development District at any given time. In addition, Fast-food restaurants are limited to the area of the District directly West of the "interior road" and directly South of Round Lake Road as depicted on the sketch plan dated June 18, 2012.

O. Performance guarantee.

(1) The developer shall file bonds or letters of credit in the amounts and for the time periods required by the Town Planning Board and acceptable as to amount and form to the Town Engineers and Town Attorney to guarantee such performance and/or completion of the requirements of this planned development district ordinance, including but not limited to the following:

(a) Return of the site to its original condition after clearing and grading should this be deemed necessary by the Planning Board.

(b) The satisfactory completion and maintenance for one year after completion of landscaping on the project site.

(2) The Planning Board shall determine the time at which the developer shall file such bonds.

P. Roads.

(1) All roads, drainage easements and related rights-of-way shall be constructed and/or located by the developer in accordance with the site plan as approved by the Town Planning Board, and shall be approved by the Town Engineers. The developer shall construct access roads into the site from Round Lake Road and Raylinsky Road substantially as set forth in the sketch plan. The access road to Round Lake Road shall have one lane for entrance and two lanes for exit. The access road to Raylinsky Road shall have one lane for entrance and one lane for exit.

(2) The developer shall construct an interior road as shown on said sketch plan as "interior road." Access to the interior road shall be provided for future use by the owner of the

lands now owned by Robert J. and Emma H. Kopp, by provision of an easement together with the right to ingress and egress to public highways over the interior road of the PDD.

Q. Revocation of ordinance; removal.

(1) The developer shall remove all construction material located within the commercial, retail and business area within the area between the building designated Number 15 and the Adirondack Northway (Interstate 87) within 5 years of the effective date of this ordinance. No storage of any material shall thereafter be allowed in said area.

[Amended 4-3-2000]

(2) The developer shall remove all construction material from the area designated as "construction clearing area" in the sketch plan (Appendix B), prior to the issuance of a certificate of occupancy for any building on the site.

(3) Any time period set forth herein may be extended by resolution of the Town Board of the Town of Malta.

R. The Malta Town Board, as lead agency for this project pursuant to the State Environmental Quality Review Act, has adopted a negative declaration and declaration of nonsignificance concerning this project, a copy of which is annexed hereto and made a part hereof and designated Appendix F. The developer agrees to comply with all of the mitigating measures which are a part thereof, at no cost to the Town. No certificate of occupancy will be issued until the mitigating measures are completed.

S. The developer agrees neither to apply for nor to utilize any program which will allow the developer to obtain special real property tax, sales tax or mortgage tax benefits concerning the project. The developer agrees to notify the Town of its application to any I.D.A. or similar program.

T. Any conflict which may arise with respect to the interpretation of this ordinance or its intent shall be resolved by the Town Code Enforcement Officer.

U. If any clause, sentence, paragraph, section or part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

V. This ordinance shall take effect 10 days after approval of the Town Board and posting and publishing in the official newspaper of the Town of Malta as required by law.