

7. The Town's "Emergency Free Air Law" also preempts New York State's zoning law Article 16 § 261, Grant of Power, which does not have any provision to allow a Town to regulate the operation of a business through the use of Zoning Law. A copy of said Grant of Power is attached hereto as Exhibit 3.
8. The Town's "Emergency Free Air Law" also preempts the Town's Zoning law regarding Gasoline Service Stations, Article XXXIII § 330, Legislative Intent, which does not have any provision to allow the Town to regulate the operation of a business through the use of Zoning Law. A copy of said Legislative Intent is attached hereto as Exhibit 4.