

TOWN OF WATSON

ZONING LAW

ADOPTED

MAY 4, 1998

TOWN OF WATSON
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ARTICLE 1. INTRODUCTION

Section 110 Enact in a Clause

Pursuant to the authority conferred by Article 16 of the Town Law and Articles 2 and 3 of the Municipal Home Rule Law of the State of New York and the Town Board of the Town of Watson, hereby adopts and enacts the following law.

Section 120 Title

This law shall be known as the "Town of Watson Zoning Law".

Section 130 Purpose of the Zoning Law

The purpose of this Zoning Law is to promote and guide development in an orderly and efficient manner, to reduce land use conflicts, promote traffic safety, enhance and protect the historical and recreational attributes of the Town, retain and improve land values, encourage quality development, insure wise use of public resources and promote the general health and welfare of the Town residents. This law is designed to protect existing developments, while providing some control of growth so that future development will not be a detriment to the Town and its residents.

This Zoning Law has been made with reasonable consideration, among other things, as to the character of each zone and its suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Town of Watson.

Section 140 Applicability

This law and any amendments thereto shall apply on its date of uses which have not been substantially commenced, and structures which have not been substantially constructed, regardless of the status of permits or certificates of occupancy issued pursuant to the New York State Planning Law and Building Code.

Except as hereinafter provided, no building or structure shall be erected, moved, altered or extended, and no land, building or structure or part thereof, shall be occupied or used unless in conformity with the regulations specified in the district in which it is located.

The Law shall not apply to existing buildings and structures, the existing use of any building, structure or land to the extent it was used at the time of the enactment of this Zoning Law.

It is the intent of the Town of Watson to repeal and replace the following laws:

- A. The Mobile Home Ordinance of the Town of Watson adopted June 3, hereby repealed.

ARTICLE 2. ESTABLISHMENT OF ZONES

Section 210 Types of Zones

For the purpose of this law, the Town of Watson is hereby divided into the following zones:

- (L) Hamlet
(R) Rural Residential

Section 220 Zoning Map

Said zones shown, defined and bounded by the map accompanying this law entitled "Town of Watson Zoning Map, dated [blank] and tiled [blank] the office of the Town Clerk, which map is hereby made a part of this law.

Section 230 Interpretation of Zone Boundaries on Zoning Map

Where uncertainty exists with respect to the boundaries of the various zones, as shown on the Zoning Map, the following rules shall apply:

- A. Where the designation on the Zoning Map indicates a boundary approximately upon a road line, such line shall be construed to be the boundary.
- B. Where the designation on the Zoning Map indicates a boundary approximately upon a lot line, such lot line shall be construed to be the boundary,
- C. Where a zone boundary line divides a lot of record at the time such line is adopted, the use authorized on, and the zone requirements of the least restricted portion of such lot shall be understood as extending to cover the lot to a maximum of thirty (30) feet into the restricted zone.
- D. Distances shown on the Zoning Map are perpendicular distances to boundary lines measured back to the zone boundary line, which lines in all cases where distances are given are parallel to the road.

In any case the boundary line shall be determined by the use of the scale on the Town of Watson Zoning Map.

When the event that a lot owner has been denied a change of zone variance of use as required by this law, such lot owner shall be used in lieu of other provisions of this section.

Disputes concerning boundaries shall be determined in the first instance by the Zoning Officer, and in the event of a disagreement, appeal may be taken to the Zoning Board of Appeals for final interpretation of this law.

ARTICLE 3. ADMINISTRATION AND ENFORCEMENT

A. No building or structure, unless otherwise exempted by this section, shall be erected, enlarged, moved, or use instituted, or land use changed, without a permit, a temporary permit has issued in with this law.

B. A zoning ordinance shall not be required activities shall be required to meet the standards be required to obtain a New York State Code Permit, as required. or the following. However, these standards of this law, and shall Uniform Fire Prevention and Building

L. Signs listed in Section 520.

2. Fences, walls, and shrubbery, see Section 565.

Structural alterations, such as needed routine maintenance and improvement (e.g. window replacement, etc.) that does not expand the exterior dimensions of the structure.

4. Chimneys, smokestacks, placement posts, playground equipment, and

oc.nez similar accessory structures o: uses. 5.
Roads ide stands .

6. Carace, lawn, and porch sales .

7. Alterations, additions to existing structures or cnstzuccicn o: a
structure with a floor area of one hundred-forty (140) square feet or
less.

8. Agricultural structures and uses.

9 , Satellite dishes, antennas, and towers, Section 545.

C . When establishing measurements to ,Tleet the required vazd and
structure setbacks, the measurements shall be taken the cancer line of
road, L cc

Line, o: nearest mean high water elevation to the thermost st protruding
part o t the stzuczuze. This shall include such projeccing facilities as
porches, cazoorts, attached garages, etc.

D . No permit o: certificate of occupancy shaLL be issued any buildina
o: structure where said consczuptiont addition, and exter expans'-cn or use
thereof would be in violation ot any ot the provisions o: this Law.

E. A zoning permit' issued under this law shaLL one (L) year the dace o: issue.
Such permits may be renewed or, a yea: Ly basis.

7. Any use that has been discontinued a period of two (2) years or Longez
shaLL be termed abandoned and may noc be reinstituted without: applying
foLa new permit.

G. Applications for zoning permits shall be submitted to éhe Enforcement Ott
ice: o: TOWN Clerk and shall include two (2) copies o: a Layout oz plot
plan the actual dimensions of the lot to be built upon; tae size and
Location on the loc o: the stzuctuzes and accessory st:uczures; the
distance the existing and/or proposed to all Lot lines , cerate: Lines t
mean high water marks, and any ocher o: the Loc; and such other information
as may be necessary to decer:nine and provide enforcement this application
information, and o the: el avant data, shall be provided on a issued by
the Town.

E . fee as determined by resolution of the Town Boa:d shall be paid each
application for a permit of any kind.

I. Temporary oezmits may be issued by the Enforcement Otfice:, uocrz by the
?Lannina Board (as meetinc the and of zerioid not: exceeding one (L) year,
conÉ01âlir.g and uses permits are conditicr,ed upco agreement by the cwr-
Such temporary
operator to remove any SCIUCTUZÊS oz of the temporary
expiration of
permit o: to bling use z -c time. Such permits
specific time.
may be renewed.

Section Enforcement Officer

A.This Law shall be enforced by the anžorcemenc Office r who shall be
inted by the Town Board.

B . The Enforcement Officer authorities snail include:

1. Approve or deny zoning rez:mits and/or rez:zicaces c: occupancy.

2. ~~Scale~~ and interpret zone boundaries or, Zoning: Maps .

3 . Re:is: appropriate matters to the Zoning Board o: àoceals, Pla Bcazd, or Town Board.

4 . Revoke permits and certificates occupanc•r where t ha r e is ta-- se, :misleading or insufficient information oz whete the applicant has varied from the terms of the application.

5 . Issue stop work orders and appeazance tickets and ežez violations to the Tcwn Justice or the Towr. Board.

6 . The Enforcement Officer shall report at tegular Towr- Bcazd meetings the mber of permits issued and fees collected.

3 1 = Certificate of Occuoancy

No land, buildina, or st:uczuze shall be used, occupied, o: chanced in use a cez o: occupancy has been issued by tne O : : ice: stating Chac the building, sczucture, ot proposed us? cat-apLies c.he provisions of this law.

B . ALL certificates of occupancy shall be applied for coincidentally the

acpLicacior, for a permit. The certificate shall be issued ten (bus iness days after the erection and a L tezat:icr, has been app:ovetž as lancewith the provisions ot this Law.

C. The TOWN Clerk shall maintain a record of all certificates a E occupanc•...' ar.d copies shall be furnished upon request to any pezson having a prop: letaxortenancy intezesc in the building affected.

D. Under such rules and regulations as may be established by the Planning

Board, a temporary certificate of occupancy may be issued by the Enforcement Office: . Such temporary certificate may be renewed upon request an additional ninety (90) days.

Sect: Z on. 220 Zonina Board a f ADOeals

A. Creation, Appointment, and organization: Zoning Board of .èppeals is hezeby czeated. Said Board shall ist o: five (5) members. TheTown Board shall appcir,z the :nembezs oi the Bcazd o: Èpçeals tot terms so fixed that ane membez s i term shall expire at the end of the calendar year in which such mell'bez s were initially appointžd. The remaining meālbe r-s i terns shall be so fixed that one members' shall expilê at the end o: each year t:hezeaftez At the expiration each c:iginal members' appoint:nent, the replacement menser shall be appointed a term which shall be equal in years to the number o: members the Board, and ghe Town Board shall desigr,aze a Chai:pezscn. The Board of Appeals shall select the Secretary and V:-ce Chai:pezson, and shall prescribe rules for the conduct o: its affairs.

a . ?cwez;; and Duties: As provided in Town Law Section 267 -b, the Zoning Board

of Appeals shall have the toll owing pcwez s and duties:

L. Interpretation : Utor, apoeal the 3ca:d Appeals may leve -se r or wholly or pattly, o: r, requirement, ma t/ the order, decision, interpretation o: opinion ought t determination acgealed from

and shall make such order, decision, interpretation or determination as in its to have been made the matter by the administrative official charged with the enforcement of the Local Law, and to that end shall have the power of the administrative official whose requirement, decision, or the appeal is taking.

2. The . the decision, of the administrative charged the enforcement of this Local Law, the of Appeals shall have power to grant use variances ,

(a) must show that applicable Zoning Regulations and Resolutions have caused unnecessary hardship. , -nusc the Board that each use is under the Zoning district is = property is located, (1) that the alleged hardship is substantial as demonstrated by competent financial evidence; (2) that the alleged hardship is directly related to the proposed use in question; or, is unique and does not apply to a substantial of the district or (3) that the requested use variance, if granted, will not all the adverse effects of the neighborhood, and (4) that the alleged hardship has not been self created.

(b) In granting a use variance, the Board of Appeals shall determine that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and health, safety and welfare of the community.

(c) In granting a use variance, the Board of Appeals shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property, which conditions shall be consistent with the spirit and intent of the Zoning Law and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

3. Area variances. Upon appeal a decision or determination, of the administrative official charged with, the enforcement of this Local Law, the Zoning Board of Appeals shall have power to grant area variances, subject to the following:

(a) The Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. The Board shall also consider (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance; (3) whether the requested variance is substantial; (4) whether the proposed variance will have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created, which self created difficulty shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

(b) In the granting of an area variance, the Board of Appeals shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, and welfare of the community.

(c) In granting an area variance, the Board of Appeals shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property, which conditions shall be consistent with the soil and intent of the Zoning Law and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

C. procedure: Pursuant to Town Law Section 267-A, the procedure of the Board of Appeals shall be in strict accordance with law as follows:

1. Meetings, minutes and records. Meetings of the Board of Appeals shall

be open to the public to the extent provided in article seven of the Public Officers Law. Such Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions.

2. Filing requirements. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Board of Appeals shall be filed in the Town Clerk within five business days and shall be a public record.

3. Assistance to Board of Appeals. Such Board shall have the authority to call upon any department, agency or employee of the Town such assistance as shall be deemed necessary and as shall be authorized by the Town Board. Such department, agency or employee may be reimbursed

for any expenses incurred as a result of such assistance.

4. Hearing appeals. The jurisdiction of the Board of Appeals shall be appellate only and shall be limited to hearing and deciding appeals from and reviewing any order, requirement, decision, interpretation, or determination made by the administrative official charged with the enforcement of any ordinance or local law adopted pursuant to this act.

ticle. The concurring vote of a majority of the members of the Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to grant a use variance or area variance. Such appeal may be taken by any person aggrieved, or by an officer, department, board or bureau of the Town.

s. Time of appeal. Such appeal shall be taken within sixty days after the filing in the Town Clerk's office of any order, requirement, decision, interpretation or determination of the administrative official charged with the enforcement of this Law by filing notice with such administrative official and with the Board of Appeals a appeal, specifying the grounds thereof and the relief sought. The administrative official from whom the appeal is taken shall forthwith transmit to the Board of Appeals all the papers constituting the record upon which the action appealed from was taken.

6. Stay upon appeal. An appeal shall stay all proceedings in furtherance of the action appealed unless the administrative official charged with the enforcement of this Law, from whom the appeal is taken, certifies to the Board of Appeals, after the notice of appeal shall have been filed with the administrative official, that by reason of facts stated in the certificate a stay, would in his or her opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by a court of record or, application, on notice to the administrative Official from whom the appeal is taken and on due cause shown.

7. Hearing on appeal. The Board of Appeals shall fix a reasonable time for the hearing of the appeal or other matter referred to it and give public notice of such hearing by publication in a paper of general circulation in the Town at least five days prior to the date thereof. The cost of sending or publishing any notices relating to such appeal, or a reasonable fee relating thereto, shall be borne by the appealing party and shall be paid to the Board prior to the hearing of such appeal. Upon the hearing, any party may appear in person, or by agent or attorney.

8. Time of decision. The Board of Appeals shall decide upon the appeal within sixty-two days after the conduct of said hearing. The time within which the Board of Appeals must render its decision be extended by mutual consent of the applicant and the Board.

iling of decision and notice. The decision of the Board of Appeals or, the appeal shall be filed the clerk within five business days after the day such decision is tendered, a copy thereof mailed to the applicant.

10. Notice to Park Commission or Planning Agency. Least five days before such hearing, the Board of Appeals shall mail notices thereof to the parties; to the Regional State Commission having jurisdiction over any state park or parkway within hundred feet of the property affected by such appeal; and to countymetropolitan or territorial plan, in accordance with, as required by Section 239 - of the General Municipal Law, which, notice shall be accompanied by full statement of the matter under consideration, as defined by subdivision, of Section 229 - of the General Municipal Law.

11. Compliance with State Environmental Quality Review Act. The Appeals shall comply with the provisions of the State Environmental Quality Review Act under title I e. Eight of the Environmental Conservation Law and its implementing regulations as codified in Title Six, part 617 of the New York Codes, Rules and Regulations .

12. Motion for the Zoning Board of Appeals to hold a hearing to review any order, decision or determination of the Board previously reheard may be made by any member of the Board. A unanimous vote of all members of the Board then met, it is required to: such rehearing to occur . Such rehearing is subject to the same procedural provisions as an original hearing. Such rehearing the Board may reverse, modify or annul its original Order, decision or determination upon the unanimous vote of all members then present, provided the Board finds that the rights vested persons acting in good faith in reliance upon the reheard order or decision or determination will not be prejudiced thereby .

C. Vacancy in Office. If a vacancy shall occur otherwise than by expiration of term, the Town Board shall appoint the new member for the unexpired term.

D . Application for area variance: Notwithstanding any provision of law to the contrary where a proposed special use contains one or more features which do not comply with the zoning regulations, application may be made to the Zoning Board of Appeals for an area variance pursuant to section 274 -b of Town Law, without the necessity of a decision or determination of an administrative official charged with the enforcement of the zoning Regulations .

Section 325 Planning Board

A. Creation, appointment, and organization: Town Planning Board is hereby created and shall consist of five (5) members. The Town Board shall designate a Chairman in conformance with Town Law. The terms of members of the Board shall be for terms so fixed that the term of one member shall expire at the end of the calendar year in which such members were initially appointed. The terms of the remaining member-s shall be so fixed that one term shall expire at the end of each calendar year thereafter . At the expiration of the term of each member first appointed, his or her successor shall be appointed for a term which shall be equal in years to the number of members of the Board. The Town Planning Board shall select a Secretary, Vice-Chairman, and shall prescribe rules for the conduct of its affairs.

B. Powers and Duties: The Planning Board shall have the following powers and duties with respect to this law:

1. Submittal of an advisory opinion to the Town Board proposed amendments to this law.

2 . Review and approval, approval with modifications, or disapproval of special uses within the Town as designated pursuant to Section 274 - b, as amended of the Town Law, and in accordance with the standards and procedures set forth in this Local law. It is understood that the Planning Board may vary the strict application of general and specific

social use review criteria order that the applicant meet certain standards prescribed performance criteria.

3. Review, approve or disapprove temporary permits.

C. Procedure: The Planning Board shall act in accordance with the procedure specified by this Law. All applications made pursuant to the Law shall be made in writing on

forms prescribed by the Town.

Every decision of the Planning Board shall be made by resolution which shall contain a full record of findings in the case. Records, findings, and minutes shall be filed with the Town Clerk.

Violations and Penalties

- A. Whenever violation of this law occurs, the Enforcement Officer, Town, or any person may file a complaint in regard thereto. Such complaint shall be in writing and shall be filed with the Enforcement Officer. The Officer shall properly record and immediately investigate such complaint. If the complaint is found to be valid, the Enforcement Officer shall issue a stop work order requiring all work to cease until the violation is corrected. If the violation is not corrected within the specified time the Enforcement Officer shall report such fact to the Town Board and the Town Board shall take action to compel compliance.
- B. Pursuant to Section 150.20 (3) of the Criminal Procedure Law, the Enforcement Officer is hereby authorized to issue an appearance ticket to any person causing a violation of this law, and shall cause such person to appear before the Town Justice.
- C. Pursuant to Town Law Section 26B, and as amended, any person, or corporation who commits an offense against, disobeys, neglects, or refuses to comply with or resists the enforcement of any of the provisions of this law shall, upon conviction, be deemed guilty of a violation. Violation of this law shall be punishable by a fine not exceeding three hundred dollars or imprisonment for a period not to exceed six months, both conviction or a first offense, for conviction of a second offense which was committed within a period of five years, punishable by a fine not less than three hundred dollars nor more than seven hundred dollars or imprisonment for a period not to exceed six months, or both; and, upon conviction for a third or subsequent offense any of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars nor more than one thousand dollars or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each time an offense is continued shall be deemed a separate violation of this law.
- D. In case any building or structure is erected, constructed, reconstructed, altered, converted, or maintained, or any building, structure or land is used in violation of the law, the proper local authorities of the town, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use of land, to restrain, correct or abate such violation, to prevent the occupancy of said building or structure, or land or to prevent any illegal act, conduct,

business 01 use in o: about such premises; and upon the failure or refusal of the proper local official, board or body of the town to institute any such appropriate action or proceeding for a period of ten days after written request by a resident taxpayer of the town ISO to proceed, any three taxpayers of the town residing in the district wherein such violation exists, who are jointly or severally aggrieved by such violation, may institute such appropriate action proceeding in like manner as such local officer, board or body of the town is authorized to do.

E. The Town Board may maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of this law.

in

Section 33 S Non-Conformities

A. Intent

The intent of this section is to recognize certain uses, of record, existing and any permits issued which, legally exist at the time of enactment of this Local law and which would be prohibited unreasonably restricted by the provisions, regulations, standards or ordinances herein. This section shall not, however be construed to perpetuate encourage the survival or expansion of such uses, lots or structures.

B. Non-Conforming Uses

Any use of land structures which by the enactment of this local law is made non-conforming may be continued on the premises and to the extent pre-exist, provided that:

1. No non-conforming use shall be expanded, extended, or otherwise increased so as to occupy a greater area of land than was committed to the non-conforming use at the time of such enactment.
2. No non-conforming use shall be extended so as to displace a conforming use.
3. Any non-conforming use land structures which has, for any reason, been discontinued a period of two (2) years, shall not be re-established and only conforming uses shall be thereafter permitted.
4. Non-conforming use of land or structures once changed to a conforming use shall not be permitted to change back to a non-conforming use.

C. Non-Conforming Lots of Record

Any lot of record held under separate ownership prior to the enactment of this local Law and having Lot width, lot depth, or area, or each less than the minimum requirements set forth in this local law may be developed with any compatible use listed in the zone in which such non-conforming lot is located without requiring a variance provided that such lot:

- L. Does not adjoin other property held by the same owner where sufficient Land could be transferred to eliminate the non-conformity without

reducing such other property to non-conforming dimensions.

- 2 . Has sufficient area, width, and depth to undertake development which will:
 - a. maintain a minimum front yard setback of 65' ;
 - b. meet or exceed at least one-half (1/2) of the required minimum side and rear yard setback requirements; and
 - c. maintain shoreline setback in accordance with Section .
- 3 . Satisfies all other applicable provisions of this local law.

D . Non-Conforming Structures

Any pre-existing structure which by the enactment of this local Law is made non-conforming may be used for any compatible use listed for the zone in which such structure is located provided that it shall not be enlarged or extended so as to increase its non-conformance in terms of front, side, and/or rear yard setback requirements :

1. Unless such expansion or extension shall have sufficient area, width, and depth to undertake development which will ;
 - a. maintain a minimum front yard setback of 65' ;
 - b. meet or exceed at least one-half (1/2) of the required minimum side and rear yard setback requirements; and
 - c. maintain shoreline setback in accordance with Section 550 ,
- 2 . Satisfies all other applicable provisions of this local law, covering matters other than lot size and Lot area requirements.
- 3 . Nothing under the provisions of this local Law shall prevent the , restoration, or reconstruction of non-conforming structure damaged by fire or other hazard. Such repair, restoration, or reconstruction is undertaken :
 - a. only on the premises and to the extent previously occupied by the non-conforming structure; and
 - b. within two (2) years from the date on which the damage or destruction occurred, occurred.

Section 340 Amendments

- A. The Town Board may amend the provisions of the Local Law pursuant to Town Law Section 265 and Municipal Home Rule Law Article 3 after public notice public hearing, compliance with the State Environmental Quality Review and following appropriate referral to the County Planning Board pursuant to General Municipal Law Section 239 - M.
- B. In case of a protest against such change signed by the owners of twenty (20) percent or more of the area of land included in such proposed change or of an adverse recommendation by the County Planning Board, the vote of the Town Board must have a majority plus one in favor of the amendments .

Section 34 S Interpretation and Severability

- A. Interpretation: Interpretation and application of the provisions of this law shall be held to be minimal requirements, adopted for the promotion of the public health, safety, or the general welfare. Whenever the requirements of

this law differ from the requirements of any other lawfully adopted rules, regulations, ordinances, the most restrictive, or whichever imposing the higher standards, shall govern.

B. Separability: If any section or provision of this local law or the application thereof to any person or circumstance shall be judged invalid

by a court of competent jurisdiction, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any provision or any section the application of any part thereof to any other person or circumstances and to this end the provisions of this local Law are hereby declared to be separable.

Section 3 Effective Date

This local law shall take effect upon filing with the office of the Secretary of State.

E 4. ZONE REGULATIONS

Section 410 Hamlet (H) Zone

The following uses shall be allowed upon approval and issuance of a zoning permit by the Enforcement Officer ;

- Accessory Structures
- Accessory Structures and Uses
- Aggravated Services
- Bed & Breakfasts
- Dwellings, Single-family
- Dwellings, Two-Family
- Funeral Homes
- Home Occupations
- Public and Semi-Public Facilities

The following uses shall be allowed upon approval of the Planning Board for a special use and a zoning permit issued by the Officer:

- Business Manufacturing
- Business Retail Sales Services
- Business, Wholesale
- Dwellings, Multiple Family
- Essential Facilities Group
- Emergency Services
- Hospitals
- Kennels
- Laundries
- Miscellaneous Non-Residential Uses
- Mobile Home Parks
- Motels/ Hotels
- Motor Vehicle Repair/Paint Shops
- Motor Vehicle Sales
- Restaurants
- Retail Gasoline Outlets
- Warehousing/ Storage Facilities

All uses and structures in the Zone shall meet

the following requirements :

lot size minimum (acres) :

on-site water. .1 off-site water. . . .

 Lot frontage minimum (ft.) County, Town,
 private toad. . . yard setback minimum (ft.
) front: or. County, Town, private road. .

rear. . 25
 building height maximum:
 feet.....

* Setback shall be measured from the centerline of the road on County, Town,
 or private toad.

**In the case of a corner lot refer to Section 540.
Section 420 Rural Residential (RR) Zone

The following uses shall be allowed upon approval and issuance of a zoning permit
 by the Enforcement Officer :

Accessory Apartments
 Accessory Structures and Uses
 Agricultural Services
 Bed & Breakfasts
 Dwellings, Single- Family
 Dwellings & Two- Family
 Excavation
 Funeral Homes
 Home Occupations
 Junkyards
 Kennels
 Public and Semi -Public Facilities
 Warehousing/ Storage Facilities

The following uses shall be allowed upon approval by the Planning Board for a
 special use and a zoning permit issued by the Enforcement Office: :

Business Manufacturing
 Business, Retail Sales & Service
 Business, Wholesale
 Campgrounds
 Dwellings, Multiple -Family
 Essential Facilities
 Greenhouses /Nurseries
 Hospitals
 Industries, Heavy
 Laundries
 Miscellaneous Non- Residential Uses
 Mobile Home Parks
 Motels/Hotels
 Motor Vehicle Repair/Service Shops
 Motor Vehicle Sales
 Petroleum Bulk Storage
 Retail Gasoline Outlets
 Restaurants
 Saw Mills
 Slaughterhouses

All uses and structures in the RR Zone shall meet the following requirements:

Lot size minimum (acres) .

on-site water 2
off-site water 2
Lot frontage minimum (ft.) .
County, Town, or private road 20
d setback minimum (ft.): *
front on County, Town, or private road.... 7
side **..... 2
rear..... 2
County, Town, or 200 yard setback

2

5 25 building height maximum:
feet.....40

* Setback shall be measured from the centerline of the road or County, Town, or private road.

* In the case of a corner lot refer to Section 540.

Section 430 Industrial (I) Zone

A. Intent. Industrial zones may be established in the town and designated as specific Locations on the zoning map using the procedure for amendments in Section 340 of this law. There are, at the time of adoption of this law, no centers of industrial use in the Town. The fact that there are some potentially adequate sites for industry, it is not feasible to select or Limit the use to a few arbitrary spots. It was intended that industrial uses should not conflict with existing uses. For this reason, review criteria have been written in this section to mitigate any potential conflicts.

B. General Requirements and Review Criteria. The following are standards that apply when forming an Industrial Zone:

1. The zone change shall be for a minimum of ten (10) acres.
2. The proposed industrial use shall not cause interference or a nuisance that may be detrimental to adjacent uses.
2. The proposed industrial use shall be compatible with the surrounding neighborhood and in harmony with the general plan for the community.
4. Existing and proposed roads servicing the zone shall be suitable and adequate to carry anticipated traffic within and around the proposed zone.
5. Existing and proposed utility services shall be adequate for the proposed zone.

ICLE 5 GENERAL REGULATIONS

The following regulations shall apply to structures and uses.

Sec: Home Occupations

No home occupation shall be permitted that:

A. Generates traffic or parking, sewage or water use in excess of what is normal for a residential dwelling.

3. Creates a hazard to person or property, results electrical interference or becomes a nuisance.

C. Results in a display of anything (except signs allowed in this Article).

- D . Any occupation that does not meet the requirements of paragraph 3, or C abcA-e shall require special use permit as miscellaneous non-residential use of the property, and shall be required to conform to the standards specific to that use in the zone in which the existing or proposed home occupation is located.

Section SIC Individual Mobile Homes

A. General

No mobile home shall locate or relocate in the Town without first obtaining a permit, with the following exceptions:

L. Temporary Living Quarters

A single mobile home may temporarily be located within the Town and occupied as living quarters, upon the following conditions:

- a. The intended occupants are in the process of constructing or renovating a conventional dwelling upon the same lot or are engaged in employment within the Town;
- b. temporary permit is first obtained which may be renewed upon request for an additional six (6) months;
- c. Temporary arrangements are first implemented for safe and adequate access, fuel and water supply, sewage disposal and anchoring for the mobile home; and
- d. The mobile home is removed from such temporary site at the earliest to occur of the following: the expiration of six months from the issuance of the temporary permit; the expiration of three days from service of a notice of determination denying the temporary permit on account of failure to meet any of the foregoing conditions; the completion of the work associated with issuance of the temporary permit.

B. Mobile Home Skirting

1. The mobile home shall be provided with a skirt immediately upon placement at its site in order to screen space between the mobile home and the ground; and
2. Such skirts shall be of permanent material providing a finished exterior appearance.

C. Mobile Home Installation

All mobile homes shall be installed and anchored in accordance with NYS Fire and Building Codes, Title 9.

D . Non-Residential Uses

Mobile homes shall not be used for non-residential purposes except upon approval of a temporary zoning permit as provided for in Section 305 of the Law.

Section SIS Signs Permit Required A permit shall be

required for the following signs.

A. Institutional Signs. One sign or bulletin board per road-front, setting forth denoting the name of any public, non-commercial, charitable, or religious

institution when located on the premises of such institution, provided such sign or bulletin board shall not exceed thirty-two (32) square feet in sign area. In the event of a two-sided sign, one side shall not exceed 16 sq. ft.

- B. Subdivision, Mobile Home Park, or Temporary Name Signs . One nonilluminated sign shall not exceed thirty-two (32) square feet in area, or sixteen (16) square feet per side, per exclusive entrance to a subdivision or tract, such signs restricted to the subdivision or tract name .
- C. For multiple dwelling projects, one (1) sign, building or ground mounted, indicating the name of the project. Such sign shall not exceed thirty-two (32) square feet in area or sixteen (16) square feet per side if double-faced.
- D . Business Signs . Signs for businesses and industries as set forth in Section 530 Signs, General Standards . Section 520 Signs, Exempt
- A. Other Signs

L. Other than signs referenced in Section 515 above, no permit shall be required for any other signs .

Section 525 Signs. Prohibited

The following sign types shall not be allowed at any location within the Town.

- A. All portable signs over thirty-two (32) square feet in size.
- B. Any which has flashing lights, moving parts, or projections beyond its area.

C. Any sign which projects above the roof line or parapet of a building.

Section 530 Signs General Standards

ALL signs shall be subject to the following general standards .

A. signs shall be erected and constructed in a fashion so as not to obstruct traffic, cause visual blight, nor detract the value of property adjacent to that property upon which said sign is erected. All signs shall be compatible with surrounding environment. In making such determination, consideration shall be given but not limited to the following elements:

1 . Size, bulk, and mass.

2 . Texture and materials.

3 . Colors.

4 . Lighting and illumination.

5 . Orientation and elevation.

6 . General and specific location.

7. Proximity to roads and highways .

8 . Design, including size and character of Lettering, colors, and related contents .

9 . Message content.

10 . The number and nature of all general and business signs and official regulatory signs and devices which are within the immediate field of vision.

B. The sign area of all signs unless otherwise specified Shall not exceed ten percent (10%) of the total square footage of that side of the building upon which said sign is to be affixed or in front of which said sign is to be placed. However, in no case shall a sign, excluding a name or other identification, exceed thirty - two (32) square feet in area, including all sides of the sign intended advertising .

C . Signs advertising home occupations shall not exceed twelve (12) square feet per side.

D. No sign shall project into the public right-of way.

E . signs shall be limited in wording and graphics to the name of the establishment and its principal service or purpose.

F. No sign shall exceed twenty (20) feet in overall height, measured from the highest level of natural ground immediately beneath the sign to the highest point of the sign or the supporting structure thereat.

G. No luminous sign, indirectly illuminated sign, or lighting device shall be placed so as to cause glare or non-diffuse beams of light to be cast upon any public road, highway, sidewalk, or adjacent premises, or otherwise to cause glare reflection that may constitute traffic hazard or nuisance. No sign shall in its construction employ any mirror-like surface, nor any day-glowing or other fluorescent paint or pigment .

H. All signs, with the exception real estate signs must be set back at least forty (40) feet from the centerline of the road unless said sign is to be

attached to a building which is set back less than forty (40) feet from the centerline of the road, in which case said sign shall be attached flush to the building.

. All signs shall not exceed one sign per total frontage of the building or use being advertised except that each five hundred (500) feet of frontage shall be considered an additional frontage. Provision can be made for more than one (1) sign but no more than two (2) signs per five hundred (500) feet of frontage provided that the cumulative total of sign areas does not exceed the standard set forth in Section 530 . B. , above .

. In the event any standard set forth in this law is in conflict with any other standard set forth in this law the more restrictive standard shall be held applicable..

K. ALL signs, together with their surfaces shall be kept in good repair. The display surfaces shall be kept neatly painted at all times, or be removed.

L. Any nonconforming sign existing in the town at the time the adoption of this Law, or an amendment thereto, shall only be replaced by a sign conforming to the regulations for this district.

business, enterprise, institution, or other advertising entity that ceases operations shall remove its signs within ninety (90) days of such cessation, including premise signs ..

N. The sign surface area shall consist of the entire area within a single, continuous perimeter, enclosing all elements which form an integral part of the sign. The structure shall be designed in a way to form an integral background for the display. Both faces of a double-faced sign shall be included as surface area of such a sign..

Section 53 Outdoor Swimming Pools

Swimming pools that are deeper than 24 inches are required to have adequate fencing and/or barriers to prevent accidental entry and unauthorized use of the pool. Such fencing or barriers shall comply with the 9LWCRR Fire Prevention and Building Code, Subchapter B, Article 4, Part 744 for multiple dwellings and Subchapter B, Article 2, Part 720 for one and two-family dwellings .

Section 540 Corner Lots

In the case of a corner lot, all yards that on public/private roads shall be considered yards and must meet the appropriate front yard setback and frontage requirements of this law.

Section 545 Satellite Dishes, Antennas and Towers

Satellite dishes, antennas, and towers shall not require a permit. All dishes, antennas and towers shall be located a minimum distance of 3 feet from any property line, and not located within any public right-of-way .

Section 550 Shoreline Requirements

The following requirements shall apply to shoreline lands :

A. Setback, Water. The minimum setback from the mean high water mark of all principal and accessory buildings or structures in excess of one hundred forty (140) square feet other than docks, boathouses, or floats swimming , and other water related structures, shall be a minimum distance from the mean high water mark as follows :

1. 100' adjacent to portions of the independence and Black Rivers within the resource management area of the Adirondack Park.
2. 75' adjacent to shoreline in the Low intensity use and zusaL use areas within the Adirondack Park.
3. 50' adjacent to all other navigable bodies of water including live: s and s earns .

Section SS S Roads

ALI public or private roads constructed to serve or intended to serve as public thoroughfares shall meet town road standards as set forth by the Watson Town Board.

Section SS 0 Seotic Svsteffis

If a use is connected to public sewerage, it must meet the requirements of New York State Sanitary Code, Part 7 S.A. Alternative on-site systems may be permitted upon approval of appropriate state and local agencies .

Section SSE Fences Walls and Shrubbery

No zoning is required prior to the construction of a fence so long as the following standards are met:

Fences :

1. No fence, wall, or shrubbery shall be located within any public right of way.
2. No fence or wall shall be more than 8 feet high.

Section 57 C Junkyard/Junk Vehicles

All-junkyards and junk vehicles shall comply with the provisions of the County of Lewis Junkyard Law, Local Law No. 5 - 1987, and as amended. A Lewis County Junkyard License shall be required and issued by the County prior to issuance of a certificate of occupancy for a junkyard pursuant to this Law. Nothing in this Law shall be construed to preempt the enforcement of the Lewis County Junkyard Law by the County of Lewis in all areas of the Town of Watson.

Section S7 F Recreational Vehicles

A recreational vehicle may not in any calendar year, be situated or remain within the Town of Watson on an occupied overnight basis for more than six months in aggregate, unless ;

- A. The recreational vehicle is located on a site within a campground in compliance with, or established prior to, the effective date of this Law for which evidence can be provided by the owner; or
- B. Being sold in a retail business; or
- C. Being stored upon the premises of the owner or consenting landowner for the purposes of storage.

Section Flood ? lain Standards

All uses shall comply with the Town of Watson Flood Damage Prevention Local Law as amended.

Section Excavation

All mining and excavation activities which L, 000 tons cubic yards, whichever is less, of minerals are removed the earth within twelve successive calendar months shall abide by the Environmental Conservation Law (Mined Land Reclamation Law as amended) Alt. 23, Title in addition to cr.e following:

- 1.access toads ccr.tzollod by Local goveznment shall meet the public roads at light angles and at compatible grades;
- 2 . enc: ances shall be located to allow safe line-of •sight distances to and from their points of intersection with the public toad; and
- 3 . the Town Boazd within 30 days of receipt of a complete :ining application, (sent by the Department at Environmental Conservation) , may submit a :ecotnmendation to the Departäter,t o: Environmental Conservation in regard to the following :
 - i. recommend appropriate setbacks property and road lines; recommend manmade or natural barriers designed to restrict access . The Town Board may recommend the type, Length, height, and Location thereof, cons iscent with the provisions of this law; recommend appropriate tnechds of dust conczol,• recommend hours a: operation; and advise whether mining is prohibited at the Location.

Section Accessory Aoartrrtents

- A. No than one accessory apar t:ment shall be allowed each dwelling unit .
- B. Each accessory apartment shall be a maximum ot OE the total floor area cf the principal dwelling unit, but shall not exceed 700 sq. ft.
- C. separate entrance ta the accessory apar tment is provided, such separate entrance shall be to the side or rear of the building.
- D. Adequate off-road parking shall be provided.

Section S9S Kennels

- A. Kennels housing less than four (4) dogs less than four (4) months old are exempt from these regulations .
- B. Any fencing used as an extension of the kennel for confining the dogs, shall maintain a minimum of ten (10) teet as a setback from all adjoining property Lines .

R.RTZCZZ 6 . **PARKING, LOADING AND** CZRCZI,ÄTION

Section 6 10 General Par kina Reauirements

- A. AIL uses shall be provided with off-toad parking for al L vehicles du: ing typical peak use periods.
- B. uses with nonconforming parking situations shall comply with the parking requirements of this law if one or more of the follow ina conditions occurs :
 - 1.The use changes .
 2. The use expands its gross floor area by or more.
 3. The use is destroyed and seeks to be re-established.
 4. The use is discontinued for a period o: 2 yea: s oz longer and seeks to be re-established.

C. A parking space shall not be Less than 9 feet by 20 feet exclusive of access ways and driveways .

D. parking areas for nonresidential and multi-family residential uses shall be designed to allow vehicles to exit directly onto roads.

Section 620 Number of Parking Spaces Required

A. To the greatest extent possible the size of all parking areas for commercial facilities shall be based on gross leasable area (GLA) gross leasable area figures are unavailable gross floor area (GFA) figures shall be used.

B. ALL fractional proportions of parking spaces as calculated shall be rounded to the next higher whole number .

C. (See next page for Chart.)

C. Minimum parking spaces shall be required as follows:

	Parking Spaces Required
Business , Manufacturing	1 space/400 sq. ft.
Business, Retail Sales and Service	1 space/ 200 sq. ft. GLA
Dwelling	2 spaces/ unit
Home Occupation	1 additional space/ 200 sq. ft. GFA
Industrial, Healthcare	1 space/ 1000 sq. ft. GLA
Mobile Home Park	2 spaces/unit
Multi-family Dwelling: Units for non-elderly	spaces/ unit 2
Offices	space/ 200 sq. ft. GLA

Other Uses	As determined necessary	by the	Planning Board
Public and Semi-public Facilities	1 space/4 seats	or 1 space/60 sq. ft.	seating area
Warehousing and storage facilities	1 space/2000 sq.	ft.	GLA

Section ; 30 Off -Road Loading Areas

X. Commercial and industrial uses shall be provided with off-road loading areas and facilities adequate to accommodate loading activities on-site.

Section 540 Site Requirements

Access to all nonresidential and multi-family residential uses shall be consistent with the standards set forth in the Policy and Standards for Access to State Highways, as revised, published by the New York State Department of Transportation.

ARTICLE 7. SPECIAL USES

Section 710 Authority

The Town of Watson Planning Board is hereby authorized to review and approve or disapprove, or approve with modifications, special uses within the Town of Watson as designated in accordance with the standards and procedures set forth in this Law and Section 274 of the Town Law.

Section 720 Compatibility

All special uses shall have been approved by the Planning Board prior to their

issuance by the Enforcement Office: a zoning permit or a certificate of occupancy for a change in use. No land structures shall be used until such time as; the site has been inspected and has been certified as conforming to the site plans and conditions approved by the Planning Board.

Section 730 Objectives

In considering and acting on special uses, the Planning Board shall consider the public health, safety, welfare, and comfort and convenience to the public in general, the residents of the proposed development, and the residents of the immediate surrounding area. The Planning Board may prescribe such appropriate

conditions and safeguards as may be required in order that the results of its action shall, to the maximum extent possible, further the accomplishment of the following objectives:

- A. Compatibility: That the proposed use is of a character compatible with the surrounding neighborhood and in harmony with the General Plan for the community.
- B. Vehicular Access: That proposed access points are not excessive number, but adequate in width, grade, alignment, and visibility; not located too close to intersections or places of public assembly; and other similar safety considerations.
- C. Circulation and Parking: That adequate off-road parking and loading spaces are provided to prevent parking of vehicles on public highways by any persons connected with or visiting the development, that the interior

circulation system is adequate to provide safe accessibility to all required parking lots, and that it provides adequate separation of pedestrian vehicular movements .

- D. Landscaping and Screening: That all parking, storage, loading, and service areas are reasonably screened at all seasons of the year from the view of adjacent residential area and that the general landscaping of the site is in character with the surrounding areas .
- E. Natural Features: That the proposed use, together with its sanitary and water service facilities, are compatible with geological, hydrologic, and soil conditions of the site and adjacent areas and that existing natural scenic features are preserved to the greatest extent possible.

Section 740 Procedure

- A. Application for special use permit. An application for a special use permit shall be filed with the Town Clerk together with the appropriate fee as determined by the fee schedule adopted by Town Board resolution. The application and plan shall include where applicable as determined by the Planning Board, but not be limited to, the following:

- 1 . Name and address of applicant and owner if different, and of the person responsible for preparation of such drawings;
- 2 . Date, north point, written and graphic scale;
- 3 . Boundaries of the area plotted to scale, including distances, bearings, and ;
- 4 . Location and ownership of all adjacent lands as shown the latest tax records .
5. Location, name, and width of adjacent roads ;
- 6 . Location, width, and purpose of all existing and proposed easements, setbacks, reservations and areas dedicated to public use or adjoining the property;
- 7 . Complete outline of existing or proposed deed restrictions or covenants to the property;
- 8 . Existing hydrologic features together with grading and drainage plan showing existing and proposed contours at five foot intervals; refer to section 815, 5;
- 9 . Location, proposed use, and height and dimensions of all buildings;
- 10 . Location, design, construction materials of all parking and truck loading areas with access and egress drives thereto;
- 11 . Provision for pedestrian access with special consideration to handicapped access including public sidewalks; 12. Location of outdoor storage, if any;
13. Location, design, and construction materials of all existing proposed site improvements , including drains , culverts , retaining walls , and fences ;
14. Description of the method of sewage disposal and the location, design, and construction materials of such facilities;

15 . Descz iption of the method ot securing public water and location, des
ign, and construction materials of SUCH facilities ;

16. Location of fire lanes and other emergency zones inçLudina the Location of
fire hydrants,

17 . Location, design, and construction mater La Is Of all energy
distribution facilities, including electrical, gas, and solar energy;

18 . Location, size, design, and construction mater ials ot all
proposed signs ;

19 • Location and proposed development of al L buffer areas including
indication o: existing and proposed vegetative cover ;

20 . Location and design of outdoor lighting facilities;

21 . Designation of the amount of gross floor area and gross leasable
area proposed for retail sales and services , office, and other similar
commercial Ol induszsz iaL activi ties;

22 . Number and distribution by type of all proposed dwelling units;

23 . Caeazal landscaping plan and planting schedule;

24 . SE•2R Environmental Assessment Form;

25 . Otaer elements integral to the proposed development as considezed
necessary by the Planning Board including identitication of any fedezal,
state, oz county permits required for the proj ect 's execution.

B. ? Lanning Board Review of Special Use. The ? Lanning Board shall consider
the proposed special use and its net effect on the community. Such
consideration shall include, as appropriate, but shall not be limited to,
compatibility with the Genezal ? Ian, the economic, social, physical, and
environmental aspects the proposal, and such other matters as nay be
determined per tirtent. The board nay consult with local and county
otficials, its designated consultants, (refer to Section 920) , and al sc
with representatives c: federal, state, and county agencies, including but
acc limited to the Natural Resources Conservation Service, the New Yc;k
State Depar tment of Tzansç;oztation, the Depar t:nent o: Envi:or.mental
Consezvacicn, and the Department of Health.

C. Public Hear Ing. The Planning Board shall conduct a public heat ing or,
the special use application. Such public heat ing shall be conducted within
sixty- two (62) days of the receipt of the completed application and shall
be advertised at least five (5) days before the hearing in a newspaper in
general circulaticr, in the Town. At least ten (20) days before such hear
ingthe ? Lanning Bcazd mail notice thereof to the applicant.

D . ? Lanning Board Action or. Special Use. Within sixty- two (62) days o t
sucr, public hearing, the Planning Board shall act on the special use
application. The ? Lanning Bcazd 's acc ion shall be in the form o: a
written statement to tae applicant statir:c whether or not the scecia'-
USê acolicaticr. is approved, disapproved, or approved with conditions .
the scecial use is disapproved ,the statement will contain the reasons for
such

Upon approval of the special use and payment tees and reimbursable costs
due the Town, the endc:se its approval cri a copy cf the site plan, special
use application, and al'documents submitted as par , z o: the application.

The decision o: the ? Lanning Boazd shall be tiled in the affice the Town
Clerk within five (5) business days after the day such decision is
rendered, and a copy nailed t; the applicant.

E. County ? lannina Board Review. The ?lannina Board shall provide notice o:
all special use zevew mattêZS that fall within those areas specified under
GUL, Article 12 -B, Section 23911 to the County ? lannir,g Board at least

ten (20) days prior to public hearing. Any special use that falls within 500 feet of: the boundary of the Town; a State/ County park recreation area; a State/ County highway; a State/County owned drainage channel; and State/ County land where a public building or institution is located; or requires an agricultural data statement shall be referred to the County Planning Board for their recommendations thereon. The notice shall be accompanied by a full statement of the matter under consideration. The County Planning Board shall have thirty (30) days after receipt of a full statement of such proposed action, or such longer period as may have been agreed upon, by the County Planning Board and the referring body, to report its recommendations to the referring body, accompanied by a statement of the reasons such recommendations. If the County Planning Board fails to report within such period, the referring body may take final action on the proposed action without such report. However, if the County Planning Board's report is received after thirty (30) days or such longer period as may have been agreed upon, but two or more days prior to final action by the referring body, shall be subject to the provisions of an extraordinary vote. If the County Planning Board recommends modification or disapproval of a proposed action, the referring body shall not act contrary to such recommendation except by a vote of a majority plus one of all the members thereof. Within thirty (30) days after final action, the body shall file a report of the final action it has taken with the County Planning Board. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

- F. Agricultural Data Statement; Requirements. An application for a special use that would occur on property within an agricultural district containing a farm operation or on property with boundaries within 500 feet of a farm operation located in an agricultural district, shall include an agricultural data statement. The Planning Board shall consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district.
- G. Agricultural Data Statement; Content. An agricultural data statement shall include the following information: the name and address of the applicant; a description of the proposed project and its location; the name and address of any owner of land within the agricultural district, which land contains farm operations and is located within 500 feet of the boundary of the project upon which the project is proposed; and a tax map or other map showing the site of the proposed project relative to the location of farm operations identified in the agricultural data statement.
- H. Agricultural Data Statement; Notice Provision. Upon the receipt of such application by the Planning Board, the Secretary of such Board shall mail a written notice of such application to the owners of land as identified by the applicant in the agricultural data statement. Such notice shall include a description of the proposed project and its location. The cost of mailing said notice shall be borne by the applicant.
- I. Environmental Review. The Planning Board shall be responsible for compliance with the State Environmental Quality Review (SEQR) Act under Article 9 of the Environmental Conservation Law and its implementing regulations as codified in Title 5, NYCRR, 617.

ARTICLE 8. SPECIAL ASSESSMENT STANDARDS

Section 905 General

The requirements of this Article (and Article may be waived by the ?Lannina Board, where the requirements are found not to be requisite in the interest of the public health, safety, or general welfare or inappropriate to a particular Special Use.

Section 810 General Screening and Landscaping

- A. Open storage areas, exposed machinery, and outdoor areas used for the storage and collection of solid waste, shall be visually screened year round from roads and surrounding land uses. Suitable types of screening could include fences (such as board on board) and mixed evergreen and deciduous hedges of a height necessary to screen the intended use. Where planted hedges are proposed, plant species, size and layout should be developed to provide an effective screen within three years of the time of installation.
- B. Locations where potential health or safety hazards may arise, such as solid waste storage/ collection areas, a solid fence, a minimum of six feet in height may be required to deter children and animals entering the premises.
- C. In areas of traffic movement, where landscape materials are required to define paths of traffic movement, the following standards may be required by the Planning Board:
1. Plants shall be selected to achieve not more than three (3) feet mature height, Planting height shall be eighteen (18) to twenty-four (24) inches.
 2. Plants shall be spaced to create a compact hedge border at time of planting.
 3. Planting beds shall be covered with one of the following materials or approved equivalent:
 - a. Mulch at four (4) inches minimum depth.
 - b. Stone aggregate at three (2) inches minimum depth.
- D. Where landscape materials are required to define the point of entrance to a commercial facility, plant materials shall consist of evergreen shrubs, or approved equivalent by the Planning Board:
- E. Where landscape materials are required to complement areas intended for pedestrian activity, the following standards or approved equivalent shall be used when required by the Planning Board:
1. Pedestrian areas shall be paved with concrete or paving block set in an approved manner.
 2. In order to minimize large areas of paving, landscape features, such as two (2) to three (3) foot raised mounds and planters / may be used.
 2. Planting beds shall be covered with a mulch or approved equivalent.
- F. Where landscape materials are required for screening purposes, the following standards or approved equivalent shall be used:
1. When sufficient space is available, a dense screen of evergreen plant materials shall be used.

2. Plant materials shall be planted at a height approved by the Planning Board and shall be spaced to an opaque screen.
 3. Where limited space is available to stockade or otherwise: Erection may be used in conjunction with climbing or trellised plants.
- G. Where landscape materials are required by the Planning Board to complement the site, the following standards of approved equivalents shall be used:
1. The shall be covered with sod cut, as a permanent, stone accretion at a three (3) inch depth be substituted.
 2. Evergreen and/or deciduous plants shall be placed according to size approved by the Planning Board.

Section Drainage

1. To the extent practicable, all developments shall conform to the natural contours land and - exist in manmade drainage ways shall remain undisturbed.
2. developments shall be provided with a drainage system that is adequate to prevent the undue retention, of surface water on the development site.
- Surface water shall not be regarded as unduly retained if:
- a. The retention results from technique, practice, or device deliberately installed as part of approved sedimentation, storm water run-off control plan.
3. , Where practicable, the drainage system of a development shall be coordinated with the connections to the drainage systems or drainage ways on surrounding properties or roads.
4. Construction specifications for drainage swales, and storm drainage shall be designed to Town requirements as follows:
- a. Where the impervious surfaces of a site exceed 25 percent of the ground coverage, all applications special permits shall be accompanied by a storm water drainage plan which complies with the standards of this Section.
 - b. The natural state watercourses swales, or rights-of-way shall be maintained as nearly as possible. All drainage facilities shall be designed for a 20 -year storm, minimum. The Planning Board may require facilities sized for more intensive storms should development conditions in the vicinity of the site warrant a greater degree of protection.
 - c. Surface water run-off shall be minimized and detained on-site as long as possible and practicable to facilitate ground water recharge.
5. developments shall be constructed and maintained so that adjacent properties are not impacted by surface waters as a result of such developments. No development shall be constructed or maintained so that such development impedes the natural flow of water thereby causing damage to any adjacent properties, or unreasonably collects and channels surface

water onto adjacent properties at such locations or at such volume as to cause substantial damage to such lower adjacent properties .

Section 820 Erosion Control

- A. An Erosion Control Plan must be submitted and approved when an activity involves one of the following :
1. Disturbs five (5) acres or more of land;
 2. Is to be conducted on a site which has a slope anywhere on the site that averages fifteen (15) percent or more over a horizontal distance of at least one hundred (100) feet.

For purposes of this section, disturbed land shall mean any use of the Land by any person, that results in a change in the natural cover or topography and that may cause or contribute to sedimentation. Sedimentation occurs whenever solid particulate matter, mineral or organic, is transported by water, air, gravity, wind, or ice to the site or its vicinity. This section shall not be construed to include the natural disturbance of the soil and its natural cover occurring in the ordinary course of agricultural use .

- B. measures necessary to minimize soil erosion and to control sedimentation in the disturbed land area shall be provided. Every effort shall be made by the applicant to minimize velocities of water runoff, sedimentation within the development site as early as possible to minimize disturbances .

Section 821 Retail Gasoline Outlets

A gasoline outlet establishment shall be developed in accordance with 6NYCRR §§ 612, 613, and 614. In addition, compliance with 9NYCRR and NFPA 30 Regulations will be required.

- A. Location: retail gasoline outlet lot shall not be located within three hundred (300) feet of any lot occupied by a school, library, or religious institution.
- B. Setbacks: Gasoline and/or fuel pumps and all fuel storage tanks shall act be located closer than seventy-five (75) feet to any side or rear lot lines.

~~Section 820 Motor Vehicle Repair / paint Shops~~

- A. Setback: All motor vehicle repair/paint shops shall be sited, as required, all servicing on the premises no closer than (50) feet to side and rear lot lines .
- B. Storage of Waste Material: All junk wastes, discarded parts, etc. as a result of servicing motor vehicles, equipment, etc. shall be stored in an enclosed structure or fenced area so as not to be visible adjacent lots until disposed of. None of these materials may be disposed of on the lot.

Section 825 Commercial Facilities/Uses

- A. Setback: Such sales, rental or storage operations shall be located at least fifty (50) feet from side and rear lot lines.

- B. Servicing Facilities : Such operation that also have service facilities for the same shall meet the requirements of Motor Vehicle Repair/ paint Shops, . Section 830.

Section 84 C' Business Manufacturing and Saw Mills

- A. Setback: light industrial use or sawmill shall not be located closer than seventy-five (75) feet to any road line, side, or rear lot line.
- B. Screening. Such operations shall be landscaped and screened to provide a year round visual and sound buffer adjacent property in accordance with Section 810, F.

Section 94 E; Industrial Uses Reaw

- A. Location. heavy industrial use shall not locate within three hundred (300) feet of a New York State designated wetland.
- E. Setback. Heavy industrial uses shall not be located closer than two hundred (200) feet to any road line, side, or rear lot line.
- C. Screening. All heavy industrial operations shall be screened from roads, and adjacent property that are other than an industrial use, by a minimum seventy-five (75) foot vegetative buffer area. Plant material shall be spaced to form a year round visual and sound buffer multiple rows with alternate spacing other equally acceptable screening techniques upon approval of the Planning Board.

Section 8 S a Slaughterhouses

- A. Setback. slaughterhouse shall be set back at least one hundred (100) feet from the side and lot line.
- B. Screening. Such operation shall be substantially screened to and adjacent residential property in accordance with Section 810, F.

Section g s; Campgrounds

A. General

- L. No campground shall be situated on a lot less than ten acres in size.

B. Park Location and Condition

- L. Each campground shall have adequate access to a public highway, and each campground site shall be serviced interdict roadways .
2. Mobile homes shall not be parked, whether permanent tenting, in any campground except when occupied by the park owner.

C. Campground Site Size

Each campground site shall be a minimum two thousand (2, 000) square feet in size.

D. Setbacks and Spacing

ALL buildings and campground sites shall have vegetative buffer setbacks of one hundred twenty-five (125) feet from the road line of all public roads, and (50) feet public and private adjacent properties .

E. Park Access

Access to all sites shall be consistent with the standards set forth in "Public and Standards for Entrances to State Highways", as revised, published by the State of New York Department of Transportation.

F. Sewer, Water, and Public Facilities

L. Sewer, water, and other utilities shall be provided in accordance with the requirements of Chapter 1, Part 7, New York State Sanitary Code, and subject to any other Town requirements.

2. Campgrounds shall provide a building containing at least one (1) toilet, lavatory and shower for each sex, for each ten (10) campground sites.

G. Construction

Any campground development and construction pursuant to a plan approved by the Planning Board shall not be completed within two years of that approval. Upon reasonable cause shown, the Planning Board may extend these deadlines, but such extension shall not exceed six months.

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Section 860 Mobile Home Parks

A. Park Location and Conditions

- L. A proposed mobile home park shall be located where orderly development of a mobile home park can be undertaken in harmony with development of the surrounding area in terms of traffic generation, ease and safety vehicular access to and circulation within the park, safety of pedestrian movement, placement and sizing of sewage treatment and water supply systems and other utilities, safety of fuel storage and supply, provision of open space, recreation facilities or areas, delivery of services and adequate landscaping and buffering.
2. No mobile home park shall be situated upon a lot less than four acres in size.

B. Mobile Home Skirting and Pad

As referenced in Article 6.

C. Site Requirements

1. Site Size. Minimum site size shall be 10,000 square feet.
2. Site Width. There shall be a minimum 75 feet site width.
3. Site Depth. There shall be a minimum 100 feet site depth.

D. Setbacks and Spacing

- L. mobile homes and attached or detached accessory structures, and all other buildings, shall satisfy the following setback requirements:
 - a. Minimum of 150 feet from the road line of any public road;
 - b. Minimum of 30 feet from the center line of any roadway internal to the mobile home park; and
 - c. Minimum of 15 feet from rear and side site lines.

E. Park Design Requirements

L. Access

Each mobile home park shall have safe, legal means of access from one or more public roads as follows:

- a. Access roads shall meet the public roads at right angles and at compatible grade;
- b. Entrances shall be located directly opposite, or at least 200 feet: ElOtn, the nearest intersection of public roads, if any, and at least ISO feet from any other entrances to the mobile park, if any ;
- c. Entzances shall be wide enough to allow reasonable turning movements for vehicles with mobile homes attached and for service, delivery vehicles, and erne:gency vehicles ;
- d. Entrances shall afford safe IL ne-of-sight distances to and their points of intersection with the public road;
- e. At Least one common entrance and access road shall be required to serve any mobile home park having nine or less mobile home sites;
- f. At least two independent entrances and access toads shall be required t:o serve any mobile home park having ten or more mobile home sites; and g. access roads connecting mobile home park interior roads with the public :oadsshall meet Town road standards .

2 . Internal Roads

- a. F-ncernal roads shall be ivately owned and maintained and shall provide for the safe and convenient movement of vehicles, with or without mobile home attached;
- b. mobile home sites shall face on and be serviced by at least one internal road;
- c. roads shall have a minimum -30 - toot right-ok-way, 20 feet of which aust consist of paving, c:ushed stone or crushed gravel, and all such :oads shall be so designed, graded and leveled as to permit the safe passage of emergency and other vehicles at speeds of IS miles pet hour ;
- d. Straight, uniform glidizori road patterns should be avoided unless they can be relieved by mobile home c Lus Landscaping and an open space system; and
- e. de sacs shall be provided in lieu o: closed end roads with a turnaround having an outside roadway arc of at least 90 ft. .

3 . walkways

~~four~~- toot wide hard surfaced pedestr walkway Shall be provided along and at least five feet from each access toad between the entrance to the publŁc highway and either :

- a. The tizst mobile hoate; or
- b. :3uch location within the mobile home park as av be required by the ? Lanning Board to assure pedestrian safety .

4 . War-AZ Supply and Sewage Disposal

~~Water~~ supply and sewage disposal system shall be designed and constructed in zcordance with the New York State Department o: ealth and New York Sta ze Depar anent o: Environmental Consezvation. ?zcot of SUCH cc,- aoliance for the mobile home park TUSC be submitted to considezation by

the ? Lanning Board.

5. Construction

A mobile home park development and construction pursuant to a plan approved by the Planning Board shall be completed within one year of that approval. If a reasonable cause is shown, the Planning Board may extend these deadlines, but such extension shall exceed six months.

7 . Service Buildings

- a. Any service buildings, housing sanitation facilities and/or Laundry shall be permanent structures complying with, applicable ordinances and statutes regulating buildings, electrical installations, and plumbing and sanitation systems.

F. Responsibilities of Park Operators

- L. The operator to whom a permit for a mobile home park is issued shall operate the park in compliance with the standards set forth in this Local Law and shall provide adequate supervision to maintain the park, its surrounding grounds, roads, facilities and equipment in good repair and in a clean and sanitary condition, or said permit shall be revoked.

Section 863 Essential Facilities

- A. Location: The proposed installation in a specific location must be demonstrated to be necessary and convenient to the efficiency of the essential service of the satisfactory and convenient provision of service to the area in which the particular use is located.
- B. Buildings: The design of any building or structure in connection with such facility shall conform to the general character of the area and shall not adversely affect the safe and comfortable enjoyment of property rights in the district in which it is to be located.
- C. Landscaping: Adequate landscaping shall be provided to create a visual and sound buffer between such facilities and adjacent property.
- D. Access: All points of necessary access, or transformers, shall be placed in secure structures at ground level.
- E. Fencing: All major electrical transformer facilities or substations, if above ground, shall be secured by a fence. Also no transformer or associated switches shall be closer than two hundred (200) feet any ICC line.

ARTICLE 9 BOND FOR NECESSARY IMPROVEMENTS

Section 910 Require Financial Security

In order that the Town Board has the assurance that the construction and installation of such improvements as storm sewer, water supply, sewage disposal, landscaping, noise abatement equipment and facilities, road signs, sidewalks, parking, access facilities, and road surfacing will be constructed, the Planning Board may require that the applicant enter into one of the following agreements with the Town Board.

- 1 . Furnish bond executed by a surety company equal to the cost construction of such improvements as shown on the plans and based on an estimate furnished by the applicant and approved by the Planning Board.
- 2 . Lieu of the bond, the applicant may deposit cash, certified check, irrevocable bank letter of credit, a certificate of deposit, or other forms of financial security acceptable to the Town Board.

substitutes, if furnished, shall be kept on deposit with the Town Clerk for the duration the bond period.

3. Construct all improvements required by the Planning Board to the final approval of the special permit.

Section 920 Conditions

Before a special use is approved, the applicant shall have executed a contract with the Town Board if required, and per performance bond, certified check, bank letter of credit shall have been deposited covering the estimated the required improvements that have been designated by the Board.

The performance bond, certified check, or bank letter of credit shall be to the Town Board and shall provide that the applicant, his heirs, successors, and assigns, their agent or servants, will comply with all terms, conditions, provisions, and requirements of this law; will faithfully and complete the work of constructing and installing such facilities improvements in accordance with the special use permit.

Any such bond shall require the approval of the Town Board and the Town Attorney as to form, sufficiency, manner of execution and surety.

Wherever a certified check is made, the same shall be made payable to the TCWF of Watson.

The Town Board and Planning Board reserves the right to employ the services of outside consultants inspections, and all charges shall be reimbursed to the Town of Watson by the applicant.

Section 930 Extension of Time

The construction and/or installation of any improvements or facilities, other than roads, for which guarantee has been made by the applicant in the of a bond or certified check deposit, shall be completed within one (1) year of the date of approval of the special use. Road improvements shall be completed within two years from the date of approval of the special use. The applicant may request an extension of time, provided he can show reasonable cause to inability to perform said improvements within the required time. The Town Board may use as much of the bond or check deposit to construct the improvements as necessary. The same shall apply whenever construction of improvements is not performed in accordance with applicable standards and specifications.

Section 940 Schedule of Improvements

When a certified check, performance bond, or bank letter of credit are made pursuant to the preceding sections, the Town Board and applicant shall enter into a written agreement itemizing the schedule of improvements in sequence with the cost opposite each phase of construction or installation, provided that each cost as listed may be repaid to the applicant upon completion and approval after inspection of such improvement or installation. However, ten (10) percent of the check deposit or performance bond shall not be repaid to the applicant until one (1) year following the completion, inspection and acceptance by the Town Board of construction and installation covered by the check deposit or performance bond as outlined in the contract.

Section 990 Inspections

Periodic inspections during the installation of improvements shall be made by the Enforcement Officer and/or appointed project inspector, to insure conformity with the special permit and specifications as contained in the contract and this law. The applicant shall notify the Enforcement Officer and/or appointed project inspector, when each phase of improvements is ready for inspection. At Least five (5) days prior to commencing construction of required improvements, the applicant shall pay to the Town Clerk the inspection fee required by the Town Board. Upon acceptable completion of installation and improvement, the Planning Board shall issue a letter to the applicant or his representative and such letter shall be sufficient evidence for the release by the Town Clerk of the performance bond or certified deposit as designated in the contract to cover cost of such completed work.

Section 960 Acceptance of Roads and Facilities

When the Enforcement Officer and/or appointed project inspector final following inspection of the improvements, certifies to the Planning Board that installation and improvements have been completed in accordance with the contract, the Town Board may, by resolution, proceed to accept the facilities for which bond has been posted or check deposited.

ARTICLE 10 • DEFINITIONS

Section 1010 General

Except where specifically defined herein, all words used in this law shall carry their customary meanings. Words used in the present tense include the future, and the singular includes the plural; the word "lot" includes "plot", the

"shall" is mandatory; "occupied" or "used" shall be considered as though followed by "or intended, arranged or designed to be used or occupied, "person" includes individual, partnership, association, corporation, company or organization. Doubt as to the precise meaning of any word used in this law shall be clarified by the Board of Appeals under its powers of interpretation.

Section 1020 Definitions

Accessory Dwelling: second dwelling unit located on same lot as a principal single-family dwelling, located either within the principal dwelling or within an accessory building, which is subordinate to the principal dwelling in terms of size, location, and appearance. Such a dwelling shall be an accessory use to the principal dwelling.

Accessory Structure: subordinate structure located on the same lot with the main structure, occupied by or devoted to an accessory use. Where an accessory structure is attached to the main structure in a substantial manner, as by a wall or roof, such accessory structure shall be considered part of the main structure. This shall include but not be limited to storage sheds, satellite dishes, fences, swimming pools, or structures whose primary purpose is related to the recreational use of a waterway such as boathouses, docks, swimming floats, and other similar structures greater than 140 sq. ft. in size.

Accessory Use: use incidental and subordinate to the principal use and located on the same lot with such principal use or structure.

Agricultural services: Commercial office establishments primarily engaged in supplying landscaping, horticultural services, veterinary and other animal services, farm labor and management services/contractors including: shell inc.; hay baling and threshing; sorting, grading and packing fruits and

vegetables the grower ; fruit picking; grain cleaning; harvesting and plowing and the necessary storage of equipment and materials.

Agricultural Structures : Barns , silos, storage buildings, equipment sheds , roadside stands, and other accessory structures customarily used to: agricultural purposes .

Agricultural Use : Land containing at Least two (2) acres which is directly related to the raising of livestock, or the growing of crops the sale of agricultural produce including structures , storage of agricultural equipment, horticultural and fruit operations, riding and boarding stables, and the like, or other commonly accepted agricultural operations, and as an accessory use the sale of: agricultural or forest products raised on the property.

Alterations: As applied to a building or structure, a change or rearrangement in the structural parts, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location to another .

Area (of a sign) : The entire area within a single continuous perimeter enclosing the extreme limits of: writing, representation, emblem, or any figure of similar character, as included within the definition of a sign, together with the frame or other material or color forming an integral part of the display of: used to differentiate such sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. Or, signs with more than one face, only that face or faces visible from any one direction at one time will be counted.

Bed and Breakfasts: An accessory and subordinate use of a one or two - family dwelling where transient guests are provided a sleeping room and/or board on an overnight basis by the family residing within the unit return for compensation.

Building: Shelter having a roof supported by column or walls and intended for the shelter or enclosure of: persons, animals, or property.

Building Height: Vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat and mansard roofs, and to the average height between eaves and ridge for other types of roofs .

Business Manufacturing; commercial activity characterized by the transformation of substances into new products (including the assembly of component parts of manufactured products) such as are normally associated with light industry plants, factories and mills utilizing power: driven machinery and materials handling equipment .

Business, Retail Sales Service : commercial activity characterized by the direct on-premise sale of goods and services to the ultimate consumer, including on-premise manufacturing, processing, and servicing and preparation customarily associated therewith and generally involving stock in trade such as are normally associated with department stores, food markets and similar establishments, but

also including financial institutions, business and professional offices and services, restaurants, bars, and retail gasoline outlets.

Business , Wholesale : A commercial activity characterized by the sale of merchandise to retail, manufacturing institutional or other wholesale establishments in bulk, including on-premise storage and distribution facilities .

Campgrounds : Land on which are Located two (2) or more cabins, vehicles, tents, shelters, or other accommodations suitable seasonal or temporary living purposes, excluding homes .

Campground Site: Any area of land within campground, intended the exclusive occupancy of a single camping unit.

Commercial Facilities Uses: activity carried out capital gain.

Dwelling: Any building or portion thereof designed for use exclusively as a residence or sleeping place of one (1) or more persons, including a mobile home and modular homes .

Single-family: detached residential dwelling designed and occupied by one family only, including seasonal dwellings .

Multiple-Family: A residential building, designed and occupied by three or more families with the number of families in it, not exceeding the number of dwelling units provided and independently each other .

Two - family: detached residential building containing two dwelling units , designed for occupancy by not more than two families independently of each other .

Dwelling : One room or rooms connected together constituting a separate, independent housekeeping establishment for owner occupancy or rental lease on a weekly, monthly or longer basis, and physically separated any other rooms or dwelling units which may be in the same structure and independent cooking and sleeping facilities, designed for occupancy by one .

Enforcement Officer: individual designated by resolution of the Town Board to assume, undertake and exercise the duties and responsibilities imposed with that officer by the provisions of this law.

Essential Facilities: The operation or maintenance by municipal agencies or public/private utilities of telephone dial equipment centers; electrical or gas substations; water treatment, storage and transmission facilities and lines ; pumping stations; and similar facilities operated or maintained by municipal agencies or public/private utilities .

Excavation: mining and excavation activities for which 1,000 tons or so

cubic yards, whichever is less, of minerals are removed the earth. within twelve successive calendar months. This does not include the process of grading a lot preparatory to the construction of a building which has an approved zoning permit.

Lot: One or more persons living, sleeping, cooking or eating on the same premises as a single housekeeping unit.

Lot: Any accessory structure, campsite or any material, which is erected or maintained for the purpose of screening, or gathering in of lot, building, or structure is considered a " fence" .

Funeral Homes: Establishments with facilities for the preparation of the body for burial or cremation, for the viewing of the body and for the observances held incidental to burial or cremation.

Garages, **Public:** Any garage other than a private garage, operated and available on a rental basis for storage.

Gzeefcuses/ätzsezyg: Land, structures or buildings used the cultivation flowers, plants or shrubs for subsequent sale, including I or, premises accessory retail sales ot flowers, plants or shrubs, and or. premises retail sales accessory products, tools, and equipment.

Gross Zeastle Area: The total area fot which the tenant pays and which is designed the tenant' s occupancy and **exclusive** USê.

Ecxe Occupations: ?zofessions or activities that ate cLeazLy a casczmazy ar.d incidental accessory use to tne principal use.

Hospital:Includes sanitazium, clinic, rest home, nursing home, convalescent home, home the aged, and any ocher place for the ne diagnosis, treatment of diacacsis, human ailments, and rehabilitation facilities.

Industries, Eeavy: Any facility which manufactures, asseiles , caces , processes a: packages products raw materials oz pa: ts are hazazdcus mater as reaulated by State and Federal Laws Rezúlžc•-cr.s cz where the by-products and wastes the asserbLžnc, pzccessfnc packaging activities are hazardous . of

Junkyard/Junk Vehicles: Aze as de: ined by the Count' / o: Lewis Junkyard of Law and ate incar?czated by this reference .

Kenel:iscablshments in which more than tout, (4), dogs mor zhs ald housed, gzccmed, bred, bcazded, or (4) dogs more than four (4) trained, or sold.

Laundromats: Commercial establishment: providing washing, dry-cleaning machines on premises rental use to the general public or dry laundering c the general public for family cleaning purposes .

Zcadž=g Space: Of: •road space used for the temporal' / L Lcer, sed motorvehicle, which is at Least twelve (12) teet wide and (40) feet I onc, act including access driveway, and having di:ect access to a :cad.

lot: designated parcel or tracz of land estabLisae by suzdžvision, oz as ochezwise pezmitted by Law; to be used, develcced cz built as unit.

ot, Ccz=e: : A lot abutting upon two (2) or mote st: eets/zaažs ac thei intersect -cn^s oz two (2) pa: ts tae same stzeec/zoad.

Lot Fron ?zcntage: The length o t tae front Line measuzed at the toad Line .

Lot Line , Rea: : That lot L ne which is opposite and most distant the toad line.

ine, Side : A Lot line that is not: a toad Line o: a kea: Line.

t of Record: Lot which exists as o: this Law •s enaction, or such Lesser portion o:: an existing Lat as results subsequent Isaie, at arms Length, pursuant a written agreement entered inca prioz to this law's enaction,,

Mean Eigh Water Hark: The point at which tezzestzial vegetatiotl meets aquatic vegetation along livers , stzeams, lakes and al L other bodies o: water . Terrestrial vegetation being defined as tzees, grass, shzzbs, and associated plant Life, and aquatic veaetation being defined as cattails, floating or emezaenc vececatian.

Metes and Bounds : method oi desczibing the boundaries o: Land by dizections and distances Czcrtl a known point of zeiezece.

Miscellaneous Non-Residential ases: Any use except ane, two, and multi-family dwellLincs, mobile homes, modular hames, and accessory st:uczuzes.

Mobile Home: Manufactured housing designed with a chassis, and constructed to be towed, driven, or otherwise transported whole or in part to a site, and which is designed to permit occupancy for dwelling or sleeping purposes. Mobile home shall be construed to remain a mobile home, subject to regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. The term mobile shall not include modular homes or travel trailers.

Mobile Office: Land or building which is located, or which is maintained for use by (2) two or more mobile homes parked, and occupied to: Living purposes.

Modular Building: Manufactured housing designed with a chassis, and constructed to be towed, driven, or otherwise transported whole or in part to a site, and which is designed to permit occupancy for dwelling or sleeping purposes. Mobile home shall be construed to remain a mobile home, subject to regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. The term mobile shall not include modular homes or travel trailers.

Motel/Hotel: building or group of buildings, whether detached or connected units, containing transient and/or permanent lodging and the attendant public which may contain accessory facilities such as: restaurants, bars, business activities and related activities to attract transient occupants but to the general public, including buildings designated as auto cabins, auto courts, lodges, tourist courts and.

Motor Vehicle Repair Shop: building, or structure: a building intended for the repair, maintenance, and/or sanding, grinding, painting, or other work on motor vehicles, including the use of materials.

Motor Vehicle Sales: Establishment for display and sale of new and used motor vehicles, trailers, homes, and boats.

Nonconforming Use: Lot, SZZUCZUZ, use of land substantially of an area, this law, which does not conform to the zoning ordinance which it is located, where such use conformed to laws, ordinances and regulations prior to the enactment of this Law, the zoning ordinance replaced by this Law.

Open Space: Off-road space used for the temporary location of one licensed motor vehicle, which is at least nine feet wide and twenty-two feet long, including access driveway, and having direct access to a road.

Petroleum Bulk Storage: Any facility for the aboveground or underground storage of petroleum products such as gasoline, heating oil, heavy residual fuel oils, kerosene, or reprocessed waste for subsequent resale to distributors or retail outlets.

Portable Sign: Any sign which by its design is able to be and is actually moved from place to place.

Principal Use: The primary or predominant use of any land.

Public and Semi-Public Facility: Any one or more of the following uses, including grounds and accessory buildings necessary for their use: playgrounds and recreational areas; schools; public libraries; fire, ambulance and public safety buildings; and public meeting halls and community centers.

Recreation Vehicle: Any vehicle used for recreating including but not limited to; motor homes, pickup campers, van campers, and pop-up campers.

Restaurants: Establishments, however designated, at which food is sold for consumption to patrons seated within an enclosed building or on the premises. However, a snack bar or refreshment stand at a public or quasi-public or

community pool, playground or park operated by the agency or group or an approved vendor operating the recreational facilities and for the convenience of the patrons: the facility shall not be deemed to be a restaurant.

Retail Gasoline Outlet: Any establishment that sells gasoline to the public. This includes service stations, convenience stores, car washes or any other facility that sells gasoline.

Road: public or private way including easements and right-of-ways for vehicular traffic which affords the principal means of access to abutting properties or sites.

Road Line: The right-of-way line of a road as dedicated by a deed or record. Where the width of a road is not established, the road line shall be considered to be twenty-five (25) feet from the centerline of the road pavement.

Roadside Stand: A stall or booth of a temporary nature, for the sale of produce or goods. Earthen products grown on the premises.

Satellite Dish: A structure attached to the ground or any structure built for or intended for the purpose of the reception, television or radio programming or radio transmitted or relayed from an earth satellite.

Saw: Commercial facility engaged in the processing, milling and conditioning of logs.

School: Includes parochial, public and nurse training school, college, university, and accessory uses; and shall exclude commercially operated school of beauty, culture, business, dancing, drama, music, and similar establishments.

Setback: The distance from such lot line to the part of the building of the story, which is nearest to such lot line, which shall be deemed to be the average such building or story is "set back" or that is "set back" from such lot line.

Shoreline: That line at which land adjoins the water: rivers, lakes, and streams at the mean high water mark.

Sign: Any material, structure or device, part of the right-of-way, composed of pictorial matter which is located outdoors, or on the exterior building, or indoors as a window sign, displaying an advertisement, announcement, notice or name, and shall include any declaration, demonstration, display, representation, illustration or signs used to advertise the interests of any person or business or cause when it is placed in view of the general public.

Seasonal Kill: Places where the primary activity is the killing, butchering, or packaging of animals for compensation on a year-round basis. This shall be interpreted to include: seasonal butchering of: incidental deer, bear, livestock, or poultry.

Story: That portion of a building included between the surface of any floor and the surface of the floor or roof next above; the story above the lowest story which is seventy (70) percent more above the average level of the ground about the building.

Structure: Any object constructed, installed, or placed on land to facilitate land use and development or subdivision of land, such as buildings,

sheds, signs, kennels, tanks, and any fixtures, additions, and alterations thereto. The word fences shall not be included in the definition structure.

Use: The specific purposes for which land or a building is designed, arranged, intended, or to which it is or may be occupied or maintained.

Use Permit: A permit issued by the enforcement officer acknowledging an acceptable use according to the District Regulations. Such a permit is intended to inform the Town Board of new activity as well as make the applicant aware of any land use policies pertaining to the use.

User Permitted: A use not requiring Planning Board review, but requiring a zoning permit issued by the Enforcement Officer.

Use, Special: A use which is subject to conditions in a particular zone requiring a special use review and approval of the Planning Board prior to the issuance of a zoning permit by the enforcement officer.

Use, Temporary: An activity conducted a specified limited period of time. Examples of such uses are buildings incidental to new construction which are removed at the completion of the construction work.

Variance: variance is any departure the subject matter of this law granted by the Zoning Board of Appeals as it applies to a particular piece of property. Variances relate with the Land Use Act. particular to any one landowner.

Variance, Zoning: Shall mean the authorization by the Zoning Board of Appeals for the use of the land a manner which is not allowed by the dimensional or topographical requirements the applicable zoning law,

Variance, Use: Shall mean the authorization by Zoning Board of Appeals for the use of the land in a manner or for a purpose, which is allowed is prohibited by the applicable zoning law.

Warehouse: Terminal facilities associated with warehousing, maintenance facilities, and buildings used primarily for the storage of goods and materials.

Wetlands: Any lands or waters that are defined as wetlands according to the New York State Wetlands Act, Section 24-0107(1) and are mapped pursuant to a map filed with the State, County or Town Clerk.

Wetlands, Freshwater: Any lands or waters that are defined as wetlands according to the New York State Wetlands Act, Section 24-0107(1) and are mapped pursuant to a map filed with the State, County or Town Clerk.

Wetlands, Saltwater: Any lands or waters that are defined as wetlands according to the New York State Wetlands Act, Section 24-0107(1) and are mapped pursuant to a map filed with the State, County or Town Clerk.

Zoning: The process of dividing land into zones and regulating the use and development of land within those zones.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

(Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 1997.
of the ~~X County (City)~~ (Town) (Village) of Watson was duly passed by the
Town Board on ~~Sept. 10~~ Oct. 8, 1997, 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 the _____ (County) (City) (Town) (Village) was duly passed by the _____ on _____, 19____, and was (approved) (not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 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 the _____ was duly passed by the _____ on _____, 19____, and was (approved) (not approved) (repassed after disapproval) by the _____ on _____, 19____. Such local law was submitted to the people by reason of a _____ and received the affirmative vote of a majority of the qualified electors voting thereon at the _____ (annual) election held on _____ 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 the _____ (County) (City) (Town) (Village) was duly passed by the _____ on _____, 19____, and was (approved) (not approved) (repassed after disapproval) by the _____ on _____, 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 19____, 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 countywide 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.

(2)

t local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _ - of the City of - having been submitted to referendum pursuant to the provisions of

Article (36) (37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city or thereon at the (special) (general) election held became operative.

6. (County local law concerning adoption of Charter

I hereby certify that the local law annexed to, designated as local law No. _ - of the County of State of New York having been submitted to the electors at the General Election of November 1997, pursuant to subdivision 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 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.

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 is a true and correct copy of the whole of the original local law, and was finally adopted in the manner indicated in paragraph-----1-----, above.

Carol J. Skiff

Check of the County Clerk's Office
Xerox of the original local law
October 5
Date: September 10, 1997

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK

COUNTY OF -LEE..-S-----

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Joseph D. McGuire

Signature Joseph D. McGuire

law

Town Attorney

Title

September, 1997

~~XXXXXX~~

~~XXXX~~ of Watson

Town

~~XXXXXX~~

O C-fz • CGz- / 9/

Date:

