

NEW YORK STATE DEPARTMENT OF STATE  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001

# Local Law Filing

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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  
City of Richland  
Town  
Village

Local Law No. 1 of the year 20 18

A local law regulating zoning in the Town of Richland  
*(Insert Title)*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

County  
City of Richland as follows:  
Town  
Village

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**ARTICLE 1: ENACTING CLAUSE, TITLE, PURPOSES, AND  
APPLICATION**

**Section 101 – Enacting Clause**

Pursuant to the authority conferred by Chapter 62, Article 16 of the Town Law of the State of New York, the Town Board of the Town of Richland hereby adopts and enacts as follows:

**Section 102 – Title**

This Local Law shall be known as the “Zoning Law of the Town of Richland, New York.”

**Section 103 – Purposes of the Zoning Law**

The purposes of this Zoning Law, regulations, and zoning districts as outlined on the zoning map and as described in Section 590, infra, are to provide for orderly growth in accordance with a comprehensive plan, to lessen congestion in the streets, to secure safety from fire, flood and other dangers, to provide adequate lights and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, and to promote the health, safety, convenience, comfort and general welfare of the public.

The Zoning Law, regulations and zoning districts have been made with reasonable consideration, among other things, as to the character of each district and its peculiar suitability for particular uses, for consistency with State, local and Federal regulations, programs, and policies and with a view to conserving the value of buildings and encouraging the most appropriate use of land.



**Section 104 – Application of Regulations**

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

**Section 105 – Validity**

The invalidity of any section or provision of this Local Law shall not invalidate any other section or provision.

**Section 106 – Repealer**

This Local Law shall supersede all prior local laws, ordinances, rules and regulations relative to zoning in the Town of Richland, including the Town of Richland Zoning Ordinance, shall be, upon the effectiveness of this Local Law, null and void.

**Section 107 – Effective Date**

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

**Section 108 - Intentionally Omitted**

**Section 109 - Intentionally Omitted**

**Section 110 – Definitions**

**ACCESS ROAD:** A private roadway traversing over a lot of record, which contains two or more differently zoned areas. Upon approval by the Planning Board,

it shall be lawful for the owner to maintain an access road over the more strictly zoned portion of said lot of record solely to allow access by the general public for a permitted or specially permitted use lawfully maintained in the less strictly zoned areas.

**ACCESSION:** A physical modification of an existing parcel of property, either by the increase of land by natural accretion, or when used in reference to buildings, an addition to the parcel requiring construction of a new, separate, complete and detached building.

**ACCESSORY BUILDING:** A prefabricated or erected structure of a size no greater than 144 square feet which is used for the storage of tools, materials, including lawn mowers, snow plows, and other equipment used in the general upkeep in the home and the property and not intended to be used in a business or commercial manner.

**ACCESSORY USE:** A use incidental and subordinate to the principle use and located on the same lot with such principle use or building.

**ADDITION:** A structural change to an existing use or building which is physically joined to, and made a part of the pre-existing use or building, including but not limited to an attached garage and treated decks.

**AGRICULTURE:** The raising of fruits, vegetables and the like, and structures incident thereto including the raising or keeping of domestic farm animals, excluding kennels and veterinary clinics.

**AGRICULTURAL USE:** Land consisting of four contiguous acres or more used for raising or harboring livestock which includes but is not limited to poultry, horses, cows, sheep and goats; and/or land used for growing agricultural products. Agricultural use includes farm structures and storage of agricultural equipment; riding and boarding stable; and as accessory use, sale of agricultural products raised on the property. Growing of fruit or garden for personal onsite consumption is not

considered an agricultural use. Land upon which an agricultural structure or stable is situated must consist of four contiguous acres or more under the same ownership.

**ALTERATION, STRUCTURAL:** To change or rearrange the exterior architectural features, or the exit facilities, or the moving of a building from one location to another.

**AMUSEMENT CENTER:** Any indoor place or enclosure in which is maintained or operated for the amusement, patronage, or recreation of the public, any coin or token controlled amusement device of any description excluding juke boxes.

**AMUSEMENT DEVICE:** A coin or token operated device primarily for the entertainment of the customer, the use of which results in an electronic or mechanical displays an/or operation, and particularly but not be way of limitation the type commonly known as baseball, football, pinball amusement games, video games and coin operated bowling machines, but excluding juke boxes.

**APARTMENT:** A building or portion thereof arranged, intended or designed for or containing both dwelling units and individual guest rooms or suites of rooms, not primarily for transients.

**AUTOMOBILE OR TRAILER SALES AREA:** An area, whether open or enclosed, other than a street or public place used for the display, barter, purchase, sale, or rental of new or used motor vehicles, trailers, travel trailers, or watercraft, and where no repair work is done except for minor incidental repair of the vehicles to be displayed, sold or rented on the premises.

**AUTOMOBILE OR TRAILER SALES AND SERVICE AREA:** An area, whether open or enclosed, other than a street or public place used for the display, barter, purchase, sale, or rental of new or used motor vehicles, trailers, travel trailers, or watercraft.

**BASEMENT:** That habitable space of a building that is partly below grade which is more than half its height on average, measured from floor to ceiling, above the finished grade of the ground around the building. See, also: Cellar. A basement shall be counted as one half story in determining building height.

**BED AND BREAKFAST/BOARDING HOUSE:** A dwelling occupied by one family with three or more boarders or roomers in the same household and who are lodged with or without meals and in which there are provided such services which are incidental to its use as a temporary residence for part of the occupants. A rooming house and bed and breakfast shall be deemed a boarding house as are fraternities, and sororities when the owner resides in said dwelling.

**BOAT LAUNCH:** A public or private facility used by individuals for launching and temporary mooring of boats which have been pulled to the facility on a trailer and are to be removed in the same way. For the purposes of this Local Law, a boat launch shall not include special facilities for off-season boat storage, long term mooring of boats or for eating, sleeping or retail sales.

**BUILDING:** Any structure having a roof supported by columns, or by walls, and intended for shelter, housing, protection, or enclosure of persons, animals, or property. Depending upon its applicability, the use herein of "building" shall include the term "structure".

**BUILDING AREA:** Total of areas taken on a horizontal plane at main finished grade level of principal building and all accessory buildings exclusive of uncovered porches, terraces and steps. All dimensions shall be measured between exterior faces of walls.

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**BUILDING FRONT LINE:** Line parallel to front lot line transecting that point in the building face which is closest to front lot line. This face includes porches but does not include steps.

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

**BUILDING INSPECTOR:** For the purpose of this Local Law, the term building inspector, enforcement officer, and zoning enforcement officer shall be considered as synonymous.

**BUFFER AREA:** An area bordering the zoning district boundary between two differently designated districts and designated by the Planning Board as a buffer area reserved for plantings, fencing, or other similar screening devices which are dense enough and high enough to be a visual buffer between properties and designed to be for the purpose of creating a transition area wherein adjoining uses do not detract from each other. When the buffer area exists between a residential and nonresidential district the side and rear yard setback requirements of the residential district shall apply in the adjoining nonresidential district. Where this is impracticable, a portion of the adjoining residential district may be so designated, but only with the concurrence of the property owner of said residential portion.

**BUSINESS OFFICE:** The use of a building or facility to conduct a business primarily of a service character which is administrative, clerical, and/or necessary for the transaction of commerce, to include but not limited to, real estate appraisal, brokerage and sales, insurance brokerage and sales, financial planning, investigation, newspaper or magazine office and/or the administrative/clerical function of any other commercial activity which is conducted at a separate location, but excluding retail sales and service, retail store, manufacturing or repairing, and which conforms to the additional conditions set forth in Section 322 of this Local Law.

**CAMP:** Land upon which is located one cabin, shelter or other accommodation for seasonal or temporary living purposes excluding mobile homes, travel trailers, and motor homes, but including tents.

**CAMPGROUND:** Land, upon which two or more cabins, travel trailers, motorhomes, park models, tents, shelters or other accommodations for seasonal or temporary living purposes are located.

**CAMPSITE:** Land upon which one travel trailer, motor home or tent is located for temporary residence only and not more than six months in any calendar year.

**CAMPSITE AREA:** Land upon which two or more travel trailers, motor homes, or tents are located for temporary residence only and not more than six months in any one calendar year.

**CARGO SHIPPING CONTAINER:** A portable enclosed receptacle designed and used for the storage of shipment of goods, merchandise, material, and/or equipment no greater than 50 feet in length, 20 feet in width, or 10 feet in height. For the purposes of this Local Law, the trailer portion of a tractor trailer shall be considered a cargo shipping container when expressly used for the purpose of on-site storage.

**CARPORT:** A roof, structure, with or without enclosing walls, used for the storage of one or more automobiles. Also, see garage, residential.

**CELLAR:** An uninhabitable space partly underground but having more than one half of its floor to ceiling height below the average outside ground level. A cellar is not counted as a story in determining building height. See, basement and dwelling, earth sheltered.

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**CHARTER BOAT:** Shall mean every vessel which is propelled in whole or in part by mechanical power and is operated for commercial purposes on navigable waters by carrying passengers for travel, recreation, or vacation purposes for which

compensation is received. Operation of any vessel for a period of ten days with an average of three or more passengers shall constitute prima facie evidence that compensation has been received.

**CLUB:** Any organization catering exclusively to members and their guests, or premises and buildings for recreational or athletic purposes, which are not conducted primarily for gain, providing that they are not conducting any vending stands, merchandising or commercial activities except as required for membership and purposes of such club. Includes YMCA, YWCA, YMHA, fraternity, sorority, lodge, religious and similar clubs which may have dormitory accommodations.

**CLUB, PRIVATE:** A non-profit social organization whose premises are restricted to its members and their guests.

**CLUBHOUSE, COMMERCIAL:** A building used in conjunction with a recreational, athletic, or commercial operation and intended to be used primarily by patrons of said athletic, recreational, or commercial establishment. For example, a clubhouse operated in conjunction with a golf course. It shall not be necessary that the clubhouse be actually operated and owned by the owners of the athletic, recreational, or commercial establishment.

**CLUBHOUSE, SOCIAL:** A building to house a club or social organization not conducted for profit and which is not an adjunct to or operated by or in connection with a public tavern, café, or other public place.

**COMMERCIAL MARINA:** Shall mean any installation which provides any accommodations or facilities for watercraft, including mooring, docking, storing, leasing, sale or servicing of watercraft and which may include eating, sleeping and service facilities and off season storage located adjacent to the waters of this state and for which remuneration is received. The presence of four or more watercraft on a continuous basis for a period of 10 days shall constitute prima facie evidence that said accommodations are being provided for remuneration.

**COMMUNITY CENTER:** A public meeting hall, place of assembly, museum, art gallery, library or other similar operation not operated primarily for profit and open to the general public.

**CONDOMINIUM:** An apartment house or houses, the apartments or dwelling units of which are individually owned, each owner receiving a deed enabling him to sell, mortgage or exchange his apartment independent of the owners of the other apartments in the building or buildings.

**CONSTRUCTION ENGINEERING:** Buildings or land for the specific purpose of conducting a commercial construction business including all accessory uses or business offices associated therewith. Associated enclosed warehouse and/or enclosed service and repair area shall be allowed. Associated professional office space is also included.

Associated open storage yards shall be allowed provided an eight-foot fence or other acceptable barrier is maintained at said yards where public visibility is accessible.

Associated storage of fuel, oil, gasoline, and lubricants for use of the business occupants in maintaining and servicing equipment, said storage no more than 10,000 gallons and said items not for wholesale or resale use. Said storage to abide by all State and Federal Laws pertaining to specified items.

**CONVERSION:** The changing of use or occupancy of a dwelling by alteration or by other reorganization so as to increase the number of family or dwelling units in a structure.

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**COVERAGE:** That percentage of lot area covered by building area.

**CUMULATIVE IMPACT:** The actual or potential social, economic, and environmental consequences of a series of independent or interdependent actions or events, which when considered cumulatively produce a greater effect than any action or event taken by itself.



**DAY CARE CENTER:** A facility permitted by the New York State Office of Children and Family Services for the care of seven or more children for less than twenty-four hours each day.

**DOCK:** One structure in a lot of record and meeting state requirements used for securing or harboring of watercraft.

**DRIVE-IN:** An establishment of the type commonly referred to as "fast food restaurants," primarily catering to the motoring public, whether or not serving pedestrians as well, and which is engaged in the sale of food and beverages on a take-out basis, regardless of whether patrons have the option of eating inside the building or in their cars in the parking lot.

**DUMP:** A lot or part thereof used primarily for the disposal by abandonment, dumping, burial, burning, or any other means and for whatever purposes, of garbage offal, sewage, trash, refuse, junk, discarded machinery, vehicles, or parts thereof, or waste material of any kind, excluding toxic waste.

**DWELLING:** A building designed or used exclusively as living quarters of one or more families; the term shall not be deemed to include automobile court, motel, boarding or rooming house, mobile home, trailer, tourist home, or tent.

**DWELLING, EARTH SHELTERED:** A one or two unit dwelling specifically designed and constructed to use earth as a barrier and temperature moderator where the walls are substantially covered by earth, and the roof may be covered by earth, and where the grade adjoining at least one exterior wall for at least 50% of the width of such wall is not above the floor level of the habitable space. Also see basement and cellar.

**DWELLING, MUTIPLE FAMILY:** A building or portion thereof containing three or more dwelling units and designed or used for occupancy by three or more families living independently of each other.

**DWELLING, ONE FAMILY:** A building containing one dwelling unit and designed and used exclusively for occupancy by one family.

**DWELLING, TWO FAMILY:** A building designed for and occupied exclusively as a home or residence for two families.

**DWELLING UNIT:** A building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family (including any domestic servant employed on the premises); and having no enclosed place (other than vestibules, entrance or other hallways or porches) or cooking or sanitary facilities in common with any other "dwelling unit". A boarding house, convalescent home, dormitory, fraternity, sorority, hotel, inn, lodging or rooming house, nursing home or other similar house, or other similar structure shall not be deemed to constitute a dwelling unit.

**ENCLOSED SERVICE AND REPAIR:** The use of a building to conduct a business primarily of a service character, to include but not limited to such services as: cleaning, adjusting, replacing of component parts or assemblies, preparing for application of finish, applying a finish, installing accessories, repairing, and testing for such items as bicycles (pedal-powered), household appliances, furniture, office machines, computers and electronic equipment and which conforms to the additional conditions set forth in Section 322 of this Local Law, but shall not include auto or motor vehicle body repair, airplane, boat, farm machinery, trailer, and/or construction machinery repair, servicing or painting.

**ENERGY COOPERATIVE:** An electrical distribution system using alternative energy sources such as but not limited to solar energy systems and designed to supply energy needs to designated users.

**FAMILY:** One or more persons related by blood, adoption, or marriage, living in/or cooking together as a single housekeeping unit, exclusive of household servants not exceeding three in number. A number of persons, not exceeding five,

living and cooking together as a single housekeeping unit although not related by blood, adoption or marriage shall be deemed to constitute a family. Boarders and lodgers shall not be permitted in any family unit in excess of one in number.

**FENCE:** Any structure including walls or screens, erected for the purposes of enclosing land, screening land, dividing land, to direct or prohibit passage across land, to protect against a potential hazard or for decorative purposes.

**FINISHED GRADE:** The completed surfaces of lawns, walks and road brought to grades as shown on the official plans or designs relating thereto.

**FISH CLEANING STATION:** A commercial operation operated for the purpose of providing the service of cleaning fish for the general public for profit. For the purpose of this Local Law the maintenance of or operation of any building or structure at which fish are cleaned for three (3) or more members of the general public for a period of seven (7) consecutive days shall be prima facie evidence that the fish cleaning station is being operated for profit. Any fish cleaning station authorized under this Local Law shall be required to meet all state, local and federal regulations relative to said operation and to receive permits from the Oswego County Health Department and the Department of Environmental Conservation if necessary prior to commencing operation.

**FISHERMAN'S ACCESS:** A right of way, whether private or commercial, granted by a public or private land owner for the purpose of granting ingress to and egress from waterways to members of the general public for the purposes of fishing.

**FISHERMAN PARKING LOT:** A parking lot of ten (10) or more motor vehicles separate from another permitted enterprise, the use of which is to provide parking of motor vehicles occupied by a person or persons who intend to use the surface waters of the Township for sport or commercial fishing. Any separate parking lot of more than ten (10) vehicles shall be presumed to be a fisherman

parking lot unless the owner or operator shows clearly and convincingly that it is not primarily related to the fishing industry. See Section 595 (2) and Section 596.

**FLEA MARKET:** An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

**FLOOD OR FLOODING:** A general and temporary condition of partial or complete inundation of normally dry areas from an overflow of stream or rivers caused by severe storms or unusual and rapid surface water runoff.

**FLOOD PLAIN OR FLOOD PRONE AREA:** Any land area susceptible to being inundated by water from any source.

**FLOOD, 100 YEAR:** The highest level of flood that, on average, is likely to occur once every 100 years.

**FRATERNITY OR SORORITY HOUSE:** A dwelling maintained exclusively for the members of the fraternity or sorority enrolled in an academic college, university, or other educational institution.

**FUNERAL HOME:** A dwelling or other structure used and occupied by a professional licensed mortician for burial preparation and funeral services.

**GARAGE, COMMERCIAL:** A building or premises used for major storage, repair, rental, sale and/or servicing of motor vehicles and/or for the retail sale of fuel for such vehicles including painting, finishing, and/or body repairs.

**GARAGE, REPAIR AND SERVICE:** A building or place of business where oil, grease, batteries, tire, and automobile accessories are supplied and dispensed directly to the motor vehicle trade, at retail, and where minor repair services are rendered, excluding painting or body repairs.

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**GARAGE, RESIDENTIAL:** A building, accessory to dwellings, used exclusively for the parking or temporary storage of motor vehicles, boats, and trailers. For the purposes of this Local Law, a carport, as previously defined in this statute, shall be considered a residential garage.

**GARAGE SALES:** Household goods and clothing for sale to the general public, which are displayed in the garage, yard, or porch of a private residence or a non-profit organization. A yard, porch, lawn or rummage sale.

**GASOLINE, CONVENIENCE MARKET:** The retail sale of self-serve motor fuel at a facility which also offers for sale convenience goods such as food, beverage and sundries often on a 24-hour a day basis.

**GASOLINE STATION:** Building or land used for sale of motor fuel, oil and motor vehicle accessories, and which may include facilities for lubricating, washing or servicing vehicles, but not including painting or body repairs.

**GOLF COURSE:** Any lot, parcel, or tract of land, of a minimum size of ten acres, upon which is operated or maintained for the amusement, patronage, or recreation, public or private, whether or not for profit, a facility for the playing of the game or sport of golf, (the facility).

Included are the buildings and improvements necessary for the operation of the overall facility, including but not limited to cart storage and cart rental buildings, retail store for the sale or rent of golf related items, storage building(s) for equipment and supplies for the maintenance of the course and buildings for administrative purposes; but not including restaurant or restaurant-tavern facilities.

**GROUP HOME:** A home where a small number of unrelated people in need of care, support, or supervision can live together, such as those who are elderly or mentally ill.

**HOME OCCUPATION:** Accessory use of a service character conducted within a dwelling use for living purposes and does not change the character or have any exterior evidence of such use, and which conforms to the additional conditions set forth in Section 320 of this Local Law.

**HOME PROFESSIONAL OFFICE:** The office of one or more members of a recognized profession including but not limited to doctors, lawyers, architects,

maintained at a residence for the purpose of conducting the business of that profession and which conforms to the additional conditions set forth in Section 321 of this Local Law.

**HOSPITAL:** A building used for diagnosis, treatment or other care of human ailments, which terms includes a sanitarium, clinic, rest home, nursing home, convalescent home and institution for the insane.

**HOTEL:** A building used primarily to provide sleeping accommodations to the transient public in which more than six rooms are available for hire and providing additional services such as a restaurant, bar and meeting room.

**INDOOR RECREATION:** Any indoor place or enclosure in which is maintained or operated, for the amusement, patronage, or recreation of the public traditional sporting or recreational facilities including, but not limited to bowling, indoor tennis, gymnasium, swimming pool, indoor driving range, and indoor miniature golf course, volley ball, roller skating rink, ice skating rink and other similar uses.

**INDUSTRIAL PAPER MANUFACTURE AND RELATED PRODUCTS:** Building or land for the specific manufacture and development of paper and related products including all professional office space, or production space either enclosed or otherwise as may be associated therewith. Also, all storage facilities either enclosed or otherwise as may be associated therewith.

**JUNK:** The outdoor storage or deposit of any of the following whether in connection with another business or not; (a) Two or more junked vehicles. (b) Junk

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mobile home: Any enclosed dwelling built upon a chassis, motor vehicle, or trailer used or designed to be used for either permanent or temporary living, business and/or sleeping purposes including motor homes, truck campers, camping trailers, campers, travel trailers, pop-up trailers, tent trailers and overnight trailers; which is no longer suitable for human habitation or business use. (c) Junk: Ordinary household or

store trash such as paper, barrels, cartons, boxes, crates, furniture, rugs, clothing, rags, mattresses, blankets, tires, lumber, brick, stone, scrap metal or discarded materials no longer intended or in condition for ordinary use; and any and all tangible personal property no longer intended or in condition for ordinary and customary use, including junk vehicles, appliances and mobile homes. (d) Junk appliance: any stove, washing machine, dryer, freezer, refrigerator or other household device or equipment abandoned, junked, discarded, or wholly or partially dismantled. (e) Toxic chemicals and radioactive materials at levels that could be injurious to human, animal and biological life, exempting New York State licensed applicators.

**JUNK VEHICLE:** A "junk vehicle" is any motor vehicle whether automobile, bus, trailer, truck, tractor, mobile home, motorcycle, motor bicycle, mini-bicycle or snowmobile, or any other contraption originally intended for travel on the public highways which: (a) is unlicensed, unregistered, old, wrecked, stored, discarded, abandoned or dismantled or partly dismantled, which is not intended or in any condition for legal use upon the public highway, (b) is being held or used for the purpose of resale, reclamation, storage or disposal of parts, or (c) is in such condition as to cost more to repair and place in operating condition than its reasonable market value at the time before such repair.

With respect to any motor vehicle not required to be licensed or motor vehicle not usually used on public highways, the fact that such motor vehicle has remained unused for more than six (6) months and is not in condition to be removed under its own power shall be presumptive evidence that such motor vehicle is a "junk vehicle".

The fact that a motor vehicle may be licensed or registered with the State of New York, but does not display a current license plate, shall be presumptive evidence that such motor vehicle is unlicensed.

**JUNKYARD:** A licensed location for the placement and storage of junk and junk vehicles.

**KENNEL:** Land or building used for the harboring or sale of four or more dogs, cats, or other small animals which are over six months old, and for which compensation is received. Presence of four or more dogs, cats, or other small animals to other than the owner of the lot of record or his or her immediate family for a period of three or more days or sale of four or more dogs, cats or other small animals in any year shall constitute prima facie evidence that compensation is received, or which is operated by a recognized humane society.

**LAUNDROMAT:** Business premises which can be equipped with individual clothes washing machines for the use of retail customers, exclusive of laundry facilities, provided as an accessory use in an apartment house or an apartment hotel.

**LOADING SPACE:** Off-street space at least twelve (12) feet wide by forty (40) feet long used for temporary location of one licensed motor vehicle. Such space shall have access to a street or alley.

**LODGE:** A building or buildings used primarily to provide sleeping accommodations to the transient public at which no more than six (6) rooms are available for hire.

**LOT:** Land occupied or which may be occupied by a building and its accessory uses, together with such open spaces as are required, having not less than minimum area, width and depth required for a lot in the district in which such land is situated, and having frontage on a street, or other means of access as may be determined by the Planning Board to be adequate as a condition of issuance of a building permit for a building.

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**LOT AREA:** Total area within property lines, excluding any part thereof lying within the boundaries of a street, or proposed street.



**LOT, CORNER:** Lot which has an interior angle of less than 135 degrees at the intersection of two street lines. A lot abutting upon a curved street shall be considered a corner lot if tangents to the curve at points of intersection of side lot lines intersect at an interior angle of less than 135 degrees.

**LOT, DEPTH:** Mean horizontal distance from street line of the lot to its opposite rear line measured at right angles to the building front line.

**LOT FRONTAGE OR WIDTH:** That portion of a lot or parcel of land that borders a public highway. Frontage shall be measured along the common lot line separating said lot or parcel of land from the public street or road right-of-way.

**LOT LINE:** Any boundary of a lot. Any lot lines which are neither a rear line, nor a front line shall be deemed a sideline.

**LOT OF RECORD:** Any lot or premises which has been duly defined or recorded in the Oswego County Clerk's office prior to September 1, 1973. However, when a lot of record has been legally divided, partitioned, or otherwise altered after September 1, 1973, said lot shall be a lot of record as of the date of such division, partition or alteration.

**MANUFACTURED HOME:** A factory-manufactured dwelling unit built on or after June 15, 1976, and conforming to the requirements of the Department of Housing and Urban Development (HUD), Manufactured Home Construction and Safety Standards, 24 CFR Part 3208, 4/1/93, transportable in one or more sections, which in the traveling mode, is eight (8) feet (2,438 mm) more in width or forty (40) feet (12,192 mm) or more in length, or, when erected on site, is 320 square feet (29.7 m<sup>2</sup>) minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. The term "manufactured home" shall also include any structure that meets all the requirements of this definition except the size requirements and with respect

to which the manufacturer voluntarily files a certification required by the Federal Department of Housing and Urban Development (HUD) and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974, as amended. The term “manufactured home” shall not include any self-propelled recreational vehicle.

**MOBILE HOME:** A factory-manufactured dwelling unit built prior to June 15, 1976, with or without a label certifying compliance with NFPA, ANSI or a specific state standard, transportable in one or more sections, which in the traveling mode, is eight (8) feet (2,438 mm) or more in width or forty (40) feet (12,192 mm) or more in length, or, when erected on site, is 320 square feet (29.7 m<sup>2</sup>) minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. The term “mobile home” shall not include travel trailers or any self-propelled recreational vehicle.

**MANUFACTURED/MOBILE HOME DISTRICT:** Any area designated in the Zoning Local Law for the exclusive use of manufactured or mobile homes and attendant structures.

**MANUFACTURED/MOBILE HOME LOT:** A designated site within a manufactured or mobile home park for the exclusive use of the occupant of a single manufactured or mobile home.

**MANUFACTURED/MOBILE HOME PARK:** A tract of land used for the placement of two or more manufactured or mobile homes for non-transient use, and any other buildings or structures that may be pertinent to its use, and improved in accordance with the provisions of Section 531 of this Local Law. A manufactured or mobile home park may not be used for recreational vehicles, camps or seasonal dwellings. Also see travel trailer park.

**MODULAR HOME:** A factory manufactured dwelling. A building or structure that is a factory fabricated transportable building unit, designed to be permanently located or used by itself or to be incorporated with similar units at a building site into a modular structure to be used as a dwelling, as heretofore defined. For the purposes of this Local Law, a mobile home is not to be considered as a modular home.

**MOTEL:** A building or group of buildings containing individual living and sleeping accommodations for hire, primarily for use of transient automobile travelers. The term "motel" includes every type of similar establishment designated as an auto court, tourist court, tourist cabins, motor hotel and motor lodge.

**NONCONFORMING USE:** A building, structure or use of land lawfully existing at time of enactment of this Local Law or any amendments thereto, which does not conform to the regulations or the district or districts, in which it is located subsequent to said enactment or amendment.

**NONCONFORMING LOT:** A lot of record existing on the date of enactment of this Local Law or any amendments thereto which does not comply with the minimum frontage or area requirements for the zone in which it is located.

**NURSING OR CONVALESCENT HOME:** A building, other than a hospital, where persons, except insane, feeble minded, drug or liquor patients are lodged and furnished with meals and nursing care for hire.

**OPEN SPACE:** That part of the lot area not used for buildings, parking or service. Open space may include lawns, trees, shrubbery, garden area, foot paths, play areas, pools, water courses, wooded areas and paved surfaces used as access drives but not used for vehicular parking of any kind.

**OUTDOOR RECREATION:** Any lot, parcel or tract of land upon which is operated or maintained for the amusement, patronage, or recreation of the public, whether or not for profit, traditional outdoor sporting or recreational facilities,

including but not limited to tennis, golf, driving range, go-cart track, automobile race track, baseball, football, horseback riding, hiking, outdoor ice skating or roller skating rink, boating, marina, camp, camp ground, campsite, campsite area, bird watching and photography or other similar uses. The term “outdoor recreation” is not intended to include, nor shall it include the use of land for the commercial or recreational hunting of domestic animals. The Planning Board is given the right to decide what constitutes a domestic animal as necessary. The commercial or recreational hunting of domestic animals shall be considered a Type I action, pursuant to the New York State Environmental Quality Review Act.

**OWNER:** A person or persons holding title to a lot of record.

**PARK MODEL:** A factory manufactured structure used as a temporary or seasonal dwelling, which does not contain the Insignia of Approval as issued by the New York State Fire Prevention and Building Code Council, and/or the Emblem or Certification of the United States Department of Housing and Urban Development (HUD), and does not meet the definition of travel trailer as set forth by this Local Law. For the purposes of this Local Law a Park Model shall not be considered one of the following:

1. Camp
  2. Dwelling, factory manufactured
  3. Dwelling, One Family
  4. Dwelling, Two Family
  5. Mobile home
- 
6. Modular home
  7. Trailer/Camper

**PARKING LOT:** A place for parking of motor vehicles owned by parties unrelated to the property owner or his agent. Also see Fisherman Parking Lot.

**PARKING SPACE, AUTOMOBILE:** An area for the temporary storage and parking of motor vehicles, which has at least ten (10) feet of width, twenty (20) feet of length and seven (7) feet of clear height together with adequate provision for maneuvering and for passage to or from streets and alleys either directly or over a private driveway.

**PARKING SPACE, RECREATIONAL:** An area for the temporary storage and parking of motor vehicles, boats, travel trailers, mobile homes and other similar vehicles which has at least twelve (12) feet of width, twenty (25) feet of length and fourteen (14) feet of clear height, together with adequate provision for maneuvering, and passage to and from streets or alleys, either directly or over a private driveway.

**PERSONAL SERVICE:** The use of a building or facility to conduct the business of a recognized profession including but not limited to doctor, dentist, attorney, accountant, architect, engineer, land surveyor and other New York State registered occupations including but not limited to beautician, barber, hairdresser, optician, or counselor and which use conforms to the additional conditions set forth in Section 322 of this Local Law.

**PLANNED DEVELOPMENT:** A parcel of land as defined in Section 1115 of the Public Health Law of the State of New York, or otherwise more stringently required by any other section of this Local Law whether such parcel is held in single ownership, or controlled by a partnership, corporation or co-operative group, which is planned and developed as a unit for residential purposes, or with a mix of residential and non-residential building, with all the required streets, parking and loading area, accessory buildings, open space and other site amenities. A planned development shall involve detailed plan review and approval and accordance with performance standards and procedures as set forth in Section 410 of this Local Law.

**PORTABLE STORAGE CONTAINER:** A portable, weather-resistant receptacle designed and used for the storage or shipment of household goods, wares,

building materials and merchandise no greater than sixteen (16) feet in length, eight (8) feet in width or 8 ½ feet in height.

**PRIVATE NON-COMMERCIAL MARINA:** Any installation which provides any facilities or accommodations for watercraft belonging to the owner of said premises, or on an occasional non-remunerative basis for friends or family. Also see commercial marina.

**PRIVATE PARKING AREA:** An area devoted to parking of an automobile, travel trailer, motor home, boat, and other similar vehicles by the occupants of a dwelling or dwellings located on the same building lot.

**PROFESSIONAL RESIDENCE OFFICE:** Residence in which the occupant has a professional office which is clearly secondary to one family dwelling use for living purposes, and does not change the residential character and in which not more than one person outside the family are employed.

**PUBLIC UTILITIES:** An organization which provides a basic service to the public, such as water, waste disposal, energy, transportation, or telecommunication.

**QUARRY, SAND PIT, GRAVEL PIT, TOPSOIL STRIPPING:** A lot or land or part thereof used for the purpose of extracting stone, sand, gravel or topsoil for sale, as an industrial operation, and exclusive of the process of grading a lot preparatory to the construction of a building, for which application of a building permit has been made to the Zoning Enforcement Officer.

**RELIGIOUS INSTITUTION:** Church temple, parish house, convent, seminary and retreat house.

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**RESIDENTIAL USE:** One-family dwelling, two-family dwelling, multiple family dwelling, professional residence-office and mobile home.

**RESTAURANT:** An establishment engaged primarily in the sale of food and beverage, excluding alcoholic beverages, for on premises consumption with patrons

seated inside the building. This does not include those establishments whose primary business is of a take-out nature. Also see Drive In.

**RESTAURANT-TAVERN:** Shall mean an establishment primarily engaged in the sale of food and beverages, including alcoholic beverages for on premises consumption, with patrons seated inside the building. This does not include those establishments whose primary business is of a take-out nature.

**RETAIL SALES AND SERVICE:** A facility or activity established to accommodate the day to day and specialized shopping and personal service needs of support population.

**RETAIL STORE:** Grocery store, supermarket, store for sale of retail goods, personal service shop and department stores; excluding drive-in restaurants, free standing retail stand, new and used car sales and service, trailer and mobile home sales and service, automobile or trailer sales and service area, gasoline station, commercial garage, garage repair and service, and residential garage.

**ROAD, STREET:** An existing public, federal, state, county, or town right-of-way, whether paved or not, which is used for the movement of people and goods and to provide access to adjacent property.

**ROADSIDE STAND:** An accessory structure used for the sale of agricultural products grown and raised on the lot of record, operated by the owner or his immediate family. A structure shall not be considered a roadside stand, if goods not grown or raised upon the lot of record are also available for sale to the general public.

**ROLL-OFF DEBRIS CONTAINER:** An open top metal box used for the containment of construction or demolition debris, yard waste, or other similar waste and/or debris items. Such containers generally do not exceed 40 cubic yards in size and are commonly transported by a flatbed truck.

**ROOMER, BOARDER, OR LODGER:** A person occupying any room or group of rooms forming a single habitable unit used or intended to be used for living

and sleeping, but not for cooking or eating purposes, and paying compensation for lodging, or board and lodging whether or not by pre-arrangement for a week or more at a time to an owner or operator.

**SCHOOL:** Parochial, private and public school, college, university, and accessory uses; and shall exclude commercially operated schools of beauty culture, business, dancing, driving, music and similar establishments.

**SERVICE BUSINESS:** A facility established and operated to provide for the broader or more specialized service needs of a larger population base and drawing market support from the surrounding region in which work is performed in an expert manner by an individual or team for the benefit of its customers. The service business includes but is not limited to commercially operated schools of beauty, culture, business, dancing, driving, music, accounting, banking, consulting, cleaning, landscaping, education, insurance, treatment and similar establishments.

**SET BACK:** The horizontal distance from a particular lot line and the façade of any existing proposed building or structure nearest said lot line.

**SHOPPING CENTER:** A group of stores, shops and similar establishments occupying adjoining structures, all of which may be deemed as one building, if designed as an architectural unit, and if it has adequate space in the rear for loading and unloading commodities.

**SIGN:** Any structure or part thereof or device attached thereto, or painted or represented thereon, which shall display or include any letter, word, model, banner, pennant, insignia, device or representation used as, or which is in the nature of an announcement or advertisement or direction. Signs shall not include the flag, pennant, or insignia of any station, state, city or other political unit, or of any political educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement or event.

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**SIGN, ADVERTISING OR BILLBOARD:** Sign which directs attention to a business, industry, profession, service, commodity, or entertainment conducted, sold or offered elsewhere than upon the same lot.

**SIGN, AREA:** The area of a sign is measured by the following criteria: (a) when such sign is on a plaque or framed or outlined, all of the area of such plaque with the area enclosed by such frame or outlined shall be included; (b) When such sign consists only of letters, designs or fixtures engraved, painted, projected or any manner affixed on a wall structure, the total area of such sign shall be deemed the area of the smallest triangle, rectangle, polygon or circle within which all of the matter of which such sign consists may be inscribed; (c) for double-faced signs where the message is the same on both sides, the area of only one side shall be used to determine sides.

**SIGN, BUSINESS:** Sign which directs attention to a business, industry, profession, service, commodity, or entertainment sold or offered upon the same lot on which it is displayed, including "For Sale or Rent" signs.

**SPECIAL USE:** A use which, because of unique characteristics, requires a special permit in accordance with the provisions of this Local Law.

**SOLAR ENERGY SYSTEM:** Any solar collector panel(s), films(s), shingle(s) or other solar energy device(s), or solar structural component(s), mounted on a building or on the ground and including other appurtenant structures and facilities, whose primary purpose is to provide for the collection, storage, and distribution of solar, or radiant, energy received from the sun and used for heating or cooling, for water heating, and/or generation of electricity. A Solar Energy System may be ground-mounted (i.e., placed on top of the ground surface) or roof-mounted (i.e., placed on or as an integral part of a building).

**STORAGE, OUTDOOR:** Land outside any building or roofed area and used for the keeping of goods, supplies, raw material or finished products.

**STORAGE BUILDING:** A structure used for the keeping of goods, supplies, raw materials or finished products.

**STORAGE YARD, OPEN:** The space on a lot not occupied with a building which is used for the outdoor and open storage of finished products, boats and travel trailers.

**STREET:** Public way for vehicular traffic which affords principal means of access to abutting properties.

**STREET LINE:** Right of way line of a street as dedicated by a deed or record. Where the street width is not established, the street line shall be considered to be thirty feet from centerline of street pavement.

**STRUCTURAL ALTERATION:** The physical alteration of an existing building or structure when such alteration includes a physical expansion of the said building or structure. Structural alteration shall not include the addition of skirting, aluminum siding, or other materials used for cosmetic purposes, but which do not require the physical alteration of the existing building or structure.

**STRUCTURE:** A combination of materials assembled, constructed or erected at a fixed location, including for example, a building, stationary and portable carports, swimming pools, the use of which requires location on the ground or attachment to something having location on the ground.

**SWIMMING POOL:** Swimming pool shall mean any a body of water or receptacle for water having a depth at any point greater than two feet, used or intended to be used for swimming and bathing, and constructed, installed or maintained in or above ground. A swimming pool shall be deemed a structure for all purposes under the provisions of this Local Law, except a pool shall be erected or constructed with a minimum lot line of ten feet in any direction from the vertical water containment line. For purposes of this Local Law, the small plastic type wading pools for small children shall not be considered a swimming pool.

**THEATRE:** A building or part of a building devoted to showing moving pictures or stage productions on a paid admission basis.

**THEATRE, OUTDOOR DRIVE IN:** An open lot or part thereof, with its appurtenant facilities devoted primarily to the showing of moving pictures or theatrical productions on a paid admission basis, to patrons seated in automobiles or on outdoor seats.

**TOURIST HOME:** A dwelling in which overnight accommodations are provided or offered for transient guests, for compensation, but such use is secondary to the occupancy of a dwelling by a family.

**TRAVEL TRAILER:** A vehicular portable structure, including those commonly known as recreational vehicles or "RVs" built on a chassis designed to be used primarily for travel, recreational and vacation uses, having a body width not exceeding eight feet, and a body length not exceeding fifty-five feet.

**TRAVEL TRAILER PARK:** Property consisting of a tract of land and providing ground area for the parking of three or more occupied travel trailers, campers, mobile homes, the erection of tents or other structures for overnight occupancy, primarily for recreational or vacation purposes.

**USE, PERMITTED:** Use specifically allowed in the district, excluding illegal and nonconforming uses.

**USE, PRINCIPAL:** The specific purpose for which land, water or a building is designed arranged or intended to be used, or for which it is or may be occupied or maintained, land use or activity.

**VARIANCE:** Written authority to depart from, or modify the regulations of this Local Law, including the use of land, said authority to be granted by the Zoning Board of Appeals in accordance with the provisions of Article 3 of this Local Law.

**YARD:** Space on a lot not occupied with a building. Porches shall be considered as part of the main building and shall not project into a required yard.

**YARD, FRONT:** The space within and extending the full width of the lot from the front lot line to the part of the principle building which is nearest to such front lot line.

**YARD, REAR:** A space within and extending the full width of the lot from the rear lot line to the part of the principle building which is the nearest to such lot line.

**YARD SIDE:** The space within the lot extending the full distance from the front yard to the rear yard and from the side lot line to the part of the principal building which is nearest to such side lot line.

### **Section 111 – Waterfront Properties**

1. Properties lying in whole or part in an area zoned as R-C (residential cottage), having been established as a single lot prior to the effective date of the Zoning Local Law of the Town of Richland, New York.

2. SECTION 211 (1) of the Local Law notwithstanding in such areas it shall be lawful for an owner of a lot of record to alter, extend or modify a nonconforming use without applying for and receiving approval of an area variance from the Zoning Board of Appeals if the following conditions are met: (1) the proposed additions shall be within the pre-existing home boundaries or (2) does not (a) exceed 250 square feet and (b) come closer than five feet from any boundary and (c) is not construction requiring added water use and disposal in which case a special permit is required and (d) the proposed construction is not opposed by neighbors within 300 feet.

3. In R-C areas an owner of a lot of record requesting a “use variance” shall be required to follow all procedures as set forth in Section 303, infra.

4. Nothing in this definition shall be deemed to prohibit the erection of a fence upon property of a landowner on the condition that the said fence is not greater than three feet in height.

5. Notwithstanding Subsection I of this section an owner of a lot of record shall not make any alteration, extension or modification until he or she has received a zoning permit as provided in Section 203, infra. from the Zoning Enforcement Officer. The Zoning Enforcement Officer shall, prior to issuing said permit, ensure that all conditions of Subsection I have been met.

## ARTICLE II: ENFORCEMENT, ADMINISTRATION AND AMENDMENTS

### Section 201 – Enforcement

This Local Law shall be enforced by the Zoning Enforcement Officer. The Zoning Enforcement Officer shall be appointed by the Town Board annually. The Town Board may appoint a Deputy Zoning Enforcement Officer who shall enforce this Local Law should the Zoning Enforcement Officer be unable to perform his or her duties because of absence, health, death, or any other reason. The Town Supervisor may appoint an Acting Zoning Enforcement Officer for a period not exceeding one hundred twenty days should the Zoning Enforcement Officer or the Deputy Zoning Enforcement Officer, should there be one, not be able to perform his or her duties because of absence, health, death, resignation, retirement, or any other reason. The Acting Zoning Enforcement Officer may serve for a period exceeding one hundred twenty days with Town Board approval.

### Section 202 – Fees for Permits, Changes and Variances

Fees may be charged for applications for zoning district changes, zoning permits, special permits, variances, site plan approvals, and swimming pool permits. The Town Board shall, by a majority vote, establish such fees for each type of application, be it zoning permit, special permit, variance, site plan approvals, district change or swimming pool permit, which may or may not be uniform.

The Town Board may, by resolution, modify any or all such fees.

### **Section 203 – Zoning Permits**

1. No building or structure shall be erected, added to, or structurally altered until a zoning permit has been issued by the Zoning Enforcement Officer.

2. The Zoning Enforcement Officer shall not grant a zoning permit where the proposed construction, alteration or use thereof would be in violation of this Local Law.

3. The Zoning Enforcement Officer shall issue a zoning permit only after the site plan has been approved by the Planning Board, except in the case of one or two family dwelling, agricultural buildings, residential swimming pools, residential garages, storage buildings, and permits for temporary uses and structures as specified in Section 582; in addition, the Zoning Enforcement Officer may issue a permit for signs that require a zoning permit if the Planning Board authorizes the Zoning Enforcement Officer to approve site plans for such signs.

4. No swimming pools shall be erected or constructed until a swimming pool permit has been issued by the Zoning Enforcement Officer.

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5. A regular zoning permit shall be issued for a period of twelve months, contingent upon complete compliance with the plans submitted with the zoning permit. If after the issuance of the zoning permit, the Zoning Enforcement Officer determines that the addition, erection or alteration does not conform to the zoning permit, he/she shall revoke said zoning permit. Upon such revocation, it shall be

treated as if the zoning permit had not been issued and the Zoning Enforcement Officer shall commence any and all enforcement actions as provided in Section 208 infra. If the twelve month period expires prior to completion, the Zoning Enforcement Officer shall commence enforcement proceedings, unless prior to said expiration, the owner of said lot of record has submitted an application for the extension of the permit for one additional twelve month period contingent upon his or her complete compliance with the original application. There shall be a fee charged for an extension permit as established by Resolution of the Town Board.

#### **Section 204 – Certificate of Occupancy**

No land shall be used or occupied and no building hereafter erected, or the use altered, until a certificate of occupancy has been issued by the Zoning Enforcement Officer in accordance with provisions of this Local Law.

#### **Section 205 – Violations and Penalties**

1. The owner of licensee of property, who commits or permits any acts in violation of any of the provisions of this Local Law or fails to comply with the provisions thereof, shall be deemed to have committed an offense against such local law and also be liable for any such violation or the penalty therefore. Each day such violation shall continue or be permitted to exist shall constitute a separate violation.

2. Any conviction of a violation of this Local Law is a violation punishable by a fine not exceeding one thousand dollars or six month's imprisonment. Each week's continued violation shall constitute a separate offence. Such penalties shall be collectable by and in the name of the Town for each day that such violation shall continue.

3. In addition to any other penalties or remedies available to the Town under this Section, the Town Board may conduct a hearing to determine whether

such violation constitutes a significant public health or safety issue. Such hearing shall be on a minimum of 10 days notice to the owner, which notice may be served personally or by certified mail, return receipt requested, to the last known address of the owner as shown on the last completed tax roll.

a) Such notice shall specify the date, time and place of the hearing, the purpose of the hearing, the nature of the alleged violation, the owner may be present and participate in the hearing individually and/or through counsel, the fact that if the Town does determine that there is a significant health, safety or welfare issue, that it may enter the property to remedy the violation, and that all costs so incurred, including legal expenses, which will be assessed against the land on which such violation is located and shall be levied and collected in the same manner as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy.

b) The Town Board shall conduct a hearing on the date and time indicated in the notice and shall make findings of fact. Based on such findings, the Town Board shall determine whether any remedial action is required.

c) The Town Board shall notify the owner of its decision in the same manner as the notice of hearing. If no corrective action is taken within 10 days of such notice being either mailed or personally served upon the owner, then the own Board may authorize entry onto the property to do such remediation work or removal of the violation and may charge all costs so incurred, including legal expenses, as a tax against the land.

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4. In addition to all other penalties and remedies available to the Town under this section, the Town shall have the authority, upon resolution, to make an application at a special term of the Supreme Court, in the Judicial District in which such property is located, for an order determining the property to be a public nuisance, directing that the violation be remedied by either the owner or the Town



and imposing a civil penalty of fifty (\$50.00) dollars per day for each day the property remains in violation. In the event the Town is authorized to remove the violation, the costs so incurred, including legal expenses shall be a tax against the land on which such violation is located in the same manner as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy.

5. Penalty for Violation Without Court Order - Whenever a violation of this Local Law occurs, and thereafter without court proceedings or an administrative hearing, the violator applies for the necessary permit in order to correct same, no such permit shall be issued without a penalty of fifty dollars being paid in addition to the regular permit fee.

6. The hearing process outlined in Subdivision C of Section 205 is not an administrative remedy that must be exhausted before proceeding to Supreme Court. The Zoning Enforcement Officer for the Town of Richland shall have the discretion to determine which enforcement alternative is appropriate under the circumstances of each case, and shall have the discretion to determine whether to pursue more than one enforcement alternative.

#### **Section 206 – Complaints of Violations**

Whenever a violation of this Local Law occurs, any person may file a complaint in regard thereto. All such complaints shall be filed with the Zoning Enforcement Officer who shall properly record such complaint and immediately investigate.

#### **Section 207 – The Inspection and Notice of Violation**

The Zoning Enforcement Officer is authorized to inspect and examine, or cause to be inspected and examined, any building, structure, place, premises or use in the Town with regard to the provisions of this Local Law and to issue a written

order for the proper remedying or compliance, within a reasonable period of time, of any condition found to be in violation thereof, subject to the provisions of the Local Law.

### **Section 208 – Legal Action by Zoning Enforcement Officer**

If an unlawful condition or use is found not to have been properly remedied or made to comply with the provisions of this Local Law by the expiration of a reasonable time period, the Zoning Enforcement Officer is empowered to immediately institute any appropriate action, charge, or proceedings in the proper legal court, for the prevention, cessation or discontinuance of any condition, use, occupancy or act –in, on, or around any building, structure, or tract of land-and for the prosecution of any owner, occupant or offender.

### **Section 210 – Procedure for Amendments**

1. Regulations, districts and boundaries established by this Local Law may be amended or repealed after official notice has been given and a public hearing has been held by the Town Board as required by law.

2. Each petition requesting a change of zoning regulations or district boundaries, shall be typewritten, signed by the owner, filed in triplicate, and accompanied by the required fee.

3. Every such proposed amendment shall be referred to the Planning Board for a report before the public hearing.

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4. Planning Board may require a plan of proposed development for which a zoning district change is sought, to assist in their understanding of the case.

### **Section 211 – Nonconforming Uses**

The lawful use of any building or land existing at the time of the enactment of this Local Law may be continued although such use does not conform to the provisions of this Local Law subject to the following:

1. Extensions: A nonconforming use shall not be extended, until such time as the owner of the lot of record has applied for and received a special permit from the Planning Board. Notwithstanding the foregoing, the extension of a lawful use to any portion of any nonconforming building which existed prior to the enactment of this Local Law shall not be deemed the extension of such nonconforming use.
2. Abandonment of Discontinuance: When a nonconforming use has been abandoned or discontinued for a period of twelve consecutive months, or for a total of 24 months in any three year period, it shall not thereafter be re-established and the future use of such land or building shall be in conformity with the provisions of this Local Law.
3. Changes: Once changed to a conforming use, no building or land shall be allowed to revert to a nonconforming use.
4. Certificates: Existing nonconforming uses shall be certified and a certificate of occupancy shall be issued within 120 days of adoption of this Local Law.
5. A nonconforming residential building used as a one or two family dwelling, where the nonconformance is due to setback requirement, height or building area may be extended by regular permit, provided the extension does not decrease the existing setbacks.

#### **Section 212 – Alienability of Special Permits and Variances**

Unless the issuing body indicates that a special permit or variance is granted only to the applicant, any special permit or variance granted pursuant to this Local

Law shall be deemed to run with the land. Any conditions imposed on the initial special permit or variance shall continue with the subsequent owner, and upon violation of such conditions by any subsequent owner, the Zoning Board of Appeals may commence any enforcement action permitted under Section 208.

Prior to the transfer of said property, it shall be the obligation of the transferee to ensure that the special permit or variance is still in effect and that no conditions of such permit or variance have been violated.

**Section 213 – Action to Terminate Special Permits or Variances Upon Failure to Comply with Conditions Imposed**

At any time subsequent to the granting of a special permit or variance, the Zoning Board of Appeals may commence a proceeding to terminate said special permit or variance based upon a failure of the applicant to comply with any condition imposed at the time of the granting of such permit or variance. Such proceeding to terminate shall be brought before the Board which initially granted the special permit or variance and shall be an evidentiary hearing.

The chairman of the Board shall rule on all evidentiary matters, and the burden of proof shall be on the Zoning Board of Appeals to prove, by a preponderance of the evidence that the conditions previously imposed have been violated.

After the hearing is completed, the Board shall determine whether such conditions have been violated. To make a finding that such violations have occurred, there must be a concurring vote of a majority of the members of the Board.

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Upon a finding of such violations or violation, the Board must take one or more of the following actions:

1. Declare the special permit or variance terminated and instruct the Zoning Board of Appeals to commence any enforcement proceedings permissible under Section 208 of the Local Law, as if the original permit had not been granted.

2. Continue the special permit or variance under the same terms and conditions previously imposed.

3. Impose a civil penalty of up to \$1,000.00.

4. Impose new or other conditions or revoke prior conditions placed upon the special permit or variance; however such new conditions shall not take effect, nor shall any existing conditions be revoked until after a public hearing is held at which time all members of the public may be heard. During the interim period between the date of the determination of the Board and the date of the public hearing, all conditions of the initial permit or variance shall be continued in effect.

#### **Section 214 – Abandonment of Special Permits or Variances**

A special permit or variance shall continue until such time as it is voluntarily terminated, terminated by action of the appropriate issuing agency pursuant to Section 213, or is terminated by abandonment. For the purposes of this section, a special permit or variance shall be considered to be abandoned when it has been abandoned or discontinued for a period of 12 consecutive month's or for a total of 18 months in any three year period. A determination may be entered that said special permit or variance has been abandoned after a hearing in accordance with the procedures set forth in Section 213, unless said business is seasonal which shall consist of being open at least two months a year for purposes seasonally related.

### **ARTICLE III: BOARD OF APPEALS**

#### **Section 301 – Creation and Organization**

A Board of Appeals shall consist of five members to be appointed in accordance with Section 267 of the Town Law.

## Section 302 – Powers and Duties

The Board of Appeals shall have all the following powers and duties:

1. Interpretation: Upon appeal from a decision of the Zoning Enforcement Officer, to decide questions involving interpretation of any provision of this Local Law.

2. Variances: To vary strict application of the requirements of this Local Law in accordance with the following provisions:

a) Use Variance: where there is unnecessary hardship in the way of carrying out the strict letter of this Local Law, the Zoning Board of appeals shall have the authority to vary or modify the application of any of the use regulations or provisions of this Local Law so that its spirit shall be observed. No use variance shall be granted, however, unless the Zoning Board of Appeals finds:

i. That, for reasons set forth in the findings of the Board, no permitted use of the land in question will yield a reasonable return to the owner.

ii. That unique circumstances exist for the building or land in question which is not generally found throughout the district and which deprive the applicant of the reasonable use of such building or land.

iii. That the granting of the variance will be in harmony with the general purpose and intent of this Local Law, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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iv. That the hardship claimed is not self-created.

b) Area Variance: where there are practical difficulties or special conditions which make regulations governing lot size, yard size, building height and all other regulations not specifically related to use of land or buildings, unreasonable or impossible to comply with, the Zoning Board of Appeals shall have

the authority to vary or modify these regulations as long as the spirit of the regulation to be altered is observed. In granting an area variance the Board shall find:

i. That there is no practical way for the applicant to accomplish the intended objective by observing the area regulations specified in this Local Law.

ii. That the variance requested will not be unduly detrimental to adjoining properties.

iii. That the variance requested is not self-created and is the minimum necessary to grant relief.

Proof of severe economic hardship, or the ability to improve access to solar radiation for energy uses, may be grounds for granting an area variance. In granting any area variance, the Board of Appeals shall prescribe any conditions that it deems necessary or desirable.

All other subsections shall remain in full force and effect.

### **Section 303 – Procedure for Interpretation, Special Permit or Variance**

1. Board of Appeals shall act in strict accordance with the procedure specified by the Town Law and by this Local Law. All applications made shall be in writing, on forms prescribed by the Board. Every application shall refer to the specific provision of the Local Law involved, and shall set forth the interpretation claimed, use for which the special permit sought, or details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted.

2. At least thirty days before date of the public hearing, the secretary shall transmit to the Planning Board a copy of the application and notice of the hearing. The Planning Board shall submit a report of its advisory opinion prior to the hearing.

Failure of the Planning Board to submit a report shall be deemed to signify approval of application.

3. Every decision of the Board of Appeals shall be by resolution, which shall contain a full statement of their findings of fact in the case, and shall be recorded in their minutes.

### **Section 310 – Special Permits**

In every case where a Special Permit is required by this Local Law, the Planning Board shall issue such permit only after a Public Hearing has been held by said Board.

### **Section 311 – Required Plan for Special Permits**

An application for a special permit shall be accompanied by one set of preliminary plans and other descriptive matter to portray clearly the intentions of the applicant. These documents shall become part of the record. Such plans shall show location of all buildings, parking access and circulation, open space, landscaping, septic and drainage and all other information necessary to determine if the proposed Special Use meets the requirements of this Local Law. A copy of the deed for the premises and any restrictive covenants shall be provided upon request.

### **Section 312 – Standards for Special Uses**

The Planning Board may determine that additional standards should be imposed on the Special Use to provide adequate safe guards to protect the health, safety, morals or general welfare of the public, including the effect on the environment and for the preservation of the character of the neighborhood in which such proposed special use is to be placed to minimize possible detrimental effects of the use upon adjacent property.



### **Section 313 – Standards Applicable to all Special Uses**

The Planning Board may issue a Special Permit only after it has found that all the following standards and conditions have been satisfied:

1. Location, size of use and structure, nature and intensity of operations involved, size of site in relation to it, and the location of the site with respect to streets giving access to it, are such that it will be in harmony with orderly development of the district including the effect on the environment.
2. Location, nature and height of buildings, walls and fences will not discourage the appropriate development and use of adjacent land and buildings, or impair their value or alter the character of the area.
3. Special use shall not conflict with any master plan, or part thereof.
4. Operations of any special use shall not be more objectionable to nearby properties than would be the operations of any permitted use.
5. No Special Permit shall be issued for a use on a property where there is an existing violation of this Local Law, with the exception that upon a showing of undue hardship, the Planning Board shall have the power to waive this standard.

### **Section 314 – Compliance for Conditions of Special Use**

If the Planning Board determines, pursuant to Section 312, that additional standards be imposed on the Special Use, it may condition the granting of the special use upon compliance with certain conditions specified by said Board. Compliance for said conditions shall be mandatory throughout the duration of the Special Use and failure to conform to said conditions shall be grounds for revocation of the special use. Upon revocation of the Special Use, the Zoning Enforcement Officer may institute legal action as authorized in Section 208.

### **Section 315 – Variances**

In every case where a variance is required by this Local Law, the Board of Appeals shall issue such permit only after:

1. Referral to the Planning Board for their recommendation and receipt of their report, and
2. A public hearing has been held by the Board of Appeals.

### **Section 316 – Required Plan for Variances**

An application for a variance shall be accompanied by one set of preliminary plans and other descriptive matter to portray clearly the intentions of the applicant. A copy of the deed for the premises, and a copy of any restrictive covenants applying to the premises shall be provided upon request. These documents shall become part of the record. Such plans shall show location of all buildings, parking access and circulation, open space, landscaping, septic and drainage and all other information necessary to determine if the proposed variance meets the requirements of this Local Law.

### **Section 317 – Standards for Variances**

The Planning Board may recommend that additional standards be imposed upon the variance to provide adequate safe guards to protect the health, safety, morals, and general welfare of the public, including the effect on the environment, and for preservation of the general character of the neighborhood in which such proposed variance is to be place, and to minimize possible detrimental effects of the variance upon the adjacent property.

### **Section 318 – Compliance for Conditions of a Variance**

The Board of Appeals may, with or without, the prior recommendation of the Planning Board, condition the granting of a variance upon compliance for certain conditions specified by the Board of Appeals, compliance with said conditions shall be mandatory throughout the duration of the variance, and failure to conform to said condition, shall be grounds for revocation of the variance. Upon revocation of the variance, the Zoning Enforcement Officer may institute legal action as authorized in Section 208.

### **Section 319 - Intentionally Omitted**

### **Section 320 – Standards for Home Occupation**

In any district in which a home occupation is permitted by special permit or with special conditions, such home occupation shall be permitted when it:

1. Is located within a dwelling unit or in a building on the same lot.
2. Is operated by a person or persons living in the dwelling on the same lot as the home occupation is located.
3. Produces no unusual demand for parking and does not display or create outside the building any evidence of the home occupation, except that one non-illuminated wall sign shall be permitted.
4. Uses not more than 30 percent of the gross floor area when such home occupation is located within a dwelling.
5. If located in any building on the lot other than the dwelling, the building shall have no more than 1,000 square feet of ground floor area.

### **Section 321 – Standards for Home Professional Office**

1. Is located within a dwelling unit or in a building accessory to such dwelling and on the same lot.

2. Is occupied and used by a person or persons living in the dwelling and not more than two additional persons of the same profession.

3. Uses not more than 50 percent of the gross floor area when such office is located within a dwelling.

4. Provides adequate off-street parking space in accordance with the requirement of this Local Law, which parking space is not located in any front yard area and is paved, if required by the Planning Board, and landscaped to screen it from adjacent properties.

5. Does not require a sign that is greater than six square feet in area.

6. Has been approved by the Planning Board through the site plan review process.

**Section 322 – Standards for Business Office, Enclosed Service, Repair, and Personal Service**

In any residential district in which business office, enclosed service and repair, or personal service is permitted by special permit or with special conditions, such shall be permitted when it:

1. Is determined by the Planning Board that the proposed use meets the definition as stated in Section 110 of this Local Law.

2. Does not display or create outside the building or facility any evidence of the business office, enclosed service and repair, or personal service.

3. Provides adequate off-street parking space in accordance with the requirement of this Local Law, which parking space is not located in any front yard area and is paved and, if required by the Planning Board, landscaped to screen it from adjacent properties.

4. Provides a plan acceptable to the Planning Board of the storage, use, reuse, disposal, removal, recycling or reclamation of any compounds in excess of

ten gallons/forty pounds which are volatile, highly flammable, or which may cause toxic or explosive atmospheres that could be injurious to human, animal or biological life.

5. Does not require a sign that is greater than sixteen feet in area.
6. Has been approved by the Planning Board through the site plan review process.
7. Strict adherence to these conditions may be modified by the Planning Board upon a showing of undue hardship.

#### **ARTICLE IV: ZONING DISTRICT REGULATIONS, ZONING MAP**

##### **Section 401 – Establishment of Zoning Districts, Residential Recreation 3, RR 3**

The Town of Richland is hereby divided into the following zoning districts:

- Commercial, CM
- Commercial/Industrial Floating Overlay, CIFO
- Hamlet Overlay, HO
- Industrial, IN
- Planned Development, PD
- Residential Agriculture, RA
- Residential Cottage, RC
- Residential Recreation, RR
- Residential Recreations 3, RR3

##### **Section 402 – Zoning Map**

The zoning districts are shown, defined and bounded on the zoning map accompanying this Local Law. The zoning map is hereby made a part of this Local Law and shall be on file in the office of the Town Clerk.

**Section 403 – Interpretation of Zoning District Boundaries**

1. Questions concerned with the exact location of district boundary lines as shown on the zoning map shall be resolved by the Board of Appeals.

2. Where a district boundary line divides a lot of record at the time such line is adopted, the regulations for the less restricted part of such lot shall extend not more than fifty feet into the more restricted part, provided the lot has frontage on a street in the less restricted district.

**Section 404 - Intentionally Omitted**

**Section 405 – Standards for Multiple-Family Dwelling Units in Planned Development Districts**

In Planned Development districts where specifically permitted by the Town Board, multiple-family dwelling units may be constructed to the following regulations:

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Lot Area Minimum:	5,000 sq. ft. plus an additional 3,000 sq. ft. each 1 bedroom unit 3,500 sq. ft. each 2 bedroom unit 4,500 sq. ft. each 3 or more bedroom unit
Front Line Minimum:	120 feet
Lot Depth Minimum:	150 feet
Front and Rear Yard Minimum:	40 feet
Side Yard Minimum:	25 feet each
Coverage Maximum:	20 percent
Maximum Units/Building:	12

- Building Height Maximum: Three stories or 35 feet, whichever is less:  
accessory buildings 15 feet.
- Supplementary Regulations:
1. As set forth in Article V hereof.
  2. Site plan approval required.
  3. No multiple-family dwelling units are permitted in basements.
  4. Approved water supply and sewage disposal systems required.

### Section 410 – Planned Development and Planned Development Districts

#### 1. Objectives of a Planned Development

- a) A maximum choice in the types of environment, occupancy tenure (e.g., co-operatives, individual ownership, condominium, leasing), types of housing, lot sizes and community facilities available to existing and potential Town residents at all economic levels;
- b) More usable open space and recreation areas;
- c) More convenience and flexibility in the location of any non-residential facilities;
- d) The preservation of trees, drainage ways, outstanding natural topography and geologic features and prevention of soil erosion;
- e) A creative use of land and related physical development;
- f) An efficient use of land resulting in smaller networks of utilities and streets and thereby lower development and maintenance costs;
- g) A more desirable environment than would be possible through the strict application of other articles of this Local Law.

#### 2. Permitted Land Use Activities

All residential land uses are permitted in a Planned Development and any non-residential land uses will be permitted if the developer can demonstrate that such

uses will benefit the long-range development of the Town and will contribute to the quality of the proposed project.

### 3. Preliminary Proposal

Any applicant wishing approval for a Planned Development shall submit a request to the Planning Board, with a copy to the Town Board, in the form of a Preliminary Proposal which shall include:

a) A sketch development plan showing existing and proposed land use and the approximate location of proposed buildings, existing topographic characteristics, approximate location of streets and easements, and existing land uses immediately adjacent to the proposed Planned Development.

b) A written explanation of the character and purpose of the Planned Development including the type and density of any housing proposed, the water supply and sewage disposal system proposed, a general statement of proposed financing, and an indication of the expected timetable for development.

### 4. Developer's Conference and Public Hearing

Within 45 days after receipt of the Preliminary Proposal, the Planning Board shall schedule a conference with the applicant to review the proposed Planned Development, and shall hold a public hearing on such proposal in accordance with applicable provisions of this Local Law. If said proposal seems to be in accordance with general planning objectives for the area, and the objectives of this Section, the Planning Board and applicant shall jointly consider the conditions and specifications ~~under which the proposal may be approved. Any such conditions specifications shall~~ be presented at the public hearing.

### 5. Planning Board Action

Within 45 days after the public hearing the Planning Board shall conditionally approve or disapprove the proposed Planned Development. The time for such action may be extended by mutual consent of the applicant and the Planning Board.



Conditional approval shall be for a period of one year and shall be subject to acceptance of the Final Development Plan by the Planning Board. Such one-year time period may be extended for an additional year if the Planning Board feels that circumstances warrant such extension.

6. **Final Development Plan**

Upon receiving conditional approval by the Planning Board the applicant shall prepare a Final Development Plan for submission to the Planning Board for approval. Such submission shall include:

a) Drawings showing the final location of any streets and plot lines, the location of all buildings and land use activities, any areas to be conveyed, dedicated or reserved for parks or open space, a clear indication of the appearance of proposed structures and the materials to be used, and a landscaping and tree planting plan.

b) Written statements including any staging of construction being considered, a timetable for beginning and completing construction of each stage, and proof of any performance guarantee which may be required by the Planning Board.

c) Any additional drawings or statement which may be required by the Planning Board in making its review.

7. **Control of Planned Development**

Written approval of a Final Development Plan by the Planning Board shall authorize the Enforcement Officer to issue a special permit for construction in accordance with such approved plan. Extensions or alterations of such approved Final Plan must be approved by the Planning Board and may, at the Planning Board's discretion, be subject to the same review and approval procedure, including a public hearing as the original application. If, after passage of the Final Development Plan, the Zoning Enforcement Officer becomes aware that there has been a deviation from

the Final Development Plan he may begin any and all enforcement procedures permissible under Section 208, supra.

8. **Certificate of Occupancy**

Upon completion of the Planned Development, or any state of it, the Enforcement Officer shall issue a Certification of Occupancy in accordance with Section 204 of this Local Law.

9. **Site Plan Review in Subdivision Control**

If part of a Planned Development proposal involves the subdivision of land into smaller parcels for sale to individual owners, the site plan review by this Section shall suffice for Planning Board review under the Town's subdivision regulations. In such cases, the developer shall prepare a subdivision plat suitable for filing with the County Clerk in addition to the required Planned Development drawings. Final site plan approval under this Section shall constitute final plan approval under the Town subdivision regulations and the plan shall be filed with the County Clerk in the manner prescribed by said Town subdivision regulations.

**Section 411 – Site Plans**

The owner shall submit one set of the site plan of the proposed Planned Development to the Planning Board for review, as required in Section 502.

**Section 412 – Findings Required**

The Planning Board shall recommend the approval, approval with modifications, or disapproval of the site plans. The Planning Board may recommend to the Town Board establishment of a Planned Development District provided that they find facts submitted with the plans established that:

1. Uses proposed will not be detrimental to present and potential surrounding.

2. Land surrounding the proposed development can be planned in coordination with the proposed development and that it is compatible in use.
3. The proposed zoning change is in conformance with the intent of the comprehensive plan.
4. Existing and proposed streets are suitable and adequate to carry anticipated traffic within, and in the vicinity of the proposed district.
5. Existing and proposed utility services are adequate for proposed development.
6. Each phase of the proposed development, as proposed to be completed, contains the required parking spaces and landscaped areas necessary for creating and sustaining a desirable and stable environment.

**Section 413 - Public Hearings**

1. Town Board may amend the zoning map after holding a public hearing, but such action shall have the effect only of granting permission for development of the specific proposal, in accordance with the site plans approved by the Town Board. An appropriate notation to that effect shall be made on three sets of plans. One set shall be retained by the Town Clerk.
2. Planned development approval by the Town Board shall be secured by the owner for each phase of development.

**Section 414 – Planned Development Districts**

Lot Area Minimum – 5,000 sq. ft. plus an additional 3,000 sq. ft. each bedroom unit, 3,500 sq. ft. each two bedroom unit, 4,500 sq. ft. each three or more bedroom unit.

Front Line Minimum:	120 feet
Lot Depth Minimum:	150 feet

Front Yard Minimum:	40 feet
Rear Yard Minimum:	40 feet
Side Yard Minimum:	25 feet
Maximum Coverage:	20 percent
Maximum Unit/Buildings:	12
Maximum Building Heights:	3 Stories or 35 feet, whichever is less; accessory buildings 15 ft.

**Section 420 – Residential Agriculture RA, Permitted Uses**

The following uses are permitted in residential agriculture districts:

- |                                   |                                   |
|-----------------------------------|-----------------------------------|
| 1. Agricultural Use               | 8. Garage, Residential            |
| 2. Camp                           | 9. Garage Sales                   |
| 3. Dock                           | 10. Mobile Home                   |
| 4. Dwelling, Earth Sheltered      | 11. Modular Home                  |
| 5. Dwelling,<br>Manufactured Home | 12. Private Non-Commercial Marina |
| 6. Dwelling, One Family           | 13. Road Side Stand               |
| 7. Dwelling, Two Family           | 14. Swimming Pool                 |

**Section 421 – Residential Agriculture RA, Uses Requiring Special Permits**

The following uses are permitted after issuance of a special permit:

- |                               |                                    |
|-------------------------------|------------------------------------|
| 1. Access Road                | 17. Enclosed Service and Repair    |
| 2. Accessory Use              | 18. Fish Cleaning Station          |
| 3. Air Craft Landing Strip    | 19. Fisherman’s Access             |
| 4. Amusement Center           | 20. Fisherman’s Parking Lot        |
| 5. Animal Hospital            | 21. Flea Market                    |
| 6. Bed and Breakfast          | 22. Funeral Home                   |
| 7. Boarding House             | 23. Golf Course                    |
| 8. Boat Launch                | 24. Group Home                     |
| 9. Business Office            | 25. Home Occupation                |
| 10. Campground                | 26. Hotel                          |
| 11. Club                      | 27. Junkyard with Junkyard License |
| 12. Club, Private             | 28. Kennel                         |
| 13. Community Center          | 29. Lodge                          |
| 14. Condominium               | 30. Manufactured Home Park         |
| 15. Day Care Center           | 31. Mobile Home Park               |
| 16. Dwelling, Multiple Family | 32. Motel                          |

- |   |                           |
|---|---------------------------|
| 33. Nursing Home/Convalescent Home                  | 40. Religious Institution |
| 34. Outdoor Recreation                              | 41. Restaurant            |
| 35. Parking Lot                                     | 42. Retail Service        |
| 36. Personal Service                                | 43. Retail Store          |
| 37. Planned Development                             | 44. School                |
| 38. Professional Residence Office                   | 45. Service Business      |
| 39. Quarry, Sand Pit, Gravel Pit, Topsoil Stripping | 46. Storage Building      |
|   | 47. Tourist Home          |

**Section 422 – Residential Agriculture RA, Area, Yard, Coverage, Height, and Supplementary Regulations**

	<u>Residential Uses</u>	<u>All Other Uses</u>
Lot Area Minimum:	40,000 sq. ft.	80,000 sq. ft.
Lot Frontage Minimum:	120 ft.	200 ft.
Building Front Line Minimum:	120 ft.	200 ft.
Lot Depth Minimum:	200 ft.	200 ft.
Front Yard Minimum:	40 ft.	50 ft.
Rear Yard Minimum:	40 ft.	50 ft.
Side Yard Minimum:	25 ft.	50 ft.
Coverage Maximum:	20 percent	20 percent
Height Maximum:	Three stories or 35 feet, whichever is less; accessory building 15 feet. No height limit for agricultural uses.	
Supplementary Regulations:	<ol style="list-style-type: none"> <li>1. As set forth in Article V hereof.</li> <li>2. Site plan approval required for non-residential uses.</li> </ol>	

**Section 426 – Intentionally Omitted**

**Section 427 – Intentionally Omitted**

**Section 428 – Intentionally Omitted**

**Section 429 – Intentionally Omitted**

**Section 430 – Residential Recreation (RR), Permitted Uses**

The following uses are permitted in residential recreation districts:

- |                                |                                   |
|--------------------------------|-----------------------------------|
| 1. Camp                        | 7. Garage, Residential            |
| 2. Dock                        | 8. Garage Sales                   |
| 3. Dwelling, Earth Sheltered   | 9. Modular Home                   |
| 4. Dwelling, Manufactured Home | 10. Private Non-Commercial Marina |
| 5. Dwelling, One Family        | 11. Road Side Stand               |
| 6. Dwelling, Two Family        | 12. Swimming Pool                 |

**Section 431 – Residential Recreation (RR), Uses Requiring Special Permit**

The following uses are permitted in a residential recreation district after issuance of a special permit:

- |                                 |                            |
|---------------------------------|----------------------------|
| 1. Access Road                  | 23. Fish Cleaning Station  |
| 2. Accessory Use                | 24. Fisherman's Access     |
| 3. Agricultural Use             | 25. Flea Market            |
| 4. Aircraft Landing Strip       | 26. Fraternity or Sorority |
| 5. Amusement Center             | 27. Funeral Home           |
| 6. Animal Hospital              | 28. Golf Course            |
| 7. Bed and Breakfast            | 29. Home Occupation        |
| 8. Boarding House               | 30. Hotel                  |
| 9. Boat Launch                  | 31. Indoor Recreation      |
| 10. Business Office             | 32. Kennel                 |
| 11. Campground                  | 33. Laundromat             |
| 12. Campsite                    | 34. Lodge                  |
| 13. Charter Boat                | 35. Manufactured Home Park |
| 14. Club                        | 36. Motel                  |
| 15. Club, Private               | 37. Open Storage Yard      |
| 16. Commercial Marina           | 38. Outdoor Recreation     |
| 17. Community Center            | 39. Personal Service       |
| 18. Condominium                 | 40. Planned Development    |
| 19. Day Care Center             | 41. Religious Institution  |
| 20. Drive-In                    | 42. Restaurant             |
| 21. Dwelling, Multiple Family   | 43. Retail Service         |
| 22. Enclosed Service and Repair | 44. Service Business       |

- 45. School
- 46. Tavern

- 47. Tourist Home
- 48. Trailer/Travel Trailer Park

**Section 432 – Residential Recreation (RR), Area, Yard, Coverage, Height, and Supplementary Regulations**

	<u>Residential Uses</u>	<u>All Other Uses</u>
Lot Area Minimum:	40,000 sq. ft.	80,000 sq. ft.
Lot Frontage Minimum:	120 ft.	200 ft.
Building Front Line Minimum:	120 ft.	200 ft.
Lot Depth Minimum:	200 ft.	200 ft.
Front Yard Minimum:	40 ft.	50 ft.
Rear Yard Minimum:	40 ft.	50 ft.
Side Yard Minimum:	25 ft.	50 ft.
Coverage Maximum:	None	20 percent
Height Maximum:	Three stories or 35 feet, whichever is less; accessory building 15 feet. No height limit for agricultural uses.	
Supplementary Regulations:	<ol style="list-style-type: none"> <li>1. As set forth in Article V hereof.</li> <li>2. Site plan approval required for non-residential uses.</li> <li>3. Residential lot areas/widths subject to Section 580.</li> </ol>	

**Section 433 – Intentionally Omitted**

**Section 434 – Intentionally Omitted**

**Section 435 – Intentionally Omitted**

**Section 436 – Intentionally Omitted**

**Section 437 – Intentionally Omitted**

**Section 438 – Residential Recreation 3 RR3, Permitted Uses and Uses Requiring Site Plan or Special Permit**

A. The following uses are permitted in Residential Recreation 3 districts:

- |                         |                               |
|-------------------------|-------------------------------|
| 1. Agricultural Use     | 6. Garage, Residential        |
| 2. Camp                 | 7. Marina, Private            |
| 3. Dock                 | 8. Residential Accessory Use  |
| 4. Dwelling, One Family | 9. Roadside Stand             |
| 5. Dwelling, Two Family | 10. Swimming Pool-Residential |

B. The following uses are permitted in an RR3 district after issuance of a special permit:

- |   |  |
|---|--|
| 1. Accessory Uses (as related to uses listed below)                   | 16. Fisherman’s Parking Lot  |
| 2. Amusement Center (limited to being incorporated with on-site uses) | 17. Golf Course  |
| 3. Bed and Breakfast  | 18. Home Occupation  |
| 4. Boat Launch  | 19. Hotel  |
| 5. Business Office (related to other)                                 | 20. Indoor Recreation  |
| 6. Campsite (including hunting lodges)                                | 21. Lodge  |
| 7. Charter Boat   | 22. Marina-Commercial  |
| 8. Club, Private  | 23. Outdoor Recreation (including equestrian, skiing, snowshoe trails) |
| 9. Club, Public   | 24. Restaurant   |
| 10. Community Center  | 25. Restaurant/Tavern  |
| 11. Condominium & Condominium Timeshare                               | 26. Retail Service   |
| 12. Day Care Center   | 27. Retail Store   |
| 13. Dwelling, Multiple Family   | 28. School (including educational center or facility)                  |
| 14. Fisherman’s Access  | 29. Shopping Center (limited to related retail uses – small scale)     |
| 15. Fisherman’s Cleaning Station                                      | 30. Storage Building   |
|   | 31. Travel Trailer Park  |

**Section 439 – Residential Recreation 3 RR3, Area, Yard, Coverage, Height, and Supplemental Regulations**

**Residential Uses   All Other Uses**



Lot Area Minimum:	40,000 sq. ft.	80,000 sq. ft.
Lot Frontage Minimum:	120 ft.	200 ft.
Building Front Line Minimum:	120 ft.	200 ft.
Lot Depth Minimum:	200 ft.	200 ft.
Front Yard Minimum:	40 ft.	50 ft.
Rear Yard Minimum:	40 ft.	50 ft.
Side Yard Minimum:	25 ft.	50 ft.
Coverage Maximum:	None	20 percent
Height Maximum:	Three stories or 35 feet, whichever is less; accessory building 20 feet. No height limit for agricultural uses.	
Supplementary Regulations:	<ol style="list-style-type: none"> <li>1. As set forth in Article V hereof.</li> <li>2. Residential lot areas/widths subject to Section 580.</li> </ol>	

**Section 440 – Residential Cottage, Permitted Uses**

The following uses are permitted in residential cottage districts:

- |                         |                                  |
|-------------------------|----------------------------------|
| 1. Camp                 | 6. Garage Sales                  |
| 2. Dock                 | 7. Modular Home                  |
| 3. Dwelling, One Family | 8. Private Non-Commercial Marina |
| 4. Dwelling, Two Family | 9. Swimming Pool                 |
| 5. Garage, Residential  |                                  |

**Section 441 – Residential Cottage (RC), Uses Requiring Special Permit**

The following uses are permitted after issuance of a special permit:

- |                      |                               |
|----------------------|-------------------------------|
| 1. Accessory Road    | 11. Condominium               |
| 2. Accessory Use     | 12. Day Care Center           |
| 3. Bed and Breakfast | 13. Dwelling, Multiple Family |
| 4. Boarding House    | 14. Fisherman’s Access        |
| 5. Boat Launch       | 15. Home Occupation           |
| 6. Business Office   | 16. Outdoor Recreation        |
| 7. Campsite          | 17. Personal Service          |
| 8. Club, Private     | 18. Professional Office       |
| 9. Commercial Marina | 19. Tourist Home              |
| 10. Community Center |                               |

**Section 442 – Residential Cottage (RC), Area, Yard, Coverage, Height, and Supplementary Regulations**

Lot Area Minimum:	24,000 sq. ft.
Lot Frontage Minimum:	120 ft. (for non-residential uses 200 ft.)
Building Front Line Minimum:	120 ft.
Lot Depth Minimum:	200 ft.
Front Yard Minimum right-of-way:	20 ft. from road
Minimum distance to edge of high water mark if applicable:	20 ft.
Minimum Rear Yard:	20 ft. (or yard opposite shoreline on lake shore side)
Side Yard both sides set back must total:	30 ft. with each side being set back at least 7 ft.
Height Maximum:	35 ft. or two (2) stories

**Section 443 – Residential Cottage (RC), Area Prohibited Uses**

The following uses are prohibited in residential cottage area:

1. Storage of motor fuel in an amount exceeding 55 gallons.

**Section 444 – Intentionally Omitted**

**Section 445 – Intentionally Omitted**

**Section 460 – Commercial (CM), Permitted Uses**

---

The following uses are permitted in commercial districts:

- |                      |                                 |
|----------------------|---------------------------------|
| 1. Accessory Use     | 18. Garage Sales                |
| 2. Bed and Breakfast | 19. Gasoline Convenience Market |
| 3. Boarding House    | 20. Gasoline Station            |
| 4. Business Office   | 21. Home Occupation             |
| 5. Camp              | 22. Laundromat                  |
| 6. Community Center  | 23. Modular Home                |
| 7. Dock              | 24. Personal Service            |

- |                                 |                                   |
|---------------------------------|-----------------------------------|
| 8. Drive-In                     | 25. Private Non-Commercial Marina |
| 9. Dwelling, Earth Sheltered    | 26. Professional Office           |
| 10. Dwelling, Manufactured Home | 27. Road Side Stand               |
| 11. Dwelling, One Family        | 28. Service Business              |
| 12. Dwelling, Two Family        | 29. Shopping Center               |
| 13. Enclosed Service and Repair | 30. Storage Building              |
| 14. Funeral Home                | 31. Swimming Pool                 |
| 15. Garage, Commercial          | 32. Theater                       |
| 16. Garage, Residential         | 33. Tourist Home                  |
| 17. Garage and Repair Service   | 34. Travel Trailer Park           |

**Section 461 – Commercial (CM), Uses Requiring Special Permit**

The following uses are permitted after issuance of a special permit:

- |   |   |
|---|---|
| 1. Accessory Use                            | 23. Freight or Trucking Terminal                    |
| 2. Amusement Center                         | 24. Golf Course                                     |
| 3. Auto or Travel Sales Area                | 25. Group Home                                      |
| 4. Auto or Travel Service and Sales Area    | 26. Hospital  |
| 5. Aircraft Landing Strip                   | 27. Hotel   |
| 6. Animal Hospital                          | 28. Indoor Recreation                               |
| 7. Boat Launch                              | 29. Kennel  |
| 8. Campground                               | 30. Lodge   |
| 9. Charter Boat                             | 31. Manufactured Home                               |
| 10. Club                                    | 32. Manufactured Home Park                          |
| 11. Club, Private                           | 33. Mobile Home                                     |
| 12. Commercial Marina                       | 34. Mobile Home Park                                |
| 13. Condominium                             | 35. Motel   |
| 14. Day Care Center                         | 36. Nursing or Convalescent Home                    |
| 15. Dwelling, Multiple Family               | 37. Open Storage Yard                               |
| 16. Enclosed Industrial Process and Service | 38. Outdoor Recreation                              |
| 17. Enclosed Manufacturing Industries       | 39. Planned Development                             |
| 18. Enclosed Warehouse or Wholesale Use     | 40. Quarry, Sand, Gravel Pit, and Topsoil Stripping |
| 19. Fish Cleaning Station                   | 41. Religious Institution                           |
| 20. Fisherman's Access                      | 42. Restaurant                                      |
| 21. Flea Market                             | 43. Restaurant/Tavern                               |
| 22. Fraternity or Sorority House            | 44. Retail Sale/Retail Service                      |
|   | 45. Retail Store                                    |
|   | 46. School  |
|   | 47. Storage Building                                |

**Section 462 – Commercial (CM), Area, Yard, Coverage, Height, and**

**Supplementary Regulations**

Lot Depth Minimum:	200 ft.
Lot Frontage Minimum:	300 sq. ft.
Lot Area Minimum:	40,000 sq. ft.
Building Front Line Minimum:	150 ft.
Front Yard Minimum:	35 ft.
Rear and Side Yard Minimum:	20 ft., 50 ft. abutting residential districts
District Coverage Maximum:	25 percent
Supplementary Regulations:	1. As set forth in Article V hereof. 2. Site plan approval required. 3. Residential uses shall be subject to application regulations of Section 432.

**Section 470 – Industrial (IN), Permitted Uses**

The following uses are permitted in industrial districts:

1. None

**Section 471 – INDUSTRIAL (IN) USES REQUIRING SPECIAL PERMIT**

The following uses are permitted in an industrial IN district after issuance of a special permit:

- |   |  |
|---|--|
| 1. Access Road or Railroad                  | 9. Enclosed Service Repair                                   |
| 2. Accessory Use                            | 10. Enclosed Warehouse or Wholesale Use                      |
| 3. Agricultural Use                         | 11. Fish Cleaning Station                                    |
| 4. Aircraft Landing Strip                   | 12. Freight Terminal   |
| 5. Business Office                          | 13. Industrial Paper and Manufacturer Related Products       |
| 6. Construction/Engineering                 | 14. Machinery and Transportation Equipment Sales and Service |
| 7. Enclosed Industrial Process and Services |  |
| 8. Enclosed Manufacturing Industries        |  |

- 15. Open Storage Yard
- 16. Public Utility

- 17. Quarry, Sand Pit, Gravel Pit, and Topsoil Stripping

**Section 472 – Industrial (IN), Area, Yard, Coverage, Height, and Supplementary Regulations**

District Area Minimum:	10 acres
Lot Area Minimum:	40,000 sq. ft.
Lot Frontage Minimum:	150 ft.
Lot Depth Minimum:	150 ft.
Front Yard Minimum:	50 ft.
Rear and Side Yard Minimum:	30 ft., 80 ft. abutting residential districts
Coverage Maximum:	35 percent
Supplementary Regulations:	<ol style="list-style-type: none"> <li>1. As set forth in Article V hereof.</li> <li>2. Site plan approval required.</li> </ol>

**Section 473 – Intentionally Omitted**

**Section 474 – Intentionally Omitted**

**Section 475 – Intentionally Omitted**

**Section 476 – Exceptions to Front Yard, Rear and Side Yard Minimum Requirements Relating to Accessory Buildings and Swimming Pools**

Notwithstanding any previous provisions of this Local Law, if an area variance would be required and the Zoning Officer determines that the applicants request is to place either an accessory building as hereinbefore defined, or a swimming pool at a location which would require the granting of said area variance, the applicant shall be allowed to proceed by way of special permit rather than by way of variance. These exceptions shall only apply to the erection or placing of either an accessory building or swimming pool. As with all other

special permits, applications shall be made to the Planning Board for the granting or denial thereof.

### **Section 477 – Accessory Uses for One and Two Family Dwellings**

Notwithstanding any previous provisions of this Local Law, all one and two family dwellings including mobile homes, modular homes, earth sheltered dwellings, and manufactured homes, in any District which exist either as conforming uses or nonconforming uses shall be permitted the following accessory uses upon the issuance of a regular zoning permit: garage, residential; swimming pool, residential; garage sale; roadside stand; residential accessory building; subject to the area, yard, coverage, height and supplementary regulations of that district; in addition, home occupations and professional residence offices shall be permitted after issuance of a special permit, subject to the standards and definitions previously stated in this Local Law, with site plan approval required.

### **Section 480 – Overlay Districts**

The purpose of this section is to create a procedure whereby the Town Board may create additional zoning classifications within the Town in the form of an “Overlay District.”

1. Creation of District. An Overlay District may be created for the purpose of improving, developing, and/or generally enhancing any group of properties within the Town including but not limited to any neighborhood, street, business area or other defined area of the Town. Properties to be included in any particular overlay district shall generally share common characteristics and goals for aesthetics, environmental resources, economics, safety and/or convenience.

2. Adoption of Overlay Districts.

a) Where an Overlay District is created by the Town Board, any such Local Law which creates an Overlay District shall define the purposes, goals, restrictions and requirements that will be applicable to the overlay district.

b) Any requirements of an Overlay District so created in the Town shall be subject to enforcement in accordance with this law in the same force and effect as all other zoning districts in the Town.

c) For any overlay district, unless specifically noted otherwise, the base zoning shall be secondary and subject to the uses permitted, specifically permitted or otherwise allowed in such overlay district. Similarly, the lot area and yard regulations of the overlay district shall apply to any permitted, specially permitted or otherwise allowed uses unless otherwise stated. In all cases, unless so stated, the most restrictive regulation shall apply.

### **Section 481 – Creation of Hamlet Overlay (HO), and Commercial/Industrial Floating Overlay CIFO**

The following overlay districts are hereby created:

1. Hamlet Overlay (HO). The purpose of this district is to sustain and encourage the traditional mix of residential uses and community facilities in the historic settlements of Fernwood and the Hamlet of Richland while preserving the existing rural character of these areas. The designation seeks to allow adaptive reuse and conversion of older homes while employing “good neighbor” performance standards and site design standards that promote attractive new development, as well as compatible modifications to existing structures. The intent of this district is to encourage a diverse mix of complimentary uses in the Hamlets, and to protect the vernacular character and scale of buildings and their unique settings, thereby preserving tangible linkages to the Town's historic, architectural and cultural heritage. While currently reliant on on-site septic systems and water wells, if public

water or sewer, or alternative wastewater approaches such as non-contiguous or clustered systems are approved by all regulating authorities, they are encouraged within the district to facilitate a compact and walkable growth pattern for desired existing and planned future small-scale, locally-oriented, commercial uses mixed with compatible residential uses.

2. Floating overlay zones. A floating overlay zone district defines a use that the community wants to encourage. The floating zone can be affixed to a qualifying parcel of land upon recommendation by the Planning Board and approval by Town Board. Floating zones are distinct from overlay zones because of several features, the most significant of which is that floating zones are not mapped until legally placed, while overlay zones are mapped.

3. Commercial/Industrial Floating Overlay (CIFO). The purpose of this overlay district is to allow Industrial and Commercial Uses in the RA and HO Districts by Special Permit under specific circumstances.

4. Overlay districts do not change the use and dimensional requirements of the underlying land use districts unless specifically so stated in this law. They are not intended to prohibit development, but rather to assure that the siting and design of development is sensitive to environmental resources and does not preclude possible future public acquisition or use. On any given parcel of land, more than one overlay district may apply.

5. Change of Use. A special use permit shall apply only to the use for which it has been granted. ~~A new special use permit is required for any subsequent~~ change of use where a change of use is permitted.

6. One Principal Use and Structure Per Lot. No lot may contain more than one (1) principal use and structure with appurtenant accessory use or uses and structure as may be provided for that particular district unless otherwise specified herein.



**Section 490 – Hamlet Overlay (HO), Permitted Uses**

The following uses are permitted in hamlet overlay districts:

- |                                |                        |
|--------------------------------|------------------------|
| 1. Agriculture Use             | 7. Garage, Residential |
| 2. Camp                        | 8. Garage Sales        |
| 3. Dwelling, Earth Sheltered   | 9. Manufactured Home   |
| 4. Dwelling, Manufactured Home | 10. Modular Home       |
| 5. Dwelling, One Family        | 11. Road Side Stand    |
| 6. Dwelling, Two Family        | 12. Swimming Pool      |

**Section 491 – Hamlet Overlay (HO), Uses Requiring Special Permits**

The following uses are permitted in hamlet overlay districts:

- |                                 |                                   |
|---------------------------------|-----------------------------------|
| 1. Access Road                  | 19. Kennel                        |
| 2. Accessory Use                | 20. Lodge                         |
| 3. Amusement Center             | 21. Motel                         |
| 4. Animal Hospital              | 22. Nursing/Convalescent Home     |
| 5. Bed and Breakfast            | 23. Outdoor Recreation            |
| 6. Boarding House               | 24. Parking Lot                   |
| 7. Business Office              | 25. Personal Service              |
| 8. Club                         | 26. Planned Development           |
| 9. Club, Private                | 27. Professional Residence Office |
| 10. Community Center            | 28. Religious Institution         |
| 11. Condominium                 | 29. Restaurant                    |
| 12. Day Care Center             | 30. Retail Service                |
| 13. Dwelling, Multiple Family   | 31. Retail Store                  |
| 14. Enclosed Service and Repair | 32. School                        |
| 15. Flea Market                 | 33. Service Business              |
| 16. Funeral Home                | 34. Storage Building              |
| 17. Home Occupation             | 35. Tourist Home                  |
| 18. Hotel                       |                                   |

**Section 492 – Hamlet Overlay (HO), Area, Yard, Coverage, Height, and Supplementary Regulations**

	<u>Residential Uses</u>	<u>All Other Uses</u>
Lot Area Minimum:	28,000 sq. ft.	40,000 sq. ft.
Lot Frontage Minimum:	80 ft.	100 ft.
Building Front Line Minimum:	80 ft.	100 ft.
Lot Depth Minimum:	150 ft.	200 ft.
Front Yard Minimum:	30 ft.	40 ft.
Rear Yard Minimum:	20 ft.	40 ft.
Side Yard Minimum:	15 ft.	30 ft.
Coverage Maximum:	40 percent	40 percent
Height Maximum:	Three stories or 35 feet, whichever is less; accessory building 15 feet. No height limit for agricultural uses.	
Supplementary Regulations:	1. As set forth in Article V hereof. 2. Site plan approval required for non-residential uses.	

**Section 495 – Commercial/Industrial Floating Overlay CIFO, Uses Requiring Special Permits**

The following uses are permitted in commercial/industrial floating overlay districts after issuance of a special permit:

- |  |  |
|--|--|
| 1. Assembly, Fabrication and Packaging         | 15. Freight or Trucking Terminal                             |
| 2. Auto or Trailer Sales Area                  | 16. Garage, Commercial                                       |
| 3. Auto or Trailer Service and Sales Area      | 17. Garage and Repair Service                                |
| 4. Business Office                             | 18. Gasoline Convenience Market                              |
| 5. Charter Boat                                | 19. Gasoline Station   |
| 6. Commercial Marina                           | 20. Hospital   |
| 7. Community Center                            | 21. Indoor Recreation  |
| 8. Construction/Engineering                    | 22. Industrial Paper Manufacturer and Related Products       |
| 9. Drive-In                                    | 23. Laundromat   |
| 10. Enclosed Industrial Processes and Services | 24. Machinery and Transportation Equipment Sales and Service |
| 11. Enclosed Manufacturing Industries          | 25. Open Storage Yard  |
| 12. Enclosed Service and Repair                | 26. Professional Office                                      |
|  | 27. Public Utility   |
|  | 28. Restaurant/Tavern  |

- |   |                     |
|---|---------------------|
| 13. Enclosed Warehouse or Wholesale Use | 29. Shopping Center |
| 14. Fraternity or Sorority House        | 30. Theater         |

**Section 496 – Commercial/Industrial Floating Overlay CIFO, Area, Yard, Coverage, Height, and Supplementary Regulations**

Lot Area Minimum:	40,000 sq. ft.
Lot Frontage Minimum:	150 ft.
Lot Depth Minimum:	150 ft.
Front Yard Minimum:	50 ft.
Rear and Side Yard Minimum:	30 ft.
Coverage Maximum:	35 percent
Supplementary Regulations:	1. As set forth in Article V hereof. 2. Site plan approval required.

**ARTICLE V: SUPPLEMENTARY REGULATIONS**

**Section 501 – Site Plan Review and Approval**

The Planning Board, at a regular public meeting of the Board, after holding a public hearing, shall review and approve, or approve with modifications, all permitted uses listed as requiring site plan approval, before a building permit is issued. The Planning Board is empowered to, when reasonable, waive any requirement for the approval, approval with modifications or disapproval of site plans submitted, provided that any such waiver is exercised only to the extent any such requirements are found not to be requisite in the interest of the public health, safety, or welfare, or are inappropriate to a particular site plan or site, subject to the following conditions:

49. The waiver is granted by majority vote of the Planning Board and indicates that sufficient data is available either in other written form or by personal knowledge of the members of the Planning Board or the Zoning

Enforcement Officer to demonstrate that the intent of Article V of this Local Law is met.

50. The waiver does not impede or unduly hinder the determination of environmental impacts required by compliance with the provisions of the State Environmental Quality Review Act under article eight of the Environmental Conservation Law and its implementing regulations as codified in 6NYCRR617.

### **Section 502 – Submission of Site Plan and Supporting Data**

The Owner shall submit a site plan and supporting data, and shall include the following information presented in drawn form and accompanied by a written text:

1. Site plan showing proposed lots, blocks, building locations, land use areas, existing features of the property, including contours, large trees, structures, streets, utility easements, rights of way, land use; zoning and ownership of surrounding property. The site plan shall be prepared by an architect, engineer, land surveyor or planner when required by the Planning Board.
2. Traffic circulation, parking and loading spaces, and pedestrian walks.
3. Landscaping plans, including site grading, landscape design, and open areas.
4. Preliminary architectural drawings for buildings to be constructed when required by the Planning Board.
- ~~5. Preliminary engineering plans, including street improvements, storm drainage system, public utility extensions, water supply and sanitary sewer facilities.~~
6. Engineering feasibility studies of any anticipated problems, which might arise due to the proposed development, as required by the Planning Board.
7. Construction sequence and time schedule for completion of each phase for buildings, parking spaces and landscaped areas.

8. A description of the proposed uses, including hours of operation, number of employees, expected volume of business, and type and volume of traffic expected to be generated.

9. A completed short form environmental assessment form as provided in part 617 of the State Environmental Quality Review Regulations, part 617 of title six of the official compilation of Codes, Rules, and Regulation of the State of New York.

10. A copy of the deed and any restrictive covenants pertaining to the property, when requested by the Planning Board.

11. Other information that may be deemed necessary by the Planning Board.

### **Section 503 – Site Plan Approval**

The Planning Board shall review the site plan and supporting data before approval or approval with stated conditions is given, and take into consideration the following:

1. Location, arrangement, size, design, and general site compatibility of buildings, lighting, and signs.

2. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road width, pavement surfaces, dividers and traffic controls.

3. Location, arrangement, appearance and sufficiency of off street parking and loading.

4. Adequacy and arrangement of pedestrian traffic access and circulation, walk way structures, control of intersections with vehicular traffic and overall pedestrian convenience.

5. Adequacy of storm water and drainage facilities.

6. Adequacy of water supply and sewage disposal facilities.

7. Adequacy, type and arrangement of trees, shrubs, and other landscaping constituting a visual and/or noise buffer between the applicant's land and adjoining lands, including the maximum retention of existing vegetation.

8. Adequacy of fire lanes and other emergency zones and the provision of fire hydrants.

9. Special attention to the adequacy and impact of structures, roadways, and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

10. Cumulative impact upon the area.

Should changes or additional facilities be required by the Board, final approval of the site plan shall be conditional upon the satisfactory compliance by the owner to the changes or additions.

Any owner wishing to make changes in an approved site plan shall submit a revised site plan to the Planning Board for review and approval.

#### **Section 504 – Performance Bond as a Condition of Site Plan Approval**

The Planning Board may require as a condition of site plan approval that the Owner file a performance bond in such amount as they determine to be in the public interest, to ensure that the proposed development will be built in compliance with the accepted plans.

#### **Section 505 – Reimbursable Costs**

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Costs incurred by the Planning Board for consultation fees or other extraordinary expenses in connection with the review of a proposed site plan shall be charged to the applicant.

#### **Section 506 – Implementation, Revision, and Enforcement of Approved Site Plans**

1. Within six (6) months after receiving approval of a site plan, with or without modifications, the Applicant shall submit multiple copies of the site plan to the Planning Board for stamping and signing. The site plan submitted for stamping shall conform strictly to the site plan approved by the Planning Board, except that it shall further incorporate any required revisions or other modifications.

2. The applicant shall also submit proof of payment of the Planning Board's reasonable review costs.

3. Upon stamping and signing the site plan, the Planning Board shall forward a copy of the approved site plan to the Code Enforcement Officer and the applicant. The Code Enforcement Officer may then issue a building permit or Certificate of Occupancy if the project conforms to all other applicable requirements.

#### **Section 507 – Expiration, Revocation, and Enforcement**

1. A site plan approval shall expire if the Applicant fails to commence construction, to obtain the necessary building permits, or to comply with the conditions of the site plan approval within eighteen (18) months of its issuance or if the special permit with which it is associated expires. The Planning Board may grant a one-time six (6) month extension.

2. A site plan approval may be revoked by the Planning Board if the applicant violates the conditions of the site plan approval or engages in any construction or alteration not authorized by the site plan approval.

3. Any violation of the conditions of a site plan approval shall be deemed a violation of this Local Law and shall be subject to enforcement action as provided herein.

#### **Section 510 – Off Street Parking Space Requirements**

For every building hereafter erected, altered or changed in use, there shall be provided off-street parking spaces at least as set forth below. A required driveway shall be at least twenty feet clear in width, except for one and two-family dwellings. Except for one and two-family dwellings, all off-street parking spaces are to be arranged so that all backing movements take place within the parking area and not in a public street.

1. Residential Uses:

a) One and two-family dwellings and conversions; two parking spaces for every dwelling unit.

b) Multiple family dwellings; five parking spaces for every three dwelling units.

c) Professional residence-office; three parking spaces, plus one additional parking space for every two hundred square feet of office area.

2. Hotel, Motel, Tourist Home, Boarding House:

a) Three parking spaces, plus one space for every guestroom.

3. Dormitory, Fraternity, Sorority, Nursing Home, Hospital:

a) Three parking spaces, plus one space for every two beds.

4. Places of Public Assembly:

a) One parking space for every five seats; or one parking space for every one hundred square feet of floor area.

5. Business, Professional and Medical Offices:

~~a) Three parking spaces, plus one space for every two hundred square feet of office area.~~

6. Commercial and Business; in groups of over 20,000 square feet of business floor area (excepting commercial marina, boat launch, fisherman's access, automobile or trailer sales area):

a) One parking space for every one hundred square feet of business area



7. Commercial and business; individual establishments on separate lots (excepting commercial marina, boat launch, fisherman's access and automobile or trailer sales):

a) One parking space for every motor vehicle used directly in the business plus one parking space for every 200 square feet of business area.

8. Restaurant, Eating and Drinking Establishments:

a) One parking space for every motor vehicle used directly in the business, plus additional parking as required by the Planning Board.

9. Industrial, Wholesale, Warehouse, Storage, Freight and Trucking Uses:

a) One parking space for every motor vehicle used directly in the business, plus four parking spaces for customers and visitors, and additional parking spaces as required by the Planning Board.

10. Unspecified uses; commercial marina, boat launch, fisherman's access, automobile or trailer sales area:

a) Such parking space as required by the Planning Board based upon use intensity, turnover, customer, employees and vehicles used; including parking for recreational vehicles.

### **Section 511 – Off Street Loading Space Requirements**

Every building occupied for the purpose of business or industry shall provide adequate space for loading and unloading of vehicles off the street.

### **Section 512 – Special Parking and Loading Space Requirements**

The Planning Board, under their powers of site plan review and approval, may modify requirements for parking and loading spaces and:

1. Require additional spaces if they find the requirements insufficient.
2. Require fewer spaces if they find the requirements excessive.

3. Permit spaces for separate uses to be combined in one parking lot.
4. Require additional and/or separate parking spaces for recreational vehicles.

The Planning Board shall take into account existing parking spaces in the vicinity of the proposed development.

### **Section 520 – Landscaping Requirements**

1. Where any land use in a nonresidential district abuts land in any residential district, a buffer area of at least fifteen feet in width shall be maintained by the owner as a landscape area, in side and rear yards which adjoin those other districts.

2. Where any permitted nonresidential land use, multiple family development, manufactured home park, mobile home park or travel trailer park in a residential district abuts any land use in a residential district a buffer area of at least fifteen feet in width shall be maintained as a landscape area in front, side and rear yards which adjoin these uses.

3. In a Commercial District, each use shall have a buffer area of at least fifteen feet in width in any required front yard and at least five feet in width in any required rear and side yards which shall be maintained as a landscaped area. Planting in such buffer areas shall be maintained as a landscaped area. Planting in such buffer areas shall be such that vision in the ingress and egress drive is not obstructed.

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~~4. In a Planned Development District as required by the Planning Board.~~

5. Landscaping shall be installed and maintained in a healthy growing condition in front, side and rear yards and shall take the form of shade trees, deciduous shrubs, evergreens, well-kept grassed areas and ground cover.

### **Section 523 – Buffer Area Commercial District**

In a Commercial District, each nonresidential use shall provide a buffer area at least fifteen feet in width along at least 50 percent of the lot frontage and at least five feet in width in the remaining front line area in that part of the front lot line closest to driveways used for ingress and egress. The Planning Board may vary the requirements of this subsection to ensure that no planting, fences, or other similar screening devices interfere with the vision in any egress drive in such a manner as to create a substantial risk to public safety.

#### **Section 525 – Intentionally Omitted**

#### **Section 526 – Uses Not Permitted**

The following uses are not permitted in all districts: machinery wrecking yards, dumps, medical waste disposal, and manufacture of fuels and explosives. Unenclosed manufacturing or processing of goods and materials is prohibited except in residential agricultural district after issuance of a special permit. In all districts, storage of toxic chemicals and radioactive materials at levels that could be injurious to human, animal and biological life are not permitted. Exempted are New York State licensed applicators.

#### **Section 530 – Manufactured Home Park, Mobile Home Park, Travel Trailer Park, and Campground Permits**

1. No person shall construct or operate a manufactured home park, mobile home park, travel trailer park, or campground without first obtaining a permit from the appropriate issuing agency/board after site plan review.

2. Application for a permit shall be made to the appropriate agency/board, and shall be accompanied by a site plan in accordance with Section 501 et. seq.

## **Section 531 – Standards for Manufactured/Mobile Home Parks**

The following regulations shall apply to manufactured/mobile home parks:

### **1. Preliminary Plan**

A preliminary plan for the proposed park shall be prepared and submitted to the Planning Board. Such preliminary plan shall show the following:

a) Name and address of applicant, and person or entity building and operating the park, if different.

b) Name and address of the landowner where the park is to be located.

c) Scale, North arrow and map showing how the park relates to the surrounding area and the existing road system.

d) Site plan incorporating the applicable environmental standards set forth in Subsection 6 below.

e) Indication of the topography of the site and the location of large trees or tree masses, drainage-ways and areas, which are wet or subject to flooding.

f) A statement of all contemplated rules, regulations, restrictions and covenants applying to park occupants.

### **2. Action on Preliminary Plan**

a) Review: The preliminary site plan and supporting material shall be reviewed by the Planning Board and be available at the public hearing for the proposed manufactured/mobile home park.

b) Hearing: Within forty-five days from the date of submission of the application for a preliminary plan, the Planning Board shall hold a public hearing. Notice of such hearing shall be given in accordance with the provisions of Section 303 of this Local Law.

c) Decision: Within forty-five days from the date of the public hearing the Planning Board shall conditionally approve or disapprove the preliminary plan of the manufactured/mobile home park. Conditional approval shall authorize the

applicant to proceed with final plan incorporating any conditions attached to the said preliminary approval.

3. **Final Plan**

The final plan of the manufactured/mobile home park shall be submitted to the Planning Board within one year from the date of preliminary plan approval. Upon approval of the final plan, a renewable Special Permit shall be authorized in writing by the Planning Board and issued by the Zoning Enforcement Officer.

4. **Guidelines for Conditional Approval**

In considering conditional approval of the proposed manufactured/mobile home park the Planning Board shall be guided by the following considerations:

- a) **General:** The degree to which compliance with the intent of the overall environmental standards for manufactured/mobile home parks has been achieved.
- b) **Access:** Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety, traffic flow and control, and access in case of fire or emergency.
- c) **Parking:** Number and location of parking areas with particular attention to the convenience of such areas to park occupants and their effect on adjoining properties.
- d) **Trash and Service:** Location and number of trash disposal areas with particular reference to health, safety and appearance.
- e) **Drainage:** Surface water drainage of the park with particular reference to effective groundwater runoff and the impact on adjacent properties.
- f) **Screening and Buffering:** The type, size and location of screening and plant material with particular reference to visual buffering of adjacent properties and improving compatibility and harmony between the park and its surroundings.

g) Exterior Appearance: General amenity and site attractiveness with particular attention to assuring that the exterior appearance of the proposed park will be as compatible and harmonious as possible with other development in the general area.

5. Contents of Final Plan

- a) Information shown or indicated on the preliminary plan.
- b) The accurate area and dimension of the proposed park.
- c) Layout of streets, manufactured/mobile home sites, parking areas and public spaces.
- d) Location of water, sewer, natural gas lines, fire hydrants, electric, telephone and television service lines.
- e) A drainage plan for the park prepared by a qualified engineer.
- f) Location and specification of buffers, office and utility buildings, recreation areas, trash collection areas, street lighting, mail distribution etc.
- g) Design of typical manufactured/mobile home lot showing dimension, pad, patio, utility hook-up and tie-downs.

6. Environmental Standards

a) Minimum Area and Minimum Number of Units:

Manufactured/Mobile home parks shall be at least five acres in area and the maximum density within the park shall be four and a half homes per gross acre. (Gross acreage includes all areas within the approved park boundaries.)

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b) Minimum Lot Size: Each site shall be at least 8,000 sq. ft. in area and at least 75 feet wide by 100 feet in depth. Each home site shall contain no more than one home and accessory structures.

c) Site Preparation: Manufactured/Mobile home parks shall be fitted to the terrain with a minimum disturbance of the land. Existing trees, rock formations, and other natural site features shall be preserved to the extent practical.

d) Separation: Manufactured/Mobile home units may be positioned in a variety of ways within a park provided a separation of 30 feet is maintained between the closest points of any two units.

e) Road Construction and Layout: A drawing of the proposed park layout, showing connections to be made to existing roads, shall be included as part of the park plans. Attempts should be made to provide variety and visual interest in the road layout, avoiding long straight stretches and gridiron systems when possible. All private roads within a park shall be at least twenty-two feet wide and constructed of a six-inch base of crushed stone with a running surface of two inches of asphaltic concrete, or equal. Any public roads within the park shall have a fifty-foot right-of-way and be constructed to Town specifications.

f) Setback: No manufactured/mobile home shall be located less than twenty-five feet from the pavement edge of a private roadway or fifteen feet from the right-of-way of any public street within the mobile home park. A minimum of thirty feet shall be maintained between all units and any park boundary abutting an existing public road or highway.

g) Buffer Strip: A buffer area at of least 25 feet in width shall be maintained as a landscaped area abutting all mobile home park property lines.

h) Recreation and Open Space: Usable and easily accessible recreation areas shall be provided for park occupants. At least four hundred square feet of open space per mobile home unit shall be included in the plan with a total minimum requirement of five thousand square feet.

i) Additions and Extensions: No additions shall be made to a mobile home except a canopy and/or porch open on three sides, an addition made by a mobile manufacturer, or an addition built in conformance with the State Building Construction Code for one-family dwellings.

j) Mobile Home Stand: Each mobile home shall be placed on a stand of concrete or compacted gravel, or on piers or a foundation, so that a firm base and adequate support will be provided for the full width and length of the mobile home and any extensions thereto. The stand area shall be graded to assure adequate drainage but the grade variance from one end of the stand to the other shall not exceed six inches.

k) Tie Down: Each manufactured/mobile home stand shall be provided with tie-down anchors at least on each corner, two of which shall accommodate over-the-top type tie-downs. Such anchors shall be the equivalent of chain or steel cable fastened to concrete dead-men buried at least three feet below finished grade or to bedrock, whichever is less.

l) Patio: Each home site shall be provided with a concrete patio or wooden deck with a minimum width of ten feet and a total area of at least one hundred and twenty feet.

m) Walkways: Each home site shall be provided with a hard surface walkway at least two feet wide from the stand or patio to the road, or to a driveway or parking area connecting to the road.

n) Parking: Two off-street parking spaces shall be provided for each home site. Such spaces may be located on the individual site or grouped to serve two or more manufactured/mobile home sites and shall be constructed of at least four inches of crushed stone with a surface of one inch asphaltic concrete or similar hard surface material. A supplemental parking area for the group storage of temporary parking of travel trailers, campers, boats, snowmobiles, and similar auxiliary vehicles may be required in each manufactured/mobile home park in a location removed from the manufactured/mobile home living units.

o) Manufactured/Mobile Home Installation: At the time of installation, the manufactured/mobile home unit shall be securely blocked, leveled, tied down,



and connected to the required utility systems and support services. The home shall be completely skirted within ninety days of placement. Materials used for skirting shall provide a finished exterior appearance and no exposed wallboard; building paper or similar unfinished material will be permitted.

p) Water Supply: Each site shall have an attachment for water supply with a shut-off valve provided near the riser pipe. The water supply source must be approved by the appropriate State, County, Town or Federal Governmental Agency or agencies and shall conform to all rules, laws, local laws, and regulations.

q) Sewage Disposal: Each site shall have an attachment for sewage disposal. The installation and method of sewage disposal must be in compliance with all State, County, Local and/or Federal laws, rules, local laws and regulations.

r) Landscaping: Exposed ground in all parts of the park, excluding paved areas, shall be protected by grass and plant material or surfaces with gravel or stone to prevent erosion and reduce dust.

s) Street Lighting: All streets and driveways within the park shall be lighted with a minimum average illumination of 0.2 foot-candles.

t) Solid Waste Disposal: Solid waste storage, collection and disposal shall be made in a way that will cause no health hazards, rodent harborage, insect breeding areas, fire hazards or air pollution. Storage areas for solid waste containers shall be enclosed or otherwise screened from public view.

u) Utility Lines: In parks containing over 12 manufactured/mobile home sites, no overhead wires shall be permitted unless bedrock or other soil conditions make under-grounding economically prohibitive.

v) Fuel Supply and Storage: A manufactured/mobile home park shall be provided with facilities for the safe storage of required fuels. All systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

w) Natural Gas System: Each site provided with piped gas shall have an approved manual shutoff valve. The gas outlet shall be equipped with a cap to prevent accidental discharge of gas when the outlet is not in use.

x) Liquefied Petroleum Gas System: LPG systems shall be provided with safety devices to relieve excessive pressures and shall have at least one accessible gas shutoff valve located outside the manufactured/mobile home. LPG containers installed on a mobile home lot shall be securely fastened to prevent accidental overturning.

y) Fuel Oil Supply Systems: All fuel oil storage tanks shall be securely fastened in place and shall be equipped with permanently installed piping.

z) Mail Service: The location of mail boxes shall provide for safe and easy access for pick-up and delivery of mail and shall not be located on a public right-of-way.

## 7. Park Operation and Maintenance

a) Occupancy: No space shall be rented in any park for the placement and use of a manufactured/mobile home for residential purposes, except for periods in excess of 180 days. In general, no manufactured/mobile home shall be permitted in a park unless it bears the seal issued by the State of New York and required by the State Code for Construction and Installation of manufactured/mobile homes, or an equivalent to such seal which certified compliance with minimum construction and safety standards.

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b) Responsibilities of Park Operator: The person, group or corporation to whom a Special Permit for a park is issued shall be responsible for operation of the park in compliance with this Section 531 and shall provide adequate supervision to maintain the park, its common grounds, streets, facilities and equipment in good repair and in a clean and sanitary condition. The park operator shall maintain a register containing the names of all occupants and the make, year and serial number,

if any, of each manufactured/mobile home. Such register shall be available to any authorized person of the park.

8. **Renewal of Special Permit**

Renewal of the manufactured/mobile home park Special Permit shall be applied for every three years from the date of first issuance. Application for renewal shall be filed with the Zoning Enforcement Officer who shall renew the Special Permit only if it is determined that no violation of this Section 531, or the conditions of the Special Permit, have been found. If violations or unapproved changes have occurred the Special Permit will not be renewed until the said mobile home park has been brought into compliance.

9. **Term of Special Permit**

If a violation or unapproved change has not been brought into compliance within 30 days after formal notice has been given to the park operator by certified mail, return receipt requested, the Special Permit shall terminate and the Zoning Enforcement Officer may begin any and all enforcement measures provided for in Section 208, supra.

**Section 532 – Travel Trailer Park, Campground, and Campsite Area Standards**

The following regulations shall apply to travel parks, campgrounds, and campsite areas:

1. Regulations set forth in Chapter 1 State Sanitary Code dealing with temporary residence travel vehicle parks and campsites.
2. Travel trailer parks and campsites shall be at least three acres in area and shall provide individual sites, access driveways, and parking.
3. All access driveways shall be at least fifteen feet wide.

4. No travel trailer site, campground, campsite or service building shall be closer to public street right of way than fifty-feet or closer to a property line than thirty-feet.

5. A buffer area at least twenty-five feet in width shall be maintained as a landscaped area abutting all travel trailer park, campground or campsite area property lines.

6. The following regulations shall apply only to campground and campsite areas and shall not be required for travel trailer parks:

a) The minimum area for each campsite shall be 1500 sq. ft. However, the Zoning Board of Appeals or Planning Board, whichever is the ultimate permit issuing Board may require additional minimum area for campsites which are intended to be provided for use by a single occupant or group of occupants for a period in excess of three consecutive days.

b) One toilet shall be provided for each sex for every ten campsites and shall be located no more than 300 feet from any site served.

c) An adequate supply of potable water shall be provided within 250 feet of each campsite. Where spigots and sewer hook-ups are provided at each site, a minimum volume of 100 gallons of water per site per day, at a minimum pressure of 20 pounds per square inch shall be provided.

d) At least one travel trailer sanitary dumping station shall be supplied for every 100 campsites, or portion thereof, unless this requirement is waived, in writing, by the Planning Board or Zoning Board of Appeals whichever is the issuing authority for the requested permit.

### **Section 533 – Manufactured/Mobile Homes**

The following regulations shall apply to all manufactured/mobile homes, must be skirted within ninety (90) days of placement, and maintained as long as mobile home shall remain in place.

#### **Section 534 – Intentionally Omitted**

#### **Section 535 – Standards for Commercial Marina**

The following regulations shall apply to a commercial marina in any district:

1. A design of the marina shall have site plan approval by the Planning Board.
2. Adequate access, maneuvering space and off-street parking shall be provided for cars and boat trailers. Parking spaces for cars with trailers attached shall be at least ten foot by forty foot.
3. Parking area shall be paved or provided with a surface treatment which shall prevent blowing dust.
4. One toilet for each sex shall be provided for each fifty boats or fraction thereof renting space in the marina. Such toilet shall be attached to a sewage disposal system approved by the appropriate New York State authority.
5. Any marina having 100 or more slips available for rent shall provide an approved sewage pump-out unit and holding tank unless this provision is waived by the Planning Board.
6. An adequate supply of potable water shall be available within 250 feet from each boat slip.
7. Heavy duty trash receptacles with lids to keep out animals shall be provided within 100 feet from each boat slip and near any fish cleaning and food sales area.

8. Retail sales shall be limited to maps, magazines, fuel, bait, tackle, marina equipment and prepackaged foods. No maintenance and repair facility and no restaurant, dining area, or food preparation area will be permitted.

9. Fuel storage and fire safety equipment shall be provided in accordance with the provision of the New York State Uniform Fire Prevention & Building Construction Code.

10. Any area used for winter storage shall be maintained in good condition and shall not be used for abandoned, damaged, or derelict boats or vehicles.

#### **Section 536 – Standards for Boat Launch or Fisherman’s Access Area**

The following regulations shall apply to a boat launch or fisherman’s access area in any district:

1. A site plan for such facility shall be approved by the Planning Board.

2. Adequate access, maneuvering space and off-street parking shall be provided. Parking space for cars with boats attached must be at least ten foot by forty foot.

3. Any ramp used for launching boats and trailer shall be provided with the hard surface and shall have the maximum slope of 13 percent, to be used for temporary, short term docking.

4. One toilet shall be provided for each 50 parking spaces at a facility having a boat launching ramp. Such toilet, if not an approved, portable self-contained unit shall be attached to a sewage disposal system approved by the Oswego County Health Department.

5. One heavy duty trash receptacle with a lid to keep out animals shall be provided for each ten parking spaces.

6. Retail sales shall be limited to bait.

### **Section 537 – Conditions of Garage Sales**

Garage sales shall be an allowed use in each and every zone located in the Town of Richland under the following terms and conditions: Said garage sales shall be operated for a period not in excess of three days at a time and shall not occur more than twice in any calendar year. In order to operate a garage sale for a period in excess of three consecutive days or more often than two times in one calendar year, it shall be necessary to obtain a special permit prior to beginning operation of said garage sale.

### **Section 538 – STANDARDS FOR KENNELS**

The following regulations shall apply to kennels in all districts:

1. Such facilities shall be designed to accommodate small animals exclusively, such as dogs and cats.
2. Outdoor runs shall be located at least 25 feet from adjacent property lines and shall be screened by appropriate planting of trees and shrubs.

### **Section 539 – Standards for Charter Boats at Private Marinas in RC Zones**

It shall be permissible for persons to dock a charter boat at a private marina in a RC zone under the following conditions:

1. Said charter boat is owned by the owner of the lot of record or his or her immediate family.
2. Said boat is moored at said dock only for the purpose of overnight docking.
3. No persons other than the owner or his or her immediate family are allowed to board or disembark from said private marina; rather all other passengers must board and disembark from recognized commercial marinas.

## Section 540 – Signs

The following signs are allowed without issuance of a permit:

1. One for rent and/or for sale sign not exceeding four square feet in area in residential districts and two of said signs not exceeding six square feet in area in other districts for a duration of not more than six months.

2. Signs necessary for public safety or welfare and signs required by other laws, local laws, or regulations.

3. Signs identifying a construction project and the specialists involved not exceeding nine square feet in area for a dwelling and sixteen square feet in area for other buildings for a duration of not more than six months.

4. Two garage sale signs not exceeding four square feet in area and not placed more than two weeks prior to the sale and removed within three days of the conclusion of the sale.

5. Signs relating to the products of road side stands which are placed for periods not exceeding sixty days, including directional signs.

6. On premises signs relating to Town of Richland licensed business activities such as fish cleaning which do not exceed in total sixteen square feet in area and are visible for a period not exceeding forty five days.

7. Any sign promoting any education, charitable, philanthropic, civic, professional, and religious or like campaign, drive, movement or event not exceeding nine square feet in area for a duration of not more than six months in a twelve month period.

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8. Any sign promoting a political campaign, issue or event not exceeding thirty-two square feet in area for a duration of not more than thirty days prior to Election Day. All such signs must be removed no later than seven days after Election Day. Any political sign promoting a candidate for a primary election shall be entitled



to remain displayed through the general election provided such sign is removed within seven days after the general election.

The following signs are permitted after issuance of a regular zoning permit:

1. Any of the above signs that require a longer time period of duration.
2. Directional and/or informational signs in support of a commercial or business activity not exceeding sixteen square feet in area.

All signs whether allowed or permitted must also meet the requirements of sections 542, 543, and 544.

#### **Section 541 – Signs in Commercial and Industrial Districts**

The following additional signs are permitted in commercial and industrial districts:

1. All signs permitted under Section 540.
2. One or more business signs the total area (one side) of all the signs not to exceed thirty two square feet in area.

All signs whether allowed or permitted must also meet the requirements of sections 542, 543, and 544.

#### **Section 542 – Billboard/Ground Signs**

No ground sign shall:

1. Exceed twenty feet in height above finished grade.
2. Be within five feet of any street line, or ten feet of any other lot line.
3. Exceed eighty square feet in area.

#### **Section 543 – Traffic Hazard, Safety, and Obstruction**

Every sign shall be designed and located in such a manner as to:

1. Not impair public safety.

2. Not restrict clear vision between a sidewalk and street
3. Not be confused with any traffic sign or signal.
4. Not prevent free access to any door, window or fire escape.
5. Withstand a wind pressure load of thirty pounds per square foot.

#### **Section 544 – Illuminated and Flashing Signs**

1. Signs may be illuminated by a steady light provided that such lighting does not illuminate adjacent property excepting that no illumination sign shall be allowed on a residential district for any type use, unless a special permit according to the provisions of Section 545 has been issued.

2. Flashing, oscillating, and revolving signs are not permitted unless necessary for the public safety or welfare.

#### **Section 545 – Signs by Special Permit**

Other signs including off premises and illuminated signs in residential districts may be permitted after issuance of a special permit, if the Planning Board finds that such a sign:

1. Is in the public interest and is not detrimental to public safety, welfare, or surrounding properties.

2. Is a character, size and location that it will be in harmony with orderly development of the district.

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#### **Section 546 – Removal of Signs**

1. The Zoning Enforcement Officer, or other person designated by the Town Board, shall notify in writing the owner of any sign which no longer serves the purpose for which it was erected, or which poses a safety hazard to the public or is otherwise in violation of this Local Law. The Zoning Enforcement Officer or other

person designated by the Town Board shall order such owner to remove or correct the unsatisfactory condition of such sign within twenty (20) days from the date of such notice.

2. Upon failure to comply with such notice within the prescribed time, the Zoning Enforcement Officer or other person designated by the Town Board, is hereby authorized to secure, repair, remove, or cause the removal of such sign. All costs of securing, repairing, or removing such sign, including related legal fees and expenses, shall be assessed against the land on which the sign is located and shall be levied and collected in the same manner as provided in the Town Law for the levy and collection of a special ad valorem levy.

3. Where it reasonably appears that there is imminent danger to life, safety, or health or imminent danger to property unless a sign is immediately repaired, secured, or demolished and removed, the Town Board may, by resolution, authorize the Zoning Enforcement Officer or other person designated by the Town Board, to immediately cause the repair, securing, or demolition of such unsafe sign. The expense of such remedial actions shall be a charge against the land on which the sign is located and shall be assessed, levied, and collected as provided in Subsection 2. above.

### **Section 550 – Conditions for the Installation of Manufactured Home in the Town of Richland**

1. No manufactured home may be installed or used for living purposes that is over the age of five years unless the following terms and conditions are met:

a) All conditions of the manufactured home construction and safety standards of the United States Department of Housing and Urban Development (HUD) and the New York State Uniform Fire Prevention and Building Code are complied with.

b) The manufactured home has a serviceable roof, no broken windows, at least two operable smoke detectors installed, all floors are free from defects and are structurally sound, and all doors are serviceable and undamaged so they latch shut.

c) All damage to the exterior (e.g. cuts, dents, holes, and rust) shall be repaired or replaced prior to installation.

d) Skirting must be placed around the manufactured home within 90 days of placement, and must be compatible in color and material with the manufactured home.

e) Any additional structure or addition added to or in close proximity of the manufactured home must be compatible in appearance and must be structurally sound.

2. Prior to installation of a manufactured home, a certificate of compliance with this section must be obtained from the Zoning Enforcement Officer. The Zoning Enforcement Officer shall not grant such certificate until all terms of this section have been complied with.

3. The Town Board may contract with any qualified individual for the purpose of hiring such individual to inspect the manufactured home to ensure compliance with this section, and may reimburse the inspector for his or her services in an amount no greater than \$50.00. The applicant shall be required to pay a non-refundable inspection fee of \$50.00, said sum to be in addition to any other fees required in this Local Law. The inspector shall be responsible to notify the Zoning Enforcement Officer of the results of his inspection in writing within 15 days of the completion of the inspection. If the Town Board contracts with an individual and said individual, in his report, indicates that the home is presently not in compliance with this section, the owner of the manufactured home may make such repairs in order to bring the manufactured home into compliance; but no compliance certificate may be granted until the Zoning Enforcement Officer or another individual re-

inspects the manufactured home. In such a case, the applicant shall be required to pay a non-refundable inspection fee of \$50.00

**Section 552 – Conditions for the Installation of Mobile Homes in the Town of Richland**

1. No mobile homes may be transported into, moved from an existing location in the town, installed, and/or used for living purposes in the Town of Richland unless the following conditions are met, and a certificate of compliance with this section has been obtained from the Zoning Enforcement Officer. The Zoning Enforcement Officer shall not grant such certificate until all terms of this section have been met.

a) Mobile homes may only be installed in a mobile home park, travel trailer park, or campground that is regulated and permitted by the Oswego County Health Department.

b) The mobile home is only used for a seasonal dwelling and not used for living purposes for more than two hundred twenty days per calendar year.

c) The mobile home shall be inspected by the designated qualified individual upon the applicant's payment of the non-refundable inspection fee of \$50.00 prior to its being transported or moved within the Town of Richland. The qualified individual will be designated by the Town Board. The designated individual shall be responsible to notify the Zoning Enforcement Officer of the results of his inspection in writing within 15 days of the completion of the inspection.

d) The mobile home has a serviceable roof, is structurally sound, has no broken or un-repaired windows, has at least two operable, listed smoke detector fire alarms installed, has all floors free from defects and structurally sound, and has all doors in serviceable condition and undamaged such that they latch.

e) All damages to the exterior (e.g. cuts, dents, holes, corrosion) has been repaired or replace.

f) All heating units, if any, are listed by recognized inspection agency as suitable for a mobile home and are installed properly.

2. Within 90 days of placement, skirting of suitable material shall be placed around the mobile home to completely enclose its perimeter.

3. Any additional structure or addition, and required steps or stairs added to or in close proximity of the mobile home must be comparable in appearance, structurally sound, level and plumb on an appropriate foundation.

#### **Section 560 – Non-Conforming Uses**

Lawful use of any building or land existing at the time of enactment or amendment of this Local Law may be continued although such use does not conform with this Local Law, except as herein after provided.

#### **Section 561 – Discontinuance**

When a non-conforming use has been discontinued for a period of one year, such use shall not thereafter be re-established, and any future use shall be in conformity with this Local Law. Provided, however, that within two years of such discontinuance the Board of Appeals may allow resumption of the non-conforming use.

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#### **Section 562 – Change of Use**

A non-conforming use shall not be changed to other than a conforming use for the district in which it is situated.

**Section 563 – Non-Conforming Structures, Restoration, Alteration and Extension**

A non-conforming structure or part thereof may be:

1. Restored to a safe condition
2. Repaired, if damaged by fire, flood or other cause, provided that construction starts within a period of two years.
3. Structurally altered only to the extent of its prior non-conformity.

A non-conforming use shall not be extended. Extension of a lawful use to any part of a non-conforming building shall not be deemed extension of such non-conforming use.

**Section 565 – Non-Conforming Signs**

Any non-conforming sign existing at the time of enactment or amendment of this Local Law may be continued although such use does not conform to this Local Law except as hereinafter provided. Non-conforming signs may not be enlarged, extended, relocated, or altered in any way, except to make them conform to the provisions of this Local Law. The provision shall not restrict the routine maintenance of non-conforming signs involving replacement of electrical parts and repainting.

**Section 566 - Intentionally Omitted**

**Section 567 - Intentionally Omitted**

**Section 568 - Intentionally Omitted**

**Section 569 - Intentionally Omitted**

**Section 570 – Gasoline Station, Public Garage, and Motor Vehicles Sales**

Gasoline stations, public garages and motor vehicles sales agencies shall comply with the following:

1. Lot shall not be located within three hundred feet of any lot occupied by a school, hospital, playground, library or religious institution. Measurement shall be made between nearest respective lot lines.
2. Lot size shall be at least 20,000 square feet.
3. Lot frontage shall be at least 150 feet.
4. Lot depth shall be at least 125 feet.
5. Pumps, other service devices, and fuel and oil storage shall be located at least thirty feet from all lot lines.
6. All automobile parts and dismantled vehicles are to be stored within a building and no major repair work is to be performed outside a building.
7. There shall be no more than two access driveways from any street. Maximum width of each access driveway shall be thirty feet.
8. A suitably curbed landscaped area shall be maintained at least five feet in depth along all street frontage not used as driveway.

**Section 571 – Public Utility Facilities**

Public utility facility structures shall comply with the following:

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1. Site plans are submitted and approved in accordance with Section 501 et seq.
  2. The facility shall be surrounded by a fence, set back from property lines, in conformance with district regulations for front, side and rear yards.
  3. A landscaped area at least fifteen feet wide shall be maintained in front, rear and side yards.



4. There shall be no open equipment visible from surrounding property.
5. Where practical, low profile equipment shall be used.
6. Area, yard, coverage and height requirements of any district may be waived in whole or in part.

#### **Section 572 – Dwellings on Lots**

There shall be only one residential building on a lot unless otherwise approved under the Planned Development provisions.

#### **Section 573 – Calculations of Building Coverage**

In determining percentage of building coverage of a lot or size of yards, all principle buildings, roofed porches, garages, car ports, and other accessory buildings shall be included.

#### **Section 574 – Required Area or Yards**

No space necessary under this Local Law to satisfy area, yard, or other open space requirements in relation to any building or use shall be counted as part of a required open space in relation to any other lot or buildings.

#### **Section 575 – Yards on Corner Lots**

Any yard adjoining a street shall be considered a front yard for the purposes of this Local Law. Only one front yard is required to comply with minimum front yard requirements, all other front yards shall be equal to or exceed the minimum side yard minimum.

#### **Section 576 – Projection in Yards**

Every part of a required yard shall be open from the ground to the sky unobstructed, except for ordinary projections of sills, chimneys, and eaves, provided that no such projections may extend more than two feet into any required yard.

#### **Section 577 – Frontage on Public Street**

All existing residential lots of record located on a private road or private right-of-way shall have a deeded right-of-way to a public street in order to obtain a zoning permit without a variance.

#### **Section 578 – Location of Driveways**

All driveways shall be located at least twenty-five feet from a street line intersection.

#### **Section 580 – Reduction of Minimum Residential Lot Requirements**

The Board of Appeals may reduce residential lot area minimums and building line minimums required by zoning district regulations Residential-Agricultural (RA) and Residential-Recreation (RR) districts upon finding that such smaller lot is: compatible with existing development on adjacent lots; and adequate to support individual water supply and sewage disposal systems, or served by public water and sewage disposal systems.

Reduction of minimum residential lot requirements is subject to the following conditions:

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1. No lot width or area shall be reduced to less than fifty percent of those required by the district regulations.
2. No lot area shall be reduced to less than the minimum required by State Board of Health requirements based upon percolation test results.

3. All construction on such lot shall comply with all yard requirements unless a variance has been granted by the Board of Appeals.

4. In Residential-Recreation (RR) areas within 400 feet east of high water mark of Lake Ontario, lot minimum width of 80 feet and lot depth not less than 100 feet will be allowed by issuance of a special permit.

### **Section 581 – Residential Lots of Record**

A one-family dwelling may be built upon any lot regardless of whether such lot conforms with lot area, building front line, or lot depth minimums required by district regulations, under the following conditions:

1. Such lot shall have been held in separate ownership from adjoining land at time of adoption of this Local Law or amendments thereto.

2. Such lot shall be sufficiently large to support individual water supply and sewage disposal systems, based upon State Board of Health Standards; or such lot shall have access to public water or sewer facilities.

3. All construction on such lot shall comply with all yard requirements unless a variance has been granted by the Board of Appeals.

4. There shall be only one residential building on a lot unless otherwise approved under Planned Unit Development District provisions.

### **Section 582 – Permit for Temporary Uses and Structures**

1. The Zoning Enforcement Officer may issue a temporary permit for periods of one year, for incidental non-conforming uses as follows:

a) Temporary uses incidental to a construction project.

b) Temporary real estate sales office incidental to a subdivision.

c) Other similar temporary incidental uses, except storage or disposal of toxic chemicals or radioactive materials at levels that can be injurious to human, animal, and biological life.

2. Permits shall be conditioned upon agreement by owner to remove the use upon expiration of permit.

3. Permits may be re-issued for one additional period of six months.

### **Section 583 – Abandonment of Construction Projects and Structures**

Within six months after a construction project, building or structure has been destroyed, demolished or abandoned, all structural materials shall be removed from the site, and any excavation shall be covered or filled to normal grade by Owner.

### **Section 584 – Height Exceptions**

Nothing herein contained shall be interpreted to limit or restrict the height of silos, church spires, cupolas, bells, clocks, fire and observation towers and essential public utility structures.

### **Section 585 – Height Exceptions by Special Permit**

No radio or television antenna, tower, water or cooling tower, oil or gas holder, elevator bulkhead, chimney, or other similar structures in excess of sixty feet may be erected until after issuance of a special permit.

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### **Section 586 – Landfill**

In any district the dumping of refuse and waste material for landfill is prohibited. Clean fill including, but not limited to loam, rock, stone, gravel, sand, cinders and soil may be used for landfill to grades approved by the Zoning Enforcement Officer.

**Section 587 – Obstruction of Vision on a Corner Lot in a Residential District**

In all districts, on a corner lot, within the triangular area formed by the intersection of two street property lines and a third line joining them at points thirty five feet away from their intersection, there shall be no obstruction to vision between the height of three feet and ten feet above the average grade of each street.

**Section 588 - Fences**

No fence or planting over three feet in height shall be permitted within five feet of the street line or over six feet high along the lot line of two separate lots of record. No fence or planting shall be permitted within three feet of the street line.

**Section 589 – Multiple Family Dwelling Units Below Grade**

No living spaces are permitted in cellars in multiple family dwellings.

**Section 590 – Accessory Buildings in Residential Districts**

Out buildings, garages, car ports, storage sheds, greenhouses, and all similar accessory use buildings must be attached to the main building on the lot except that each residential dwelling may have three unattached accessory buildings on a lot.

**Section 591 – Travel Trailers**

A travel trailer shall not be used as year round living quarters in any of the zoning districts.

**Section 592 – Intentionally Omitted**

**Section 593 – Intentionally Omitted**

**Section 594 – Intentionally Omitted**

**Section 595 – Intentionally Omitted**

**Section 596 – Standards for “Fisherman Parking Lot”**

No fisherman parking lot shall be allowed in any area or zone unless it meets all of the following requirements:

1. The parking lot will allow for no more than three hundred (300) cars at any given time.

2. A professionally designed site plan must be submitted to the Planning Board with each application. Each parking lot shall have a surface and subsurface with sufficient drainage to prevent mud or dust as the case may be. Said site plan shall detail construction materials and shall be approved or certified by a licensed engineer. The site plan shall also show real property location, building locations, and distances from adjoining residences, elevations, distances from surface waters, signs, traffic flow, landscaping, rest room facilities, and fish cleaning facilities as well as other appropriate conditions contained in this subsection. Installation of said parking lot shall be in accordance with said site plan or amendments thereof. The Planning Board may add any additional conditions as individual applications may demand.

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3. Both sides of the parking lot (excepting any side or a parking lot that immediately adjoins a river way) shall have a buffer area of natural screening, whether it be shrubbery, trees or any other natural screening devices, to minimize the adverse and visual impact of the parking area on the surrounding area.

4. There shall be a minimum planting of standard sound beam between the parking lot and adjacent property.

5. The owner of lot of record upon which the parking area is located shall have his or her own legal access to any existing waterway so that any patron of the parking lot may legally enter the waterway by leaving the property of the owner of the lot of record and not by traveling upon the property of any other person in an unauthorized or illegal manner.

6. There shall be one rest room for every fifty (50) parking spaces or fraction thereof in the parking lot.

7. There shall be a minimum of one thousand (1,000) feet between the side boundaries of any two (2) parking lots in any area.

8. The Planning Board may require a fish cleaning station at a fisherman parking lot.

9. Parking lots must conform to all Federal, State and Local Laws and Ordinances.

#### **Section 597 – Standards for Temporary Storage Containers**

1. Cargo shipping containers, portable storage containers and roll-off debris containers used in a manner that constitute a principal use, such as a storage yard, mini warehousing establishment, or a motor freight terminal shall be subject to the regulations of the zoning district in which the container is to be located.

2. Portable storage containers and roll-off debris containers used in a manner that constitute an accessory use to a commercial or industrial use shall be subject to the applicable accessory use regulations.

3. No more than one portable storage container having dimensions no greater than 16 feet in length, 8 feet in width, or 8-1/2 feet in height and a storage capacity no greater than 1,088 cubic feet or one roll-off container no greater than 40 cubic yards in size shall be permitted on a lot.

4. Portable storage containers are allowed for a period not to exceed 30 days in a twelve-month period.

5. During construction, reconstruction, remodeling, alteration or renovation of a principal structure, a roll-off debris container will be allowed to be placed a maximum of 24 hours before said activity commences and shall be removed within 24 hours of the termination of said activity and shall remain on the premises for a period not to exceed 6 months.

6. Roll-off debris containers used in conjunction with the removal of yard debris or materials from a property, when such activity does not require a building permit, are allowed for a period not to exceed 30 days within a 12-month period.

7. All containers shall be subject to the minimum set back requirements of the zoning district in which they are located.

8. All containers shall not be located in any minimum required off-street parking, transitional screening, landscape or open space area or with a sidewalk, fire lane, loading zone, drive aisles, retention basins or any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding land use and developments.

9. Cargo shipping containers are prohibited except when used as an accessory use to a commercial or industrial use and shall be subject to site-plan approval.

10. Two signs, each no more than 4 square feet in area, may be displayed on any container and shall only identify the provider of the container and shall not include the advertisement of any other product or service.

11. All containers shall be in a condition free from rust, peeling paint, weathering, discoloration, graffiti, holes and other forms of deterioration.

12. It shall be mandatory that containers be removed at the end of the permitted period of time. Any container which is not removed at the end of the



permitted period of time may be removed by the Town immediately, without notice. The cost of the removal, together with the cost of administration of the removal, may be assessed against the property on which the container was located by special ad valorem levy.

### **Section 598 – Solar Energy Systems**

1. **Residential Rooftop and Building-Mounted.** Rooftop and building-mounted solar energy systems used for residential use are allowed in all zoning districts in the Town of Richland. A NYS Building permit shall be required for installation of rooftop and building-mounted solar energy systems.

2. **Residential Ground-Mounted and Freestanding.** Ground-mounted and freestanding solar energy systems designed to meet residential energy needs are allowed as accessory structures in all zoning districts of the Town of Richland. A NYS Building Code permit from the Town of Richland, a Town of Richland zoning permit, and site plan approval shall be required for installation of ground-mounted and freestanding solar energy systems and shall be subject to the following requirements:

a. Solar energy systems shall be located in the least visibly obtrusive location where panels would be functional.

b. Solar energy systems shall only be located in the side or rear yard of a property.

c. No part of a solar energy system shall be located within any required front, side or rear setback.

d. All solar energy systems shall comply with the NYS Uniform Fire Prevention and Building Code.

e. The manufactures' or installers identification and appropriate warning language signage shall be posted on or near the equipment in a clearly visible manner.

f. Non-functional solar energy equipment shall be repaired, replaced, or removed within six months of becoming non-functional.

g. Siting of the solar energy equipment shall not block any required parking areas, sidewalks, or driveways, and must take into account existing vegetation on adjacent lots and their potential growth.

3. **Commercial Ground-Mounted and Freestanding.** Ground-mounted and freestanding solar energy used for commercial use are allowed in all zoning districts of the Town of Richland with a special permit and are subject to the requirements set forth in Section 597(B). above.

4. **Installation.** All solar energy system installation must be performed by a certified with a recognized certificate in solar installation, and prior to operation, the electrical connections must be inspected by a certified New York State electrical inspection agency and by an appropriate electrical inspection person or agency, as determined by the Town of Richland. In addition, any connection to the public utility grid must be inspected by the appropriate public utility.

5. **Removal.** If a solar energy system ceases to perform its originally intended function for more than twelve (12) consecutive months, the property owner shall remove the system, mount and associated equipment and facilities by no later than 90 days after the end of the twelve-month period.

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### Section 599 Energy Cooperatives

Producers of energy cooperatives are allowed in Commercial (CM) and Industrial (IN) districts of the Town of Richland through site plan review and

issuance of a special permit.

## **ARTICLE VI: ZONING DISTRICTS: DESCRIPTIONS**

### **Section 601 – Residential Agricultural – Description:**

The residential agricultural zone for the Town of Richland shall be all that land situate within the territorial boundaries of the Town of Richland which is not otherwise designated as being situated in a Residential Recreational zone, Residential Cottage zone, Commercial zone, or an Industrial zone.

### **Section 602 – Intentionally Omitted**

### **Section 603 – Residential Recreational Zone**

The Residential Recreational zone of the Town of Richland shall be as follows:

1. Beginning on the east shore of Lake Ontario and the north line of the Town of Richland and running thence easterly along the north line of the Town of Richland to a point that is 1600 feet east of NYS Route #3; thence southerly and 1600 feet east of Route #3 to the centerline of Sherman Road and the south line of the Town of Richland; thence westerly along same to the west line of the Town of Richland; thence northerly along said line to an angle in said town line; thence westerly along a south line of the Town of Richland to the east shore of Lake Ontario; thence northerly along said shore to the point of beginning.

Excepting all that land situate therein which has otherwise been designated as “Commercial or Residential Cottage zones.”

2. Beginning at a point in the westerly bounds of Rainbow Shores Road at the northeasterly corner of Alford Holdings L.L.C., (R-2010-010171), Tax ID: 037.17-01-04.02;

**Thence running** Southerly along the westerly bounds of Rainbow Shores Road, along the easterly bounds of Alford Holdings, L.L.C., (R-2010-010171 & R-2010-002883), to the southeasterly corner of Alford Holdings L.L.C., (R-2010-002883), Tax ID: 037.17-01-05; thence Westerly along the southerly bounds of Alford Holdings L.L.C., (R-2010-002883), Tax ID: 037.17-01-05 to the southwesterly corner of Alford Holdings L.L.C., (R-2010-002883), Tax ID: 037.17-01-05; thence Northerly along the westerly bounds of Alford Holdings L.L.C. (R-2010-002883 & R-2010-010171) to the northwesterly corner of Alford Holdings L.L.C., (R-2010-010171), Tax ID: 037.17-01-04.02; thence Easterly along the northerly bounds of Alford Holdings L.L.C., (R-2010-010171), Tax ID: 037.17-01-04.02 to the point and place of beginning.

The above described bounds intended to include all Tax Parcels, or portions thereof, within described bounds for Town of Richland zoning purposes. All record data shown per current Oswego County Real Property Service Records as of August 8, 2017.

3. Beginning at a point in the centerline of County Route No. 5 at its intersection with the extension of the easterly bounds of the J. Liggett (867/306), Tax ID: 058.01-02-44;

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**Thence running** Southerly along the easterly bounds of J. Liggett (867/306), Tax ID: 058.01-02-44 to the southeasterly corner of J. Liggett (867/306), Tax ID: 058.01-02-44; thence Westerly along the southerly bounds of J. Liggett (867/306), Tax ID: 058.01-02-44, D. Kenyon (1495/42), Tax ID: 058.01-02-50, M. Serafin-Fahimi (R-2017-002302), Tax ID: 058.01-02-54, and K. Coon (R-2007-014344), Tax ID: 058.01-02-54.01 to the southwesterly corner of K. Coon (R-2007-014344),

Tax ID: 058.01-02-54.01; thence Northwesterly and Northerly along several angle points along the westerly bounds of K. Coon (R-2007-014344), Tax ID: 058.01-02-54.01 to the centerline of County Route No. 5, being the northwesterly corner of K. Coon (R-2007-014344), Tax ID: 058.01-02-54.01; thence Southeasterly along the centerline of County Route No. 5 to the point and place of beginning.

The above described bounds intended to include all Tax Parcels, or portions thereof, within described bounds for Town of Richland zoning purposes. All record data shown per current Oswego County Real Property Service Records as of August 8, 2017.

4. Also, all that tract or parcel of land situate in the Town of Richland, County of Oswego and State of New York, being part of Lot No. 46, Selkirk Tract, and being all of the lands conveyed by MVB Investments LP to Selkirk Lighthouse & Marina L.L.C. Dated August 25, 2014 and recorded at the Oswego County Clerk's Office on August 29, 2014 as Instrument No. R-2014-007958 and being all of the lands as shown as Tax ID: 058.05-02-24 and being more particularly described as follows:

Beginning at a point in the Patent Line which is at or near the centerline of County Route No. 5 at its intersection with the extension of the easterly bounds of the Selkirk Lighthouse & Marina (R-2014-007958, Tax ID: 058.05-02-24), said point being 25 feet, N. 62° 23' 30" W. from the west line of the former premises conveyed to Maria T. Bishop (796/186);

**Thence running** N. 62° 23' 30" W. along said Patent Line and very near the centerline of County Route No. 5 a distance of 288.44 feet to a point in the high water line of Salmon River; thence N. 20° 12' 40" W. along said River a distance of 100.64 feet to a point; thence N. 9° 42' 20" E., continuing along said Salmon River, a distance of 96.86 feet to a point; thence Northerly along said highwater line a distance of about 198 feet to the southerly line of premises owned by Jack & Patricia

J. Podrazil (R-2004-012648, Tax ID: 058.05-02-21), said last described course having a straight line course of N. 3° 41' 05" W. and a distance of 197.08 feet; thence S. 80° 35' E. along the southerly line of said Podrazil premises a distance of 98.5 feet to a point in the west line of a private roadway; thence

N. 12° 50' E. along said roadway a distance of 4.67 feet to a point; thence

N. 76° 10' 20" E. a distance of 406.07 feet to a point; thence S. 28° 34' E. a distance of 320.35 feet to a point; thence S. 62° 23' 30" E. a distance of 128.70 feet to a point; thence S. 27° 36' 30" W. a distance of 111.85 feet to a point in the north line of premises owned by Gary Estes (R-2007-005546, Tax ID: 058.05-02-26); thence N. 62° 23' 30" W. a distance of 25 feet to the northwest corner of said Estes premises; thence S. 27° 36' 30" W., along the west line of said Gary Estes premises a distance of 200 feet to the point of beginning.

The above described bounds intended to include all Tax Parcels, or portions thereof, within described bounds for Town of Richland zoning purposes. All record data shown per current Oswego County Real Property Service and Oswego County Clerk Records as of August 30, 2017.

#### **Section 604 – Intentionally Omitted**

#### **Section 605 – Residential Cottage Zone**

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The Residential Cottage zone shall be those zones described as follows:

1. Beginning at a point on the east shore of Lake Ontario on the south line of a parcel designated as Tax Map #83.10-01-02; thence easterly along said line a distance of about 150 feet to the south line of the Town of Richland; thence easterly along said Town line a distance of about 310 feet to a point that is 250 feet easterly at right angles from the east line of Grand View Avenue; thence northerly parallel

with and 250 feet east of Grand View Avenue and Ontario Boulevard a distance of about 6,500 feet to the southeast corner of a parcel designated at Tax Map A #068.190-02-22; thence easterly and parallel with Hager Drive a distance of 350 feet to the southeast corner of a parcel designated at Tax Map #068.19-02-27; thence northerly along the east line of said parcel a distance of about 142 feet to the centerline of Hager Drive; thence westerly along the centerline of said drive a distance of about 300 feet to a point opposite the east line of a parcel designated at Tax Map #068.15-010-45; thence northerly a distance of about 580 feet to the northeast corner of a parcel designated as Tax Map #068.15-01-39; thence westerly a distance of about 10 feet to a point that is 250 feet east of the east line of Ontario Boulevard; thence northerly parallel with said boulevard a distance of about 930 feet to a point that is 100 feet east of the northeast corner of Lot #3, Block #2 of the Calkin's Subdivision; thence easterly along the extension of said Lot #3 a distance of 150 feet to a point that is 250 feet east of the east line of Ontario Boulevard; thence northerly and parallel with said Boulevard a distance of about feet to the easterly extension of the north line of Lot #16, Block #1 of the Calkin's Subdivisions; thence westerly along the extension and north line of said Lot #16 a distance of about 570 feet to the easterly shore of Lake Ontario; thence southerly along said shoreline a distance of about 8,700 feet to the point of beginning.

2. Beginning at a point on the east side on Lake Ontario (west side of Selkirk Tract) on the north line of a parcel designated as Tax Map #058.05-02-1.111; thence running easterly along said north line and extension thereof a distance of about 400 feet to a point that is 250 feet easterly at right angles from the east line of a roadway; thence southerly and parallel with said roadway and 250 feet east thereof a distance of about 1,900 feet to the centerline of County Route #5; thence westerly along said centerline and extension thereof a distance of about 230 feet to the easterly shore of the Salmon River; thence southerly across said river to the

westerly shore of the Salmon River a distance of about 400 feet, said point being on the north line of a parcel designated as Tax Map #058.05-01-14; thence southerly along the westerly shore of the Salmon River and swamp area a distance of about 3,200 feet to a point that is 250 feet easterly at right angles from the east line of a roadway; thence southerly and parallel with a roadway a distance of about 120 feet to the easterly extension of the south line of a parcel designated as Tax Map #057.16-01-14; thence westerly along said extension and south line of said parcel, a distance of about 475 feet to the east shore of Lake Ontario; thence northerly along said east shore a distance of about 3,800 feet to the mouth of the Salmon River; thence northerly across said river a distance of about 150 feet to the east side of the Salmon River and Lake Ontario (west of the Selkirk Tract); thence northerly along Lake Ontario and Selkirk Tract Line a distance of about 1,250 feet to the Point of Beginning.

3. Beginning at a point in the centerline of County Route #5 at the east line of the second parcel previously described as Residential Cottage and running thence easterly along the centerline of Route #5 to a point that is westerly at right angles a distance of 250 feet from the west line of NYS Route #3 (also being the west line of commercial zone); thence southerly and parallel with Route #3 to the north shore of the Salmon River; thence westerly, southerly, and northerly along said shore a westerly line of a parcel previously described; thence easterly along the extended centerline and existing centerline of Route #5 a distance of about 230 feet to the Point of Beginning.

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4. Beginning at the easterly shore of Lake Ontario with the Intersection of the North Line of the Town of Richland and running thence easterly along said Town Line and the centerline of Rainbow Shores Road a distance of about 470 feet to a point being 250 feet easterly at right angles for the east line of a 50 foot wide private drive; thence southerly and parallel with said private drive and 250 feet east thereof



a distance of about 4,900 feet to the easterly extension of the south line of a parcel designated as Tax Map #037.17-01-05; thence westerly along said extension and south line of said parcel a distance of about 520 feet to the easterly shore of Lake Ontario; thence northerly along said shoreline a distance of about 5,000 feet to the Point of Beginning.

Excepting the following:

Beginning at a point in the westerly bounds of Rainbow Shores Road at the northeasterly corner of Alford Holdings L.L.C., (R-2010-010171), Tax ID: 037.17-01-04.02;

Thence running Southerly along the westerly bounds of Rainbow Shores Road, along the easterly bounds of Alford Holdings, L.L.C., (R-2010-010171 & R-2010-002883), to the southeasterly corner of Alford Holdings L.L.C., (R-2010-002883), Tax ID: 037.17-01-05; thence Westerly along the southerly bounds of Alford Holdings L.L.C., (R-2010-002883), Tax ID: 037.17-01-05 to the southwesterly corner of Alford Holdings L.L.C., (R-2010-002883), Tax ID: 037.17-01-05; thence Northerly along the westerly bounds of Alford Holdings L.L.C. (R-2010-002883 & R-2010-010171) to the northwesterly corner of Alford Holdings L.L.C., (R-2010-010171), Tax ID: 037.17-01-04.02; thence Easterly along the northerly bounds of Alford Holdings L.L.C., (R-2010-010171), Tax ID: 037.17-01-04.02 to the point and place of beginning.

The above described bounds intended to include all Tax Parcels, or portions thereof, within described bounds for Town of Richland zoning purposes. All record data shown per current Oswego County Real Property Service Records as of August 8, 2017.

Excepting the following:

Beginning at a point in the centerline of County Route No. 5 at its intersection with the extension of the easterly bounds of the J. Liggett (867/306), Tax ID: 058.01-02-44;

**Thence running** Southerly along the easterly bounds of J. Liggett (867/306), Tax ID: 058.01-02-44 to the southeasterly corner of J. Liggett (867/306), Tax ID: 058.01-02-44; thence Westerly along the southerly bounds of J. Liggett (867/306), Tax ID: 058.01-02-44, D. Kenyon (1495/42), Tax ID: 058.01-02-50, M. Serafin-Fahimi (R-2017-002302), Tax ID: 058.01-02-54, and K. Coon (R-2007-014344), Tax ID: 058.01-02-54.01 to the southwesterly corner of K. Coon (R-2007-014344), Tax ID: 058.01-02-54.01; thence Northwesterly and Northerly along several angle points along the westerly bounds of K. Coon (R-2007-014344), Tax ID: 058.01-02-54.01 to the centerline of County Route No. 5, being the northwesterly corner of K. Coon (R-2007-014344), Tax ID: 058.01-02-54.01; thence Southeasterly along the centerline of County Route No. 5 to the point and place of beginning.

The above described bounds intended to include all Tax Parcels, or portions thereof, within described bounds for Town of Richland zoning purposes. All record data shown per current Oswego County Real Property Service Records as of August 8, 2017.

Excepting the following:

All that tract or parcel of land situate in the Town of Richland, County of Oswego and State of New York, being part of Lot No. 46, Selkirk Tract, and being all of the lands conveyed by MVB Investments LP to Selkirk Lighthouse & Marina L.L.C. Dated August 25, 2014 and recorded at the Oswego County Clerk's Office on August 29, 2014 as Instrument No. R-2014-007958 and being all of the lands as shown as Tax ID: 058.05-02-24 and being more particularly described as follows:

Beginning at a point in the Patent Line which is at or near the centerline of County Route No. 5 at its intersection with the extension of the easterly bounds of the Selkirk

Lighthouse & Marina (R-2014-007958, Tax ID: 058.05-02-24), said point being 25 feet, N. 62° 23' 30" W. from the west line of the former premises conveyed to Maria T. Bishop (796/186);

**Thence running** N. 62° 23' 30" W. along said Patent Line and very near the centerline of County Route No. 5 a distance of 288.44 feet to a point in the high water line of Salmon River; thence N. 20° 12' 40" W. along said River a distance of 100.64 feet to a point; thence N. 9° 42' 20" E., continuing along said Salmon River, a distance of 96.86 feet to a point; thence Northerly along said highwater line a distance of about 198 feet to the southerly line of premises owned by Jack & Patricia J. Podrazil (R-2004-012648, Tax ID: 058.05-02-21), said last described course having a straight line course of N. 3° 41' 05" W. and a distance of 197.08 feet; thence S. 80° 35' E. along the southerly line of said Podrazil premises a distance of 98.5 feet to a point in the west line of a private roadway; thence N. 12° 50' E. along said roadway a distance of 4.67 feet to a point; thence N. 76° 10' 20" E. a distance of 406.07 feet to a point; thence S. 28° 34' E. a distance of 320.35 feet to a point; thence S. 62° 23' 30" E. a distance of 128.70 feet to a point; thence S. 27° 36' 30" W. a distance of 111.85 feet to a point in the north line of premises owned by Gary Estes (R-2007-005546, Tax ID: 058.05-02-26); thence N. 62° 23' 30" W. a distance of 25 feet to the northwest corner of said Estes premises; thence S. 27° 36' 30" W., along the west line of said Gary Estes premises a distance of 200 feet to the point of beginning.

The above described bounds intended to include all Tax Parcels, or portions thereof, within described bounds for Town of Richland zoning purposes. All record data shown per current Oswego County Real Property Service and Oswego County Clerk Records as of August 30, 2017.

### **Section 606 – Commercial Zone**

The commercial zone for the Town of Richland shall be as follows:

1. Beginning at a point in the centerline of New York State Route #3 at the north line of Farm Lot #39 and running thence easterly along the north line of Lot #39 and Lot #40 a distance of about 293 feet to a point that is 250 feet east at right angles from the east line of NYS Route #3; thence southerly and parallel with Route #3 a distance of about 6,000 feet to the south shore of the Salmon River; thence easterly along said south shore a distance of about 1,500 feet to the northeast corner of a parcel designated as Tax Map #058.03-03-7.22; thence southerly along said east parcel line and line of others a distance of about 2,730 feet, plus or minus, to the southeast corner of a parcel designated as Tax Map #058.03-03-09; thence westerly along the south line of said parcel and extension thereof a distance of about 1,050 feet to the centerline of NYS Route #3; thence northerly along said centerline a distance of about 50 feet to a point opposite the north line of Spath Drive; thence westerly along the north line of Spath Drive a distance of about 1,070 feet to the western boundary line of a parcel designated as Tax Map #058.04-45.2; thence northerly along said western line of said parcel a distance of about 630 feet to the point of intersection with the south boundary line of a parcel designated as Tax Map #058-03-04-09; thence westerly along the south line of said parcel a distance of about 75 feet to a point; thence northerly along said western parcel line about 175 feet to a point of intersection with the south parcel line of a parcel designated as Tax Map #058.03-04-07; thence westerly along the south line of said parcel a distance of about 515 feet, plus or minus, to the easterly shore of the Salmon River; thence northerly and easterly along the easterly and southerly shore a distance of about 1,300 feet to a point that is westerly at right angles 250 feet from the west line of NYS Route #3; thence northerly and parallel with Route #3 a distance of about 6,300 feet to the north line of Farm Lot #39; thence easterly along said lot line a distance of about 293 feet to the point of beginning.

2. Beginning at a point in the centerline of NYS Route #3 at a point opposite the south line of Spath Drive; thence running easterly along the south line of the parcel previously described a distance of about 286 feet to a point that is 250 feet easterly at right angles from the east line of Route #3; thence southerly and parallel with Route #3 a distance of about 6,000 feet to the centerline of Atkinson Road; thence westerly along Atkinson Road and the extension thereof a distance of about 600 feet to a point that is 250 feet westerly at right angles to the west line of NYS Route #3; thence northerly and parallel with Route #3 a distance of about 6,000 feet to the south line of Spath Drive; thence easterly along the south line of Spath Drive a distance of about 286 feet to the Point of Beginning.

a) The commercial zone (CM) along NYS Route #3 is extended southerly as follows: Commencing at the intersection of the centerline of NYS Route #3 and the centerline of the Town road known as the Atkinson Road; thence southerly along the centerline of NYS Route #3 to its intersection with the centerline of the Town road known as Patrick Drive, to include all lands adjacent to and 250 feet from the centerline of NYS Route #3 on both east and west side thereof. The centerline or centerline extended of Patrick Drive to be the southerly boundary. Excluding therefrom any lands controlled either by wetland regulations or coastal erosion laws.

3. Beginning at a point on the north line of the Town of Richland at a point that is westerly at right angles a distance of 250 feet from the centerline of US Route #11; thence easterly along the town line to a point that is easterly at right angles a distance of 250 feet from the centerline of US Route #11; thence southerly and parallel with Route #11 to the north line of the Village of Pulaski; thence westerly along said Village line to a point that is 250 feet westerly at right angles from the centerline of Route #11; thence northerly and parallel to Route #11 to the Point of Beginning.

a) The commercial zone is extended westerly along US Route #11 as follows: From the Pulaski Village Line north on Route #11 to include the Charles Potter property, to the northerly boundary of the properties of Richland Associates as exists on August 13, 1991; extending in a westerly direction from the above described properties to the centerline of the abandoned railroad bed.

4. Beginning at a point in the centerline of North Fernwood Road northerly a distance of 125 feet from the centerline of County Route #41A; thence southerly along the centerline of North Fernwood Road and the extension thereof to the shore of the former Mill Pond of Grindstone Creek; thence westerly and southerly along the shore to a point that is easterly 125 feet at right angles to the centerline of South Fernwood Road; thence southerly a distance of about 150 feet to a point that is easterly at right angles a distance of 125 feet from the centerline of South Fernwood Road; thence westerly about 250 feet to a point that is westerly at a right angles a distance of 125 feet to the centerline of South Fernwood Road; thence northerly parallel with said South Fernwood Road and extension thereof to a point that is 125 feet northerly of the centerline of County Route #41A; thence easterly and parallel with County Route #41A to the Point of Beginning.

5. Beginning at a point in the centerline of Lehigh Road northerly at right angles a distance of 150 feet from the centerline of County Route #28 (Tinker Tavern Road); thence southerly along the centerline of Lehigh Road to the centerline of County Route #28; thence easterly along the centerline of County Route #28 a distance of 500 feet; thence southerly at 2 right angles a distance of 150 feet to a point; thence westerly and parallel with County Route #28 to a point that is 500 feet west of the centerline of US Route #11; thence northerly and parallel with US Route #11 to a point that is northerly at right angles a distance of 150 feet from the centerline of County Route #28; thence easterly and parallel with County Route #28 to the Point of Beginning.

6. Beginning at a point in the centerline of Canning Factory Road and centerline of ConRail Railroad; thence easterly along Canning Factory Road to the centerline of County Route #48; thence southerly along County Route #48 to the north line of the United States Post Office; thence easterly a distance of 150 feet to a point; thence southerly parallel with Route #48 to a point that is 175 feet north of County Route #2; thence westerly parallel with Route #2 a distance of 50 feet; thence southerly a distance of 175 feet to the centerline of County Route #2 to a point that is 100 feet easterly of County Route #48; thence southerly and parallel with Main Street to the centerline of Wilder Drive; thence westerly along Wilder Drive and extension thereof to the centerline of ConRail Railroad; thence northerly and westerly along centerline of tracts to a point that is 150 feet west of County Route #48 to a point that is 150 feet west of County Route #48 (Centerville Road); thence northerly parallel with Route #48 to a point that is 100 feet south of the centerline of County Route #2 (Richland Road); thence easterly parallel with County Route #48 to a point that is 100 feet south of the centerline of County Route #2 (Richland Road); thence easterly parallel with County Route #2 a distance of 50 feet; thence northerly parallel with County Route #48 a distance of 100 feet to the centerline of County Route #2; thence easterly along said Route #2 to the centerline of ConRail Road; thence northerly along the centerline of tracts to the Point of Beginning.

7. ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Richland, County of Oswego and State of New York being a part of the 21<sup>st</sup> Township of Scriba's Patent more particularly bounded and described as follows:

Commencing at a point in the centerline of County Route 28, said point being easterly along said centerline a distance of 150 feet from the intersection of said centerline and the centerline of the Town Road known as Lehigh Road; thence running northerly and parallel with the centerline of Lehigh Road and 150 feet therefrom, to a point in the north line of Great Lot 77 thence westerly, a distance of

150 feet to a point in the centerline of Lehigh Road; thence continuing westerly along the north line of great lot 76 a distance of 150 feet to a point; thence southerly, parallel with the centerline of Lehigh Road and 150 feet therefrom, to a point in the centerline of County Route 28; thence easterly, along the centerline of County Route 28 a distance of 150 feet to the intersection of the centerline of Lehigh Road and the centerline of County Route 28, thence continuing easterly along the centerline of County Route 28 a distance of 150 feet to the point and place of beginning.

Commencing at a point in the easterly highway boundary of US Route 11 at its intersection with the northerly boundary of County Route 28 (Tinker Tavern Road) running thence northerly along the easterly highway boundary, the following three courses and distances:

1. North  $9^{\circ} 04' 15''$  East, a distance of 108.45 feet to a point;
2. North  $40^{\circ} 02' 15''$  East, a distance of 58.0 feet to a point;
3. North  $09^{\circ} 04' 15''$  East, a distance of 594 feet to a concrete monument;

thence South  $70^{\circ} 16' 50''$  East, 757.56 feet to an iron pipe;

Thence N  $03^{\circ} 37' 30''$  West 58.31 feet to a point, said point being the northwest corner of premises of Donald W. Cornell;

Thence easterly along the northerly line of Cornell to a point on Interstate 81 said point being the northeast corner of Cornell;

Thence southerly along the westerly highway boundary of Interstate 81 to a point, said point being the intersection of the easterly highway boundary of Interstate 81 with the northerly boundary of County Route 28;

Thence westerly along the northerly highway boundary of County Route 28 to the point and place of beginning.

The zoning map of the Town of Richland is hereby amended to include the property set forth above in the commercial (CM) district.



### Section 607 – Industrial Zone

The industrial zone for the Town of Richland shall be as follows:

1. Commencing at a point on the easterly right-of-way line of the Penn Central Railroad; thence in an easterly direction along said railroad southerly right-of-way to its intersection with the westerly line of lands of Oswego County, also being the northernmost bounds of Hauer property; thence southerly along said boundary of Oswego County and Hauer to a point; thence easterly along said boundary of Oswego County and Hauer to the point of intersection of the property lines of Oswego County, Hauer and Pawlus, et al; thence south along said boundary of Hauer and Pawlus to the point of intersection of the property lines of Hauer, Pawlus and Pederson; thence westerly along the boundary of Hauer and Pawlus to the point approximately 170 feet westerly of the intersection of the property lines of Hauer, Pederson and Brosnan; thence northwesterly approximately 740 feet; thence southwestery approximately 130 feet to the southeast corner of lands of Gareau; thence westerly along the south property line between Gareau and Hauer a distance of 350.00 feet to a concrete monument marking the easterly right-of-way of County Route 2A; thence northerly 160.46 feet to another concrete monument on said highway right-of-way; thence northeasterly 53.79 feet to another concrete monument on said highway right-of-way; thence 69.95 feet in a northerly direction along the highway line to the northwest corner of lands of Gareau and an iron pipe; thence continuing along the County Route 2A highway line 800.47 feet to the point of beginning.

The above description is intended to describe a portion of Lot 1 and all of Lot 1.01 as shown on Tax Map number 60 in block 3, being approximately 69 acres, total.

2. ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Richland, County of Oswego, State of New York being part of the 21<sup>st</sup> Township of

Scriba's Patent more particularly bounded and described as follows: (wherever referred to herein tax identification numbers shall be those tax parcel numbers assigned to particular parcels by the Oswego County Real Property Tax Office and pursuant to tax map numbers in existence on the 11<sup>th</sup> day of February, 2000).

**FIRST PARCEL:** Commencing at a point, said point being the following courses and distances from the intersection of the centerline of Lehigh Road and the centerline of County Route 28 to with: northerly along the centerline of Lehigh Road from its intersection with the centerline of County Route 28 a distance of 250 feet to a point; thence easterly and parallel with the centerline of County Route 28 a distance of 150 feet to the point of beginning; thence running easterly on a line parallel with the centerline of County Route 28 and 250 feet therefrom, to a point in the east line of tax parcel number 101.00-05-09.000 properties now or formally owned by Francis Nichols; thence northerly along the east line of tax parcel number 101.00-05-09.000 to its intersection with the north line of Great Lot 77; thence westerly along the north line of Great Lot 77 to a point, said point being 150 feet easterly of the centerline of Lehigh Road; thence southerly on a line parallel with the centerline of Lehigh Road and 150 feet therefrom to the point and place of beginning.

**SECOND PARCEL:** Commencing at a point in the north line of Great Lot 76, said point being 150 feet westerly along said line from its intersection the centerline of Lehigh Road; thence running westerly along the north line of Great Lot 76 to a point, said point being the intersection of said north line and the east line of the Route 81 right-of-way; ~~thence southerly and easterly along the Route 81 easterly right-of-way to a point where it turns northerly; thence northerly along said right of way to a point, said line would intersect a line running parallel to Lehigh Road and 150 feet westerly thereof; thence northerly a line parallel with the centerline of Lehigh Road and 150 feet westerly thereof to the point and place of beginning.~~

**THIRD PARCEL:** Commencing at a point in the east line of the Interstate Route 81 right-of-way, said point being southerly 250 feet from the intersection of said line and the centerline of County Route 28; thence running southerly along the east line of the Interstate 81 right-of-way to a point, said point being the northwest corner of properties identified as tax parcel number 101.00-05-10.000 now or formerly owned by Bruce and Joyce Rice as exist on the east side of the Interstate Route 81 right-of-way; thence easterly along the north line of tax parcel number 101.00-05-10.000, continuing along the north line of tax parcel number 101.00-05-17.200 now or formerly owned by Leroy and Margaret Schmidt to the northeast corner of parcel number 101.00-05-17.200 said point also being in the east line of Great Lot 108, said point also being in the west line of tax parcel number 102.00-01-08.000 now or formerly owned by Dirk Wansink; thence southerly along the west line of tax parcel number 102.00-01-08.000 to its southwest corner; thence easterly along the south line of tax parcel number 102.00-01-08.000 to its southeast corner; said point also being the southwest corner of tax parcel number 102.00-01-09.000 now or formerly owned by Kevin Murphy; thence easterly and northeasterly, along the south line of tax parcel number 102.00-01-09.000 to a point which said point would be 250 feet westerly from the centerline of the Towne Road said centerline also being the east line of the Town of Richland; thence northerly parallel with the centerline of the Town Line Road/east line of Town of Richland, and 250 feet therefrom, to appoint in the south line or south line extended easterly, of the tax parcel number 102.00-01-14.020 now or formally owned by Randy and Tracy Turner; thence westerly along the south line extended of tax parcel number 102.00-01-14.020 to its southeast corner; thence continuing westerly along the south line of tax parcel number 102.00-01-14.020 and continuing along the south line of tax parcel number 102.00-01-14.010 now or formerly owned by David and Lesa Gilbo and the south line of tax parcel number 102.00-01-14.030 now or formerly owned

by Carol F. Cashel to the southwest corner of tax parcel number 102.00-01-14.030; thence northerly along the west line of tax parcel number 102.00-01-14.030 to the southeast corner of tax parcel number 102.00-01-13.010 now or formerly owned by Herman Jordal; thence westerly along the south line of tax parcel number 102.00-01-13.010 to the southwest corner thereof; thence northerly along the west line of tax parcel number 102.00-01-13.010 to a point therein, said point would be 250 feet from the centerline of County Route 28; thence westerly on a line parallel with the centerline of County Route 28 and 250 feet therefrom, to the point and place of beginning.

**FOURTH PARCEL:** Commencing at a point in the west line of Interstate Route 81 right-of-way also the east line of tax parcel number 101.00-05-06.000 now or formerly owned by Michael and Sabrina Brennan, said point being southerly along said lines a distance of 150 feet from the intersection of said lines and the centerline of County Route 28; thence southerly along the west line of the Interstate Route 81 right-of-way to a point, said point being the intersection of said west line, and the north line extended easterly of tax parcel number 101.00-05-20.000 now or formerly owned by Harlow W. Dunton; thence westerly along said line extended, to the northeast corner of tax parcel number 101.00-05-20.000; thence continuing westerly along the north line of tax parcel number 101.00-05-20.000 to the northeast corner of tax parcel number 101.00-05-20.010 now or formerly owned by Scott and Laurie Anderson; thence westerly along the north line of tax parcel number 101.00-05-20.010 to a point which would be 250 feet easterly of the centerline of US Route 11; thence northerly and parallel with the centerline of US Route 11 and 250 feet there from, to a point which would be 150 feet from the centerline of County Route 28; thence easterly and parallel with the centerline of County Route 28, 150 feet therefrom, to the point and place of beginning.

**FIFTH PARCEL:** Commencing at a point in the east line of Great Lot 89, said point being a distance of 250 feet southerly of the intersection of the east line of Great Lot 89 and the centerline of County Route 28; thence running southerly along the east line of Great Lot 89 and the east line of Great Lot 106 to the southeast corner of Great Lot 106; thence westerly along the south line of Great Lot 106 to the southwest corner of said Great Lot 106; thence northerly along the west line of Great Lot 106 to the intersection of said west line and the southerly line of tax parcel number 101.00-04-02.020 now or formerly owned by Thomas and Judy Ann Toussant as same exists in lot 105; thence westerly along the south line of tax parcel number 101.00-04-02.020 to a point in the east line of the CSX Railroad right of way; thence northerly along the east line of the CSX Railroad right-of-way to a point which would be 250 feet southerly of the intersection of the east line of the CSX Railroad right-of-way and the centerline of County Route 28; thence easterly and parallel with the centerline of County Route 28, and 250 feet southerly therefrom, to a point in the west line of tax parcel number 11.00-04-02.010 properties now or formerly owned by Mark H. Aller; thence southerly along the west line of tax parcel number 101.00-04-02.010 to the southwest corner thereof; thence northeasterly, along the south line of tax parcel number 101.00-04-02.010 to the southeast corner thereof; thence northerly, along the east line of tax parcel number 101.00-04-02.010 to a point which would be 250 feet southerly from the centerline of County Route 28; thence northeasterly, and parallel with the centerline of County Route 28, and 250 feet southerly therefrom, to a point in the west line of tax parcel number 101.00-04-03.010 now or formerly owned by Nick and Sarah Wansink; thence southerly, along the west line of said tax parcel number 101.04-03.010 to the southwest corner thereof; thence easterly along the south line of tax parcel number 101.00-04-03.010 to the southeast corner thereof; thence northerly along the east line of tax parcel number 101.00-04-03.010 to a point which would be 250 feet from the centerline of

County Route 28; thence easterly on a line parallel with the centerline of County Route 28 and 250 feet southerly thereof to the point and place of beginning.

**SIXTH PARCEL:** Commencing at a point in the east line of CSX Railroad right-of-way, said point being a distance of 250 feet northerly from the intersection of the east line of the CSX Railroad right-of-way and the centerline of County Route 28; thence running easterly, and parallel with the centerline of County Route 28 and 250 feet northerly thereof, to a point in the west line of tax parcel #101.00-4-02.000 now or formerly owned by Marsha Anderson; thence northerly along the west line of tax parcel #101.00-04-02.000 to the northwest corner thereof; thence easterly, along the north line of tax parcel #101.00-04-02.000 to the northeast corner thereof; thence southerly, along the east line of tax parcel #101.00-04-02.000 to a point, said point being 250 feet northerly from the centerline of County Route 28; thence easterly, on a line parallel with the centerline of County Route 28 and 250 feet northerly thereof, to a point, which would be 250 feet westerly of the centerline of US Route 11; thence northerly, and parallel with the centerline of US Route 11 and 250 feet westerly thereof, 2,500 feet to a point; thence southwesterly, to the northwest corner of Great Lot 89, also being the northeast corner of Great Lot 88; thence westerly along the north line of Great Lot 88 to a point in the east line of the CSX Railroad right-of-way; thence southerly along the east line of the CSX Railroad right-of-way to the point and place of beginning.

3. ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Richland, ~~County of Oswego, State of New York being part of the 21<sup>st</sup> Township of~~ Scriba's Patent, now owned by the County of Oswego and formerly known as part of the Carlton Scott Farm, located West of Peck Road and North of County Route 2A and Centerville Road, consisting of 19± acres.

4. ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Richland, County of Oswego and State of New York, known and distinguished as

part of Great Lots Nos. 22 and 23 of the 21<sup>st</sup> Township of Scriba's Patent, surveyed and more particularly described as follows: Beginning at a point in the centerline of US Route 11 at the southwest corner of lands conveyed to Roy E. Tanner and his wife, Esther Mae Tanner, by deed dated January 27, 1983, and recorded on February 21, 1983, in the Oswego County Clerk's Office in Book 758 of Deeds, Page 732&c; thence S. 76° 15' 00" E. a distance of 504.19 feet measured (504.1'-map) to an iron pipe at the southeast corner of the aforementioned Tanner lands; thence N. 86° 00' 36" E. a Distance of 743.23 feet to the corner of Great Lots Nos. 9, 10, 22 and 23; thence S. 59° 53' 00" W., along the south line of Great Lot 10 and the north line of Great Lot 23 a distance of 1069.24 feet measured (1044.78'-deed) to a point; thence S. 30° 50' 58" W. 1044.77 feet (measured & deed) to a point; thence N. 60° 04' 58" W. a distance of 1427.60 feet to an iron pipe; thence N. 9° 03' 30" E. a distance of 578.18 feet measured (578.20'-map) to an iron pipe situated 100' S. 09° 09' 30" W. from an iron pipe set in the southeast corner of the aforementioned lands of Tanner; thence N. 76° 14' 57" W. a distance of 503.98 feet measured (503.8'-map) through an iron pipe to the centerline of US Route 11; thence N. 8° 59' 30" E. a distance of 100 feet along said centerline to the point and place of beginning. Said lands are a portion of the lands conveyed by Roy E. Tanner and Esther Mae Tanner to Beverly M. Burns by deed dated November 25, 1974, and recorded December 12, 1974 in the Oswego County Clerk's Office in Book 785 of Deeds, Page 659&c.

5. ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Richland, County of Oswego and State of New York, commencing at a point in the centerline of the Pulaski-Centerville Road, said point being the intersection of said centerline and the south line of the property, now or formerly owned by the New York Central Railroad; thence running along the centerline of the Pulaski-Centerville Road south 30° 10' E. a distance of 24.67 chains to a point; thence south 45° 16' E. 3.3 chains to a point; thence south 52° 22' E. 14.26 chains to a point;

thence south 9° 17' W. 11.22 chains to a point; thence south 25° 43' W. 5.98 chains to a point in the centerline of the Salmon River; thence along the centerline of the Salmon River as it winds and turns in a westerly and northwesterly direction to a point where said centerline is intersected by the south line of properties, now or formerly, owned by the New York Central Railroad; thence easterly along said south line of said properties, now or formerly owned by the New York Central Railroad to the point and place of beginning.

Excepting from the above description all properties as deeded to the New York State Department of Public Works for the development of the Town Road known as the Lehigh Road – Centerville Road, also excepting from the above described properties all said properties as may have been deeded to the County of Oswego, State of New York, also excepting from the above described parcel any and other deeds of record as are on record with the Oswego County Clerk's Office effecting said properties prior to the first day of November, 1986.

Intending to describe and convey the same properties as deeded the Lee Schoeller Paper Company, Inc. by the Niagara Mohawk Power Corporation by deed dated the 15<sup>th</sup> day of February 1962 and recorded in Book 654 of Deeds at Page 62, Oswego County Clerk's Office, excepting therefrom all deeds of record and conveyances effecting said premises as recorded in the Oswego County Clerk's Office prior to November 1, 1986.

6. PART OF GREAT LOT 151 of the 10<sup>th</sup> Township of Constable's Purchase and more particularly described as follows: Beginning at a point in the southerly line of Centerville Road, also known as County Route 2A, in the centerline of a stone wall, said stone wall being described as the division line between premises of Mandigo on the East and premises of Bea, Simmons and O'Brien on the West, said beginning point being a point in the easterly line of premises conveyed to Karl J. Bea, Roy D. Simmons and William G. O'Brien by Harold E. Shaw by deed dated



May 11, 1962, and recorded on May 14, 1962 in Oswego County Clerk's Office in Book 656 of Deeds at Page 857; said beginning point being also the southwesterly corner of Parcel #11 conveyed to the County of Oswego by deed dated May 25, 1966, and recorded on August 5, 1966 in Oswego County Clerk's Office in Book 691 of Deeds at Page 402; said beginning point also being located S. 7° 15' W., 77.50' from the centerline of the Centerville Road, also known as County Route 2A; thence S. 46° 55' E. along the southerly line of the Centerville Road through a concrete monument located 2 feet from said beginning point a distance of 221.20' to a concrete monument; thence S. 34° 02' E. still along the southerly line of said Centerville Road, a distance of 203.50 feet to a concrete monument; thence S. 29° 32' E. still along the southerly line of said Centerville Road, a distance of 254.50 feet to a wire fence located on the division line between lands of the Penn-Central Transportation Company (formerly New York Central Railroad Company) and lands of Richard and Barbara H. Mandigo; thence northwesterly along said wire fence and lands of said Penn-Central on a curve to the right having a radius of 2292.0 feet more or less, a distance of 464.0 feet more or less to an iron stake in the centerline of a stone wall and easterly line of lands conveyed to said Bea, Simmons and O'Brien by said Bea by deed dated September 9, 1961 and recorded September 19, 1961 in Oswego County Clerk's Office in Book 650 of Deeds at Page 635; thence N. 7° 15' E. along the easterly line of lands of said Bea, Simmons and O'Brien a distance of 467.30 feet to a point in the centerline of said stone wall that is the place of beginning, and containing 3.057 acres of land, be the same more or less.

### **Section 608 – Intentionally Omitted**

### **Section 609 – Residential Recreation 3 Zone**

The residential recreation zone for the Town of Richland shall be as follows:

All that tract or parcel of land situate in the Town of Richland, County of Oswego and State of New York, consisting of the following tax parcel ID numbers; 058.00-01-11.2, 058.00-01-14.02, 059.00-01-15, 059.00-01-16, 059.00-01-17, 059.00-01-18, 059.00-01-20.2, 059.00-01-23, 069.00-01.38, 069.00-01-41.

The above described bounds intending to include all tax parcels or portions thereof for the Town of Richland zoning purposes. All record data shown per current Oswego County Real Property Service and Oswego County Clerk's records as of October 17, 2017.

1. Beginning at a point in the east line of Commercial zoning that is 250 feet easterly at right angles from the east line of NYS Route #3 and 600 feet northerly at right angles from the centerline of County Route #5; thence running easterly and parallel with Route #5 to the west line of the Village of Pulaski; thence southerly along said village line to a point that is 1600 feet southerly at right angles from the centerline of NYS Route #13; thence westerly and parallel with Route #13 to the east line of the commercial zone; thence northerly along said line to the northeast corner of a parcel designated at Tax Map #058.03-03-7.22; thence westerly along the south shore of the Salmon River a distance of about 1500 feet to a point that is easterly at right angles a distance of 250 feet from the east line of NYS Route #3; thence northerly and parallel with Route #3 to the point of beginning.

2. Beginning at a point on County Route #5 that is 305 feet westerly at right angles from the west line of the Village of Pulaski; thence running southerly 390 feet from the right-of-way of County Route #5 at right angles to the northwest corner of a parcel designated Tax Map #058.00.01-02.11; thence easterly along the northern boundary of said parcel at right angles to the line dividing the Village of Pulaski and the Town of Richland; thence southerly along said line to the northern boundary of the abandoned Oswego-Rome railroad right-of-way; thence southwesterly along said right-of-way of Loomis Road; thence 1,090 feet westerly

along said right-of-way; thence 1,280 feet northerly at right angles from the right-of-way of Palmiter Road; thence 1,480 feet westerly and parallel to Palmiter Road; thence 1,300 feet southerly at right angles to the right-of-way of Palmiter Road; thence 1,660 feet westerly along said right-of-way to the road's termination; thence 5,475 feet southerly at right angles from the right-of-way of Palmiter Road to the northwest corner of a parcel designated as Tax Map #069.00-02-10; thence 1,010 feet easterly at right angles from said right-of-way; thence southerly at right angles to the right-of-way of Atkinson Road; thence 1,530 feet westerly along said right-of-way to the right-of-way of the abandoned Oswego-Rome railroad right-of-way; thence northerly to the southeast corner of a parcel designated Tax Map #069.00.01-03; thence 1,760 feet westerly along the southern boundary of said parcel to a southwest corner; thence 720 feet northerly at right angles on the western boundary of said parcel; thence 165 feet westerly at right angles along said parcel; thence 725 feet northerly at right angles along said parcel to a southeast corner of a parcel designated Tax Map #069.00-01-01; thence 435 feet westerly at right angles along said parcel boundary; thence 350 feet northerly at right angles along said parcel boundary; thence 1,700 feet westerly at right angles along said parcel boundary; thence 90 feet northerly at right angles along said parcel boundary; thence 730 feet westerly at right angles along said parcel boundary to the right-of-way of NYS Route #3 and the southwest corner of said parcel boundary; thence 460 feet northerly along said right-of-way; thence 540 feet easterly at right angles along said parcel boundary; thence 295 feet northerly at right angles along said parcel boundary; thence 570 feet westerly at right angles along said parcel boundary to the right-of-way of NYS Route #3; thence 1,450 feet northerly along said right-of-way; thence 310 feet easterly at right angles from said right-of-way to the eastern boundary of the commercial zone district of the Town of Richland; thence 1,450 feet northerly along said zone boundary; thence 775 feet southeasterly along said zone boundary; thence 2,050 feet

northerly along said zone boundary; thence 55 feet easterly at right angles; thence northerly at right angles; thence northerly at right angles to the right-of-way of NYS Route #13; thence 1,490 feet easterly along said right-of-way to the northeast corner of a parcel designated Tax Map #058.00-01-12; thence 480 feet northerly along the eastern boundary of a parcel designated Tax Map #058.00-01-14; thence 185 feet westerly at right angles along said parcel boundary; thence 70 feet southerly along said parcel boundary; thence 150 feet westerly along said parcel boundary to the southern bank of the Salmon River; thence 420 feet northerly along said parcel boundary to the center of the Salmon River; thence 2,650 feet easterly along said parcel boundary and following the Salmon River; thence 515 feet northerly at right angles to the Salmon River; thence 900 feet easterly along the northern bank of the Salmon River; thence 345 feet southerly at right angles to the northern boundary of a parcel designated Tax Map #058.00-01-14; thence 840 feet easterly and parallel to the Salmon River; thence 810 feet northerly at right angles to the right-of-way of County Route #5; thence 1,450 feet easterly along said right-of-way to the southeast corner of a parcel designated as Tax Map #059.00-01-04; thence 1,880 feet northerly along the western boundary of said parcel; thence 265 feet southeasterly along said parcel boundary; thence 1,450 feet northerly at right angles to the right-of-way of Clark Road; thence 1,040 feet northeasterly along said right-of-way; thence 2,120 feet southerly to the northern boundary of a parcel designated as Tax Map #059.00-01-04; thence 965 feet southeasterly along the northern boundary line to the northeastern corner of said parcel; thence southerly along the eastern boundary of said parcel to the point of beginning to County Route #5.

### **Section 610 – HAMLET OVERLAY ZONE**

The hamlet overlay zone for the Town of Richland shall be as follows:

#### **Hamlet of Richland**

All that tract or parcel of land situate in the Town of Richland, County of Oswego and State of New York, and being more particularly described as follows:

Beginning at a point in the centerline of County Route No. 48 at its intersection with the southerly bounds of the Town of Richland, also being the northerly bounds of Town of Albion., said point being the southeasterly corner of R. & M. Klebs (R-2003-007990), Tax ID: 061.00-03-09.1;

**Thence running** Westerly along the southerly bounds of the Town of Richland and Tax ID: 061.00-03-09.1 to the southwesterly corner of R. & M. Klebs (R-2003-007990); thence Northerly along the westerly bounds of R. & M. Klebs to the northwesterly corner of R. & M. Klebs (R-2003-007990 & R-2004-015364), Tax ID: 061.00-03-09.1; thence Easterly along the northerly line of R. & M. Klebs to centerline of County Route No. 48, being the northeasterly corner of R. & M. Klebs (R-2004-015364), Tax ID: 061.00-03-09.1; thence Northerly along the centerline of County Route No. 48 a distance of about 21 feet to the southeasterly corner of M. & A. Tschauder (R-2007-015957), Tax ID: 061.03-01-20; thence Westerly along the southerly bounds of M. & A. Tschauder to the southwesterly corner of M. & A. Tschauder (R-2007-015957), Tax ID: 061.03-01-20; thence Northerly along the westerly bounds of M. & A. Tschauder (R-2007-015957), Tax ID: 061.03-01-20, J. Christian (R-2012-000623), Tax ID: 061.03-01-26 , and a portion of P. & K. Crouch (1527/118), Tax ID: 061.03-01-21.2, to a southeasterly corner of K. Reynolds, Sr. (R-2016-001262), Tax ID: 061.03-01-22; thence Westerly along the southerly bounds of K. Reynolds, Sr. to the southwesterly corner of K. Reynolds, Sr. (R-2016-001262), Tax ID: 061.03-01-22; thence Northerly along the westerly bounds of K. Reynolds, Sr. to the northwesterly corner of K. Reynolds, Sr. (R-2016-001262), Tax ID: 061.03-01-22, and being on the southerly bounds of Richland Camp Meeting Association (1410/161), Tax ID: 061.00-03-06; thence Westerly along the southerly bounds of Richland Camp Meeting Association, to the southwesterly corner of

Richland Camp Meeting Association (1410/161), Tax ID: 061.00-03-06; thence Northerly along the westerly bounds of Richland Camp Meeting Association, and extension thereof to a point on the northerly bounds of CSX Transportation Inc., Tax ID: 050.00-02-01, and being on the southerly bounds of K. Shutts (1408/82), Tax ID: 061.01-06-04; thence Westerly along the northerly bounds of CSX Transportation Inc., Tax ID: 050.00-02-01 and southerly bounds of K. Shutts (1408/82), Tax ID: 061.01-06-04, R. Wilmer (R-2005-012862), Tax ID: 061.01-06-03, T. & T. Peck (1449/18), Tax ID: 061.01-06-02, and S. Smith (R-2002-003236), Tax ID: 061.01-06-01, to the southwesterly corner of S. Smith (R-2002-003236), Tax ID: 061.01-06-01; thence Northerly along the westerly bounds of S. Smith, to the southeasterly corner of J. & H. Johnston (R-2007-012306), Tax ID: 061.00-02-11.03; thence Westerly along the southerly bounds of J. & H. Johnston to the southwesterly corner of J. & H. Johnston (R-2007-012306), Tax ID: 061.00-02-11.03; thence Northerly along the westerly bounds of J. & H. Johnston, as it follows existing angle points along said boundary to the centerline of County Route No. 2, being the northwesterly corner of J. & H. Johnston (R-2007-012306), Tax ID: 061.00-02-11.03; thence Westerly along the centerline of County Route No. 2 to the southwesterly corner of lands belonging to the Village of Pulaski (375/533), Tax ID: 061.01-01-07, and being the easterly bounds of J. Fedora (R-2007-010451), Tax ID: 061.01-01-06; thence Northerly along the westerly bounds of lands belonging to the Village of Pulaski (375/533), Tax ID: 061.01-01-07, and easterly bounds of J. Fedora (R-2007-010451), Tax ID: 061.01-01-06, to the northwesterly corner of lands belonging to the Village of Pulaski (375/533), Tax ID: 061.01-01-07, being on the southerly bounds of W. Lewis (R-2010-011437), Tax ID: 061.00-01-07, and continuing Northerly and Westerly along a jog in the southerly bounds of W. Lewis (R-2010-011437), Tax ID: 061.00-01-07 to the southwesterly corner of W. Lewis (R-2010-011437), Tax ID: 061.00-01-07; thence Northerly along the westerly

bounds of W. Lewis to the centerline of Canning Factory Road being the northwesterly corner of W. Lewis (R-2010-011437), Tax ID: 061.00-01-07; thence Southeasterly along the centerline of Canning Factory Road to the southwesterly corner of F. Minor (1368/197), Tax ID: 061.00-01-04; thence Northerly along the westerly bounds of F. Minor to the northwesterly corner of F. Minor (1368/197), Tax ID: 061.00-01-04; thence Easterly along the northerly bounds of F. Minor, and extension thereof to the easterly bounds of CSX Transportation, Inc., Tax ID: 050.00-02-01; thence Northerly along the easterly bounds of CSX Transportation, Inc., Tax ID: 050.00-02-01 to the northwesterly corner of R. & K. Denny (R-2015-001629), Tax ID: 061.01-02-04; thence Easterly along the northerly bounds of R. & K. Denny, to the centerline of County Route No. 48, being the northeasterly corner of R. & K. Denny (R-2015-001629), Tax ID: 061.01-02-04; thence Southerly along the centerline of County Route No. 48 to the northwesterly corner of J. Lavere & K. Lavoure (R-2011-003305), Tax ID: 061.00-04-02; thence Easterly along the northerly bounds of J. Lavere & K. Lavoure and northerly bounds of M. & K. Gill (R-2015-009524), Tax ID: 061.00-04-03, to the northwesterly corner of M. & K. Gill (R-2015-009524), Tax ID: 061.00-04-03; thence Southerly along the easterly bounds of M. & K. Gill (R-2015-009524), Tax ID: 061.00-04-03, R. & L. Brodeur (1279/220), Tax ID: 061.00-04-3.01, and T. Griskewiez (R-2016-012644), Tax ID: 061.00-04-6.01, to the centerline of County Route No. 2 at the southeasterly corner of T. Griskewiez (R-2016-012644), Tax ID: 061.00-04-6.01; thence Easterly along the centerline of County Route No. 2 to the northeasterly corner of N. Dellaventura, Jr. (987/167), Tax ID: 061.00-04-24; thence Southerly along the easterly bounds of N. Dellaventura, Jr. and I. Bush (853/323), Tax ID: 061.00-04-23, to the southeasterly corner of I. Bush (853/323), Tax ID: 061.00-04-23; thence Westerly along the southerly bounds of I. Bush (853/323), Tax ID: 061.00-04-23, and T. & I. Bush (R-2010-011928), Tax ID: 061.03-03-18, to a northeasterly corner of Goodway

(R-2015-000648), Tax ID: 061.03-03-20, thence Southerly along the easterly bounds of Goodway, to the southeasterly corner of Goodway (R-2015-000648), Tax ID: 061.03-03-20; thence Westerly along the southerly bounds of Goodway (R-2015-000648), Tax ID: 061.03-03-20, and P. Cronk (R-2002-003477), Tax ID: 061.03-03-22, to the southwesterly corner of P. Cronk (R-2002-003477), Tax ID: 061.03-03-22, and being the northeasterly corner of D. & E. Peacock (115/169), Tax ID: 061.03-03-27.1; thence Southerly along the easterly bounds of D. & E. Peacock (115/169), Tax ID: 061.03-03-27.1, and C. O'Donnell (R-2004-007886), Tax ID: 061.03-03-27.2 & 061.03-03-28, to the southeasterly corner of C. O'Donnell (R-2004-007886), Tax ID: 061.03-03-28; thence Westerly along the southerly bounds of C. O'Donnell (R-2004-007886), Tax ID: 061.03-03-28, and the extension thereof across Main Street and lands of CSX Transportation, Inc., Tax ID: 050.00-02-01 to the westerly bounds of CSX Transportation, Inc., Tax ID: 050.00-02-01 and the easterly bounds of N. & G. Derr (1224/279), Tax ID: 061.00-03-11; thence Southerly along the westerly bounds of CSX Transportation, Inc., Tax ID: 050.00-02-01, and easterly bounds of N. & G. Derr (1224/279) and easterly bounds of M. Bonanno (R-2009-013316), Tax ID: 061.00-03-12 to the southeasterly corner of M. Bonanno (R-2009-013316), Tax ID: 061.00-03-12, being on the southerly bounds of the Town of Richland; thence Westerly along the southerly bounds of the Town of Richland and southerly bounds of M. Bonanno (R-2009-013316), Tax ID: 061.00-03-12 to the point and place of beginning.

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The above described bounds intended to include all Tax Parcels, or portions thereof, within described bounds for Town of Richland zoning purposes. All record data shown per Oswego County Real Property Service Records as of July 26, 2017.

Hamlet of Fernwood



All that tract or parcel of land situate in the Town of Richland, County of Oswego and State of New York, and being more particularly described as follows:

Beginning at a point in the centerline of County Route No. 41A at its intersection with the westerly bounds of CSX Transportation, Inc., Tax ID: 085.00-02-01, said point being the northeasterly corner of J. Goodsell (R-2001-008968), Tax ID: 101.00-03-29;

Thence running Southerly along the westerly bounds of CSX Transportation, Inc., Tax ID: 085.00-02-01, and easterly bounds of J. Goodsell (R-2001-008968), Tax ID: 101.00-03-29, to the southeasterly corner of J. Goodsell (R-2001-008968), Tax ID: 101.00-03-29; thence Southwesterly along the southerly bounds of J. Goodsell, to the southwestly corner of J. Goodsell (R-2001-008968), Tax ID: 101.00-03-29, and being on the easterly bounds of W. & B. Van Wormer (810/714), Tax ID: 101.00-03-22; thence Southerly along the easterly bounds of W. & B. Van Wormer, to the southeasterly corner of W. & B. Van Wormer (810/714), Tax ID: 101.00-03-22; thence Westerly along the southerly bounds of W. & B. Van Wormer, to the northeasterly corner of H. Miller (579/233), Tax ID: 101.00-03-21; thence Southerly along the easterly bounds of H. Miller (579/233), Tax ID: 101.00-03-21, and E. & G. Pond (R-2007-000821), Tax ID: 101.00-03-30.01, to the southeasterly corner of E. & G. Pond (R-2007-000821), Tax ID: 101.00-03-30.01; thence Westerly along the southerly bounds of E. & G. Pond (R-2007-000821), Tax ID: 101.00-03-30.01, E. & G. Pond (1432/38), Tax ID: 101.00-03-20.2, to the centerline of Valley Road, being the southwestly corner of E. & G. Pond (1432/38), Tax ID: 101.00-03-20.2, and the southeasterly corner of B. Lewis (1245/345), Tax ID: 101.00-02-20; thence Westerly along the southerly bounds of B. Lewis (1245/345), Tax ID: 101.00-02-20, to the southwestly corner of B. Lewis (1245/345), Tax ID: 101.00-02-20; thence Northerly along the westerly bounds of B. Lewis to the northwestly corner of B. Lewis (1245/345), Tax ID: 101.00-02-20; thence Easterly along the

northerly bounds of B. Lewis (1245/345), Tax ID: 101.00-02-20 to the southwesterly corner of D. Crandall (R-2015-003691), Tax ID: 101.00-02-19; thence Northeasterly along the westerly bounds of D. Crandall (R-2015-003691), Tax ID: 101.00-02-19, D. Kelly (1320/30), Tax ID: 101.00-02-17, and R. Hatfield (776/707), Tax ID: 101.00-02-16, to the northwesterly corner of R. Hatfield (776/707), Tax ID: 101.00-02-16, and being on the southerly bounds of P. Bubach (R-2002-015501), Tax ID: 101.00-02-21; thence Westerly along the southerly bounds of P. Bubach (R-2002-015501), Tax ID: 101.00-02-21, to the southwesterly corner of P. Bubach (R-2002-015501), Tax ID: 101.00-02-21; thence Northerly along the westerly bounds of P. Bubach, to the northwesterly corner of P. Bubach (R-2002-015501), Tax ID: 101.00-02-21; thence Easterly along the northerly bounds of P. Bubach (R-2002-015501), Tax ID: 101.00-02-21, to the southwesterly corner of Odell Roy, L.L.C. (R-2017-003199), Tax ID: 101.00-02-15; thence Northerly along the westerly bounds of Odell Roy, L.L.C. (R-2017-003199), Tax ID: 101.00-02-15, to the southeasterly corner of M. Peiritti (R-2005-006849), Tax ID: 101.00-02-09; thence Westerly along the southerly bounds of M. Peiritti (R-2005-006849), Tax ID: 101.00-02-09, F. Sadiku & S. Mahmuti (R-2016-011549), Tax ID: 101.00-02-08, and J. & M. Ambrose (R-2004-010207), Tax ID: 101.00-02-07, to the southwesterly corner of J. & M. Ambrose (R-2004-010207), Tax ID: 101.00-02-07; thence Northerly along the westerly bounds of J. & M. Ambrose (R-2004-010207), Tax ID: 101.00-02-07 to the southeasterly corner of G. Damiano, (R-2009-011428), Tax ID: 101.00-02-03; thence Westerly along the southerly bounds of G. Damiano, (R-2009-011428), Tax ID: 101.00-02-03, and R. & C. Monroe (R-2016-003631), Tax ID: 101.00-02-02, to the southwesterly corner of R. & C. Monroe (R-2016-003631), Tax ID: 101.00-02-02; thence Northerly along the westerly bounds of R. & C. Monroe (R-2016-003631), Tax ID: 101.00-02-02, to the centerline of County Route No. 41A, being the northwesterly corner of R. & C. Monroe (R-2016-003631), Tax ID: 101.00-02-

02; thence Westerly along the centerline of County Route No. 41A to the southwesterly corner of C. & V. Bond (R-2006-000336), Tax ID: 101.00-01-24; thence Northerly along the westerly bounds of C. & V. Bond (R-2006-000336), Tax ID: 101.00-01-24, as it follows existing angle points along said boundary to the northwesterly corner of C. & V. Bond (R-2006-000336), Tax ID: 101.00-01-24; thence Easterly along the northerly bounds of C. & V. Bond (R-2006-000336), Tax ID: 101.00-01-24, and northerly bounds of K. & C. Hubbard (R-2007-003026), Tax ID: 101.00-01-09, as it follows existing angle points along said line to the centerline of North Fernwood Road, being the northeasterly corner of K. & C. Hubbard (R-2007-003026), Tax ID: 101.00-01-09 and being the northwesterly corner of O. & J. Davis (782/699), Tax ID: 101.00-03-04; thence Easterly along the northerly bounds of O. & J. Davis to the northeasterly corner of O. & J. Davis (782/699), Tax ID: 101.00-03-04, being on the westerly bounds of CSX Transportation, Inc., Tax ID: 085.00-02-01; thence Southerly along the westerly bounds of CSX Transportation, Inc., Tax ID: 085.00-02-01, also easterly bounds of O. & J. Davis (782/699), Tax ID: 101.00-03-04, C. Hatch (R-2010-003680), Tax ID: 101.00-03-14, and R. Klebs (R-2006-013235), Tax ID: 101.00-03-17, to the southeasterly corner of R. Klebs (R-2006-013235), Tax ID: 101.00-03-17; thence Westerly along the southerly bounds of R. Klebs (R-2006-013235), Tax ID: 101.00-03-17 to the northeasterly corner of Fernwood Baptist Church (52/91), Tax ID: 101.00-03-16; thence Southerly along the easterly bounds of Fernwood Baptist Church (52/91), Tax ID: 101.00-03-16, to the centerline of County Route No. 41A; thence easterly along the centerline of County Route No. 41A to the point and place of beginning.

The above described bounds intended to include all Tax Parcels within described bounds for Town of Richland zoning purposes. All record data shown per current existing Oswego County Real Property Service Records as of July 24, 2017.

**Section 612 - SCHEDULES SHOWING USES ALLOWED IN VARIOUS ZONES AND AREA AND SIZE REQUIREMENTS IN SAID ZONES:**

Schedules are included to assist the reader in easily determining what uses are permitted in each district, which uses are specially permitted and which uses require variances. Schedule B is intended to show the minimum land area requirements. If there be any discrepancy between and Schedule and Article 4, SUPRA the written article shall control and the schedule, to the degree that same deviates from Article 4, shall be of no effect.

	P = Permitted Use S = Special Permit Required A = Allowed without Requirements of Permit BLANK = Requires Variance		RA RR RR3 CM IN CIFO HO RC REF#	= Residential Agriculture = Residential Recreation = Residential Recreation 3 = Commercial = Industrial = Commercial/Industrial/Floating Overlay = Hamlet = Residential Cottage = Section Reference					
	RA	RR	RR3	CM	IN	CIFO	HO	RC	REF#
Access Road	S	S		S	S		S	S	
Accessory Use	S	S	S	P	S		S	S	590
Agricultural Use	P	S	P		S		P		
Aircraft Landing Strip	S	S		S	S				
Amusement Center	S	S	S				S		534
Animal Hospital	S	S		S			S		
Automobile or Trailer Sales Area				S		S			
Automobile or Trailer Service & Sales Area				S		S			
Bed and Breakfast	S	S	S	P			S	S	
Boarding House	S	S		P			S	S	
Boat Launch	S	S	S	S	S			S	536
Business Office	S	S	S	P	S	S	S	S	
Camp	P	P	P	S			P	P	
Campsite		S	S					S	530, 532
Charter Boat		S	S	S		S			
Club	S	S	S	S			S	S	
Club, Private	S	S	S	S			S	S	
Commercial Marina		S	S	S		S		S	535
Community Center	S	S	S	P		S	S	S	
Condominium	S	S	S	S			S	S	
Construction Engineering					S	S			
Day Care Center	S	S	S	S			S	S	
Dock	P	P	P	P				P	
Drive-In		S		P		S			
Dump	S								526
Dwelling, Earth Sheltered	P	P		P			P	P	572-578
Dwelling, Manufactured	P	P		P				P	572-578
Dwelling, Multiple Family	S	S	S				S	S	589

<b>P = Permitted Use</b> <b>S = Special Permit Required</b> <b>A = Allowed without Requirements of Permit</b> <b>BLANK = Requires Variance</b>	<b>RA</b> <b>RR</b> <b>RR3</b> <b>CM</b> <b>IN</b> <b>CIFO</b> <b>HO</b> <b>RC</b> <b>REF#</b>		<b>= Residential Agriculture</b> <b>= Residential Recreation</b> <b>= Residential Recreation 3</b> <b>= Commercial</b> <b>= Industrial</b> <b>= Commercial/Industrial/Floating Overlay</b> <b>= Hamlet</b> <b>= Residential Cottage</b> <b>= Section Reference</b>						
	RA	RR	RR3	CM	IN	CIFO	HO	RC	REF#
Dwelling, One Family	P	P	P	P			P	P	572-578
Dwelling, Two Family	P	P	P	P			P	P	572-578
Enclosed Manufacturing Industries				S	S	S			
Enclosed Warehouse or Wholesale Use				S	S	S			
Enclosed Service and Repair	S	S		P	S	S	S		
Enclosed Industrial Process & Service				S	S	S			
Fish Cleaning Station	S	S	S	S	S				
Fisherman's Access	S	S	S	S	S			S	536
Fisherman's Parking Lot	S		S						
Flea Market	S	S		S			S		
Fraternity or Sorority House		S		S		S			
Freight or Trucking Terminal				S	S	S			
Funeral Home	S	S		P			S		
Garage, Commercial				P		S			
Garage, Residential	P	P	P	P			P	P	
Garage and Repair Service				P		S			
Garage Sales	A	A	A	A	A			A	537
Gasoline, Convenience				P		S			
Gasoline, Station				P		S			
Golf Course			S						
Gravel or Sand Pit	S	S		S	S				
Group Home	S			S					
Home Occupation	S	S	S	P			S	S	320
Hospital				S		S			
Hotel	S	S	S	S			S		
Indoor Recreation		S	S	S		S			
Industrial Paper Manu. & Related Products					S	S			
Junkyard	S								520

<b>P = Permitted Use</b> <b>S = Special Permit Required</b> <b>A = Allowed without Requirements of Permit</b> <b>BLANK = Requires Variance</b>	<b>RA</b> <b>RR</b> <b>RR3</b> <b>CM</b> <b>IN</b> <b>CIFO</b> <b>HO</b> <b>RC</b> <b>REF#</b>		<b>= Residential Agriculture</b> <b>= Residential Recreation</b> <b>= Residential Recreation 3</b> <b>= Commercial</b> <b>= Industrial</b> <b>= Commercial/Industrial/Floating Overlay</b> <b>= Hamlet</b> <b>= Residential Cottage</b> <b>= Section Reference</b>						
	RA	RR	RR3	CM	IN	CIFO	HO	RC	REF#
Junkyard, Auto	S								526
Kennel	S	S		S			S		
Laundromat		S		P		S			
Machinery & Trans. Equip. (Sales & Service)				S	S	S			
Manufactured Home	P	P		S				S	533
Manufactured Home Park	S	S		S					
Mobile Home	P	S		S				S	533
Mobile Home Park	S	S		S					530-531
Modular Home	P	P		P			P	P	
Motel	S	S		S			S		
Nursing or Convalescent Home	S							S	
Open Storage Yard		S		S	S	S			
Outdoor Recreation	S	S		S			S	S	
Parking Lot	S						S		
Personal Service	S	S		P			S	S	
Planned Development	S	S		S			S	S	410
Private Non-Commercial Marina	P	P	P	P				P	
Professional Residence Office	S	S		P		S	S	S	
Public Utility					S	S			571
Quarry, Sand Pit, Gravel Pit, and Top Soil Stripping	S			S	S				
Religious Institution	S	S		S			S		
Restaurant	S	S	S	S			S		
Restaurant Tavern		S	S	S		S			
Retail Store, Retail Service	S	S	S	S			S		
Roadside Stand	P	P	P	P			P		
School	S	S	S	S			S		
Service Business	S	S		P			S		
Shopping Center			S	P		S			

<b>P = Permitted Use</b> <b>S = Special Permit Required</b> <b>A = Allowed without Requirements of Permit</b> <b>BLANK = Requires Variance</b>	<b>RA</b> <b>RR</b> <b>RR3</b> <b>CM</b> <b>IN</b> <b>CIFO</b> <b>HO</b> <b>RC</b> <b>REF#</b>		<b>= Residential Agriculture</b> <b>= Residential Recreation</b> <b>= Residential Recreation 3</b> <b>= Commercial</b> <b>= Industrial</b> <b>= Commercial/Industrial/Floating Overlay</b> <b>= Hamlet</b> <b>= Residential Cottage</b> <b>= Section Reference</b>						
	<b>RA</b>	<b>RR</b>	<b>RR3</b>	<b>CM</b>	<b>IN</b>	<b>CIFO</b>	<b>HO</b>	<b>RC</b>	<b>REF#</b>
Signs	S	S	S	S	S			S	540-545
Storage Building							S		
Swimming Pool, Residential	P	P		P			P	P	592
Swimming Pool, Non-Residential				P					
Theatre						S			
Theatre, Outdoor Drive-In									
Travel Trailer Park		S		P					530,532
Tourist Home	S	S		P			S	S	
<b>GASOLINE STORAGE</b>									
A. Less than 50 gals. above ground	A	A	A	A	A			A	
B. Any amount below ground	S	S		S	S				
C. Up to (2) 550 gals. above ground storage	A	P		A	A				
D. More than (2) 550 gals above ground storage	S	S		S	S				



DISTRICT	MINIMUM LOT AREA (SQ. FT)	MIN. FRT LINE	MIN. DEPTH	MIN. FRT YD	MIN. REAR YD	MIN. SIDE YD	MAX COV.	MAX UNITS/BLD	MAX BLD. HEIGHT
PLANNED DEVELOP.	5,000 sq ft PLUS:	120	150	40	40	25	20%	12	3 stories or 35' whichever is less Accessory Bld. 15'
	3,000 sq ft @ 1 BEDROOM UNIT,	120	150	40	40	25	20%	12	
	3,599 sq ft @ 2 BEDROOM UNIT,	120	150	40	40	25	20%	12	
RA	4,500 sq ft @ 3 OR MORE BEDROOM UNIT	120	150	40	40	25	20%	12	3 stories or 35' whichever is less Accessory Bld. 15'
	Residential uses 40,000 sq ft	120	200	40	40	25	20%	None	
RR	Other uses 80,000 sq ft	120	200	50	50	50	20%	None	No height limit on agriculture uses 3 stories or 35' whichever is less Accessory Bld. 15'
	Residential uses 40,000 sq ft	200	200	50	50	50	20%	20%	
RR3	Residential uses 40,000 sq ft	120	200	40	40	25	None	None	No height limit on agriculture uses 3 stories or 35' whichever is less Accessory Bld. 15'
	Other uses 80,000 sq ft	200	200	50	50	50	20%	20%	
CM	Min. Lot Area 40,000 sq ft	150	200	35	20', 50'	20', 50'	25%		
IN	Min. District Area 10 acres	-	-	-	30', 80'	30', 80'	35%		
	Min. Lot Area 40,000 sq ft	150	150	50	abutting residential districts	abutting residential districts			
CIFO	Residential uses 40,000 sq ft	150	150	50	30	30	35%		3 stories or 35' whichever is less Accessory Bld. 15'
	Other uses 80,000 sq ft								
HO	Residential uses 28,000 sq ft	80	150	30	20	15	40%		No height limit on agriculture uses 3 stories or 35' whichever is less Accessory Bld. 15'
	Other uses 40,000 sq ft	100	200	40	40	30	40%		
RC	24,000 sq ft	120	200	20	20	30	None		2 stories of 35'

In all districts, to vary from the minimum lot area and size requirements the applicant is to comply with the requirements of Article V of this Local Law and to obtain site plan approval. However, in some districts, other requirements must be met with other standards exist, they are set forth in (A)-(G) located on the following page.

- (A)
    - 1. No multiple family dwellings are permitted in cellars.
    - 2. Approved water supply and sewage disposal systems required.
  - (B)
    - 1. Site plan approval required for non-residential uses.
  - (C)
    - 1. Site plan approval required for non-custodial residential uses.
    - 2. Residential lot areas/widths subject to Section 580.
  - (D)
    - 1. Residential uses shall be subject to applicable regulations of Section 432.
  - (E)
    - 1. Front yard minimum is 20 feet from road right of way, minimum distance from edge of water if applicable, 30 times average erosion rate.
  - (F)
    - 1. Minimum rear yard is 20 feet. In determining the rear yard, it shall be considered the yard opposite the shoreline on the lakeshore side.
  - (G)
    - 1. The total side lot setback must be 30 feet, with each side having a setback of at least 7 feet. For example, if the smaller side lot has a setback of 8 feet, the larger side must have a setback of at least 22 feet.
-

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

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 20 18 of the (County)(City) (Town) (Village) of Richland was duly passed by the Town Board on January 9, 2018, in accordance with the applicable provisions of law.

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

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

~~3. (Final adoption by referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such (Elective Chief Executive Officer\*) local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

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

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

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. ~~(City local law concerning Charter revision proposed by petition.)~~

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

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

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

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

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

  
MILLIE NEWCOMB, TOWN CLERK

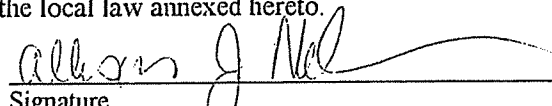
Date: 1/9/18

(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 OSWEGO

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

  
Signature  
Town Attorney ALLISON J. NELSON  
Title

County  
City  
of Richland  
Town  
Village

Date: 1/9/18