

FINAL
DEC, 1995

#7.00

**WADDINGTON VILLAGE PLANNING
BOARD DISCUSSION DRAFT
AUGUST, 1995**

VILLAGE OF WADDINGTON
ST. LAWRENCE COUNTY, NEW YORK

ZONING AND SUBDIVISION LOCAL LAW

Adopted by the Village Board of Waddington, New York
on

Prepared with assistance of the St. Lawrence County Planning Office

4\WP51\LPA\WADDING.VIL\ZONINGLA.W-3



VILLAGE OF WADDINGTON

ZONING AND SUBDIVISION LAW

TABLE OF CONTENTS

NOTE: PAGE NUMBERS WILL BE INSERTED UPON COMPLETION

ARTICLE I GENERAL PROVISIONS

Section 1.	Title and Legislative Authority
Section 2.	Repealer
Section 3.	Purposes
Section 4.	Applicability
Section 5.	Relationship of This Law to Other Laws and Regulations
Section 6.	Separability
Section 7.	Fees
Section 8.	Violations and Enforcement
Section 9.	Nonconforming Uses
Section 10.	Removals
Section 11.	State Environmental Quality Review (SEQR)
Section 12.	Definitions

ARTICLE II PERMITS AND PROCEDURES

Section 1.	Permits
Section 2.	Procedures for Permit Applicants

ARTICLE III LAND USE DISTRICTS

Section 1.	Establishment of Districts
Section 2.	Land Use District Map
Section 3.	District Boundaries

ARTICLE IV DISTRICT REGULATIONS

Section 1.	General
------------	---------------

- Section 2. One and Two Family Residence District
- Section 3. Multiple Family Residence District
- Section 4. General Business District
- Section 5. Commercial District
- Section 6. Waterfront Overlay District

ARTICLE V. SITE PLAN REVIEW

- Section 1. Pre-application Conference
- Section 2. Planning Board Review and Decision

ARTICLE VI SITE PLAN REVIEW STANDARDS

- Section 1. General Standards
- Section 2. Specific Standards
- Section 3. Explanation of Standards

ARTICLE VII SUBDIVISION REVIEW PROCEDURES

- Section 1. Design Standards

ARTICLE IX HISTORIC PRESERVATION

ARTICLE X MOBILE HOMES

ARTICLE XI ADMINISTRATION

- Section 1. Enforcement Officer
- Section 2. Planning Board
- Section 3. Board of Appeals
- Section 4. Amendments
- Section 5. Judicial Review
- Section 6. Notification
- Section 7. Public Hearings
- Section 8. Effective Date

VILLAGE OF WADDINGTON
ZONING AND SUBDIVISION LOCAL LAW

ARTICLE 1 - GENERAL PROVISIONS

Section 1. **TITLE AND LEGISLATIVE AUTHORITY**

This local law shall constitute and be known as the "Zoning and Subdivision Local Law of the Village of Waddington, New York." This Local Law is adopted pursuant to Article 7 of the New York State Village Law, and Article 2, Section 10 of the New York State Municipal Home Rule Law.

Section 2. **REPEALER**

The Village of Waddington Zoning Ordinance shall be repealed upon the filing of this Local Law with the New York State Secretary of State.

Section 3. **PURPOSES**

For the purpose of promoting the health, safety, morals or the general welfare of the community, the board of trustees of the Village of Waddington is empowered, by local law, to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of the yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes. The purposes of regulating the subdivision of land are in providing for the future growth and development of the village and affording adequate facilities for the housing, transportation, distribution, comfort, convenience, and safety of the population. As a part of the comprehensive plan and design, the Village Board is empowered by local law, to regulate and restrict certain areas as national historic landmarks, special historic sites, places and buildings for the purpose of conservation, protection, enhancement and perpetuation of these places of natural heritage. Such regulations shall provide that a board of appeals may determine and vary their application in harmony with the general purpose and intent, and in accordance with general or specific rules therein contained.

Section 4. **APPLICABILITY**

A. General. The following regulations shall apply in their respective districts, except as hereinafter provided:

1. No land shall hereafter be subdivided, nor any building or land used or occupied, and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district in which it is located.

2. No building shall hereafter be erected or altered:

- a. to exceed the height
- b. to accommodate or house a greater number of families
- c. to occupy a greater percentage of lot area, or
- d. to have narrower or smaller rear yards, front yards or side yards

than is specified herein for the district in which such building is located.

3. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this local law shall be included as a part of a yard or other open space similarly required for another building.

B. Dwellings on Small Lots. Nothing in this local law shall prohibit the erection of a one family dwelling on any lot of less than the required area if such lot at the time of passage of this law was held under separate ownership or lesseeship from the adjoining lots, or was part of a subdivision recorded with the Clerk of St. Lawrence County. However, yard depth for front, side and rear shall be adhered to in any new construction (See Art 1, Section 9)

Section 5. RELATIONSHIP OF THIS LAW TO OTHER LAWS, REGULATIONS AND PLANS

A. New York State Uniform Fire Prevention and Building Code

Local Law No. 85-1 complements this Local Law by providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code within the Village of Waddington. Applicants must comply with the provisions of both this Local Law and Local Law No. 85-1. Application forms for building permits under this Local Law will also contain information to allow the Enforcement Officer to carry out his or her responsibilities under Local Law No. 85-1 and to simplify procedures for applicants by reducing the number of forms required for submission.

B. Referral to County Planning Board. In NYS " General Municipal Law Article 12-B Sections 239-m and n", require that the following matters shall be referred to the St. Lawrence County Planning Board before either the Village Board, the Village Planning Board or the Village Zoning Board of Appeals, in their respective roles may take final action.

1. any municipal zoning regulation, or any amendment thereof, which would change the district classification of or the regulations applying to real property lying within a distance of five hundred feet from the village boundary, from the boundary of any existing or proposed county or state park or other recreation area, or from the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway or from the existing or proposed boundary of any county or state owned land on which a public building or institution is situated, or from the boundaries of a farm operation located in an agricultural district (The term "proposed" shall be deemed to include only those recreation areas, parkways, thruways, expressways, roads or highways which are shown on any adopted county plan): and

2. any subdivision, site plan or variance affecting such real property within such distance of five hundred feet. The term "proposed" shall be deemed to include only those recreation areas, parkways, thruways, expressways, roads or highways which are shown on a county plan adopted pursuant to subdivision two of section two hundred thirty-nine-d of the general municipal law or adopted on an official map pursuant to section two hundred thirty-nine-g of such law.

C. Local Waterfront Revitalization Plan (LWRP). Resolution #13 of the year 1990 and dated November 5, 1990 adopted a joint Town and Village Local Waterfront Revitalization Program (LWRP). The LWRP was approved by the New York State Department of State on April 2, 1991. The purpose of the LWRP is to promote economic development and revitalization within the local waterfront area while assuring the protection and beneficial use of coastal resources therein. All land uses within the Waterfront Overlay District established in this local law must comply with the LWRP, which is incorporated into this local law by reference (Art. III, Section 1 and Art. IV, Section 5). This local law exempts certain uses from the site plan approval process.

Section 6. SEPARABILITY

Should any section of or provisions of this Local Law be decided by a court of competent jurisdiction to be unconstitutional or invalid, such a decision shall not effect the validity of the Local Law as a whole or any part thereof other than the part decided to be unconstitutional or invalid.

Section 7. FEES

Permit fees shall be paid according to the fee schedule as may from time to time be established by resolution of the Village Board.

Section 8. VIOLATIONS AND ENFORCEMENT

A. Required Permit. It shall be unlawful to erect or construct if the cost of such erection or construction is valued equal to or greater than \$1,000, or change the use of any building, structure or lot, or to subdivide land after the effective date of this Local Law without first having applied for and obtained a permit or permits or approval as required in this Local Law.

B. Penalties. Any person, firm or corporation who violates, disobeys, neglects or refuses to comply with any provision of this Local Law shall be guilty of an offense and, upon conviction thereof, be subject to a fine of not more than \$100 or imprisonment for a period of 5 days or both. Each week a violation is continued shall be deemed a separate offense.

C. Notification. Upon determination by the Enforcement Officer that a violation of this Local Law exists, written notice shall be sent to the owner of the property. The notice may be delivered by other means, or may be attached to the premises of the owner. A copy of the notice shall be sent to the Village Board.

D. Remedies. Appropriate action and proceedings may be taken at law or in equity to prevent unlawful construction or to prevent illegal occupancy of a building, structure, or premises or to prevent illegal acts, conduct a business in or about any premises. These remedies shall be in addition to penalties otherwise prescribed by law.

Section 9. NONCONFORMING USES

Any use or subdivision commenced after the effective date of this Local Law shall comply with its provisions. Any legal use commenced prior to the effective date of this Local Law shall be permitted: however, expansion of such use shall be in conformance with this Local Law. No non-conforming use shall increase the degree of non-conformity by expansion, addition or encroaching on the minimum required setbacks. Lots of record which are smaller in area than the minimum required size as of the date of this Local Law shall be deemed to be in conformance with the minimum lot areas specified herein but not automatically with respect to the minimum required setbacks. A non-conforming use discontinued for a period of more than one year shall not thereafter be permitted, and any future use shall be in conformance with the provisions of this local law.

Section 10. REMOVALS

The Village Board may by order halt and/or seek a legal determination to remove such unpermitted new buildings, structures or uses which do not conform to the provisions of this Local Law and the cost of such removal shall be at the owner's expense.

Section 11. STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)

A. Applicability. The State Environmental Quality Review Act requires that local government examine the environmental impact of all actions they permit, fund, or construct. Article 8 and Part 617 of Title 6 of the New York Code of Rules and Regulations are hereby incorporated into this local law by reference.

B. Environmental Assessment. All "Type I" and unlisted actions (8 NYCRR Part 617) shall require the submission of an Environmental Assessment Form at the time an application is filed with the Village (See Appendices D and E.)

C. Lead Agency and Determination of Significance. The Board that is empowered to approve the action shall be lead agency, and shall determine the environmental significance of the proposed action prior to taking final action. If in the opinion of the lead agency, after review of the Environmental Assessment Form, there appears the potential for a significant environmental impact, the lead agency shall cause the applicant to prepare a Draft Environmental Impact Statement (DEIS). Review, notice and action on the EIS shall be conducted according to 8 NYCRR Part 617.

Section 12. DEFINITIONS

A. Words and phrases used in this Local Law shall be defined as follows in this section. Words and phrases which are not defined below shall be defined as in the New York State Uniform Fire Prevention and Building Code. Words used in the present tense include the future tense. The masculine includes the feminine. The singular number includes the plural. The word "Lot" includes the word "Plot", "Parcel", or "Tract". The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."

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

Alley: (See "Street")

Area, building: The total of areas taken on a horizontal plans at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces, and steps.

Boarding Houses: Any dwelling in which more than three rooms are used for the lodging for hire of non transients, with or without meals. A rooming house or a furnished room house shall be deemed a boarding house.

Building: Any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of persons, animals or chattel.

Building accessory: A subordinate building, or portion of the main building on a lot, the use of which is customarily incidental to that of the main or principal building.

Building, front line of: The line of that face of the building nearest the front line of the lot. The face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps.

Building, height of: The vertical distance measure from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, and gambrel roofs.

Building, principal: A building in which is conducted the main or principal use of the lot on which said building is situated.

Camping ground: A parcel of land used or intended to be used, let or rented for occupancy by campers, or for occupancy by or of trailers, tents or movable or temporary dwelling, rooms or sleeping quarters of any kind.

Coverage: That percentage of the plot or lot area covered by the building area.

Customary Home Occupation: See Home Occupation

Day Care Center: A building to house educational facilities to serve pre-school children from a minimum of three children.

Dwelling, one family: A building, designed for or occupied exclusively by one (1) family.

Dwelling, multiple: A building used or designed as a residence for three (3) or more families living independently of each other and doing their own cooking therein, including apartment house, apartment hotels, flats and group houses.

Family: One (1) or more persons occupying the premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.

Farm: Any parcel of land containing at least ten (10) acres which is used for gain in the raising of agriculture products, livestock, poultry and dairy products. It includes necessary farm structures within the prescribed limits, and the storage of equipment used. The term does not apply to the raising of fur bearing animals, riding academies, livery or boarding stables and dog kennels.

Home Occupation: Any occupation for gain or support conducted only by members of a family residing on the premises, and conducted entirely within the dwelling, provided that no article is sold or offered for sale except such as may be produced by members of the

immediate family residing on the premises.

Line, street: The dividing line between the street and the lot.

Local Waterfront Revitalization Program (LWRP): The Village and Town of Waddington Local Waterfront Revitalization Program as approved by the Secretary of State pursuant to the Waterfront Revitalization and Coastal Resources Act (Executive Law, Article 42). A copy of said LWRP is on file in the municipal offices.

Lot: Means a portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or a group of buildings that are united by a common interest or use, and the customary accessories and open spaces belonging to the same.

Lot, depth of: A mean horizontal distance between the front and rear lot lines, measured in the general direction of its side lot lines.

Lot, width of: This mean width measured at right angles to its depth.

Lot, Lines: Any line dividing one lot from another.

Manufactured or Modular Housing: A factory-built single family structure that is manufactured under the authority of 42 U. S. C. Sec. 5401, the National Manufactured Home Construction and Safety Standards Act; is transportable in one or more sections; is built on a permanent chassis, and is used as a place for human habitation; but which is not construed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame.

Master or Comprehensive Plan. A plan which indicates the general locations recommended for various functional classes of public works, places and structures and for general physical development of the village and includes any unit or part of such plan separately prepared and any amendment to such plan or parts therein.

Mobile Home: A factory finished dwelling unit intended for transport on a permanent chassis. in one or more sections, but designed for relocation with only minor preparation such as reattachment of wheels, lights and towing apparatus and manufactured in accordance with the regulations as specified in Section 1211.1 of the New York State Uniform Fire Prevention and Building Code. Also includes motor homes used as a place for human habitation on the same lot for periods in excess of two weeks.

Non-conforming use: A use that does not conform to the regulations of the district in which it is situated.

Open space: An unoccupied outdoor space normally named as such to

distinguish it from a structure on a lot.

Parking space: The area required for parking one automobile, which in this local law is held to be any area nine (9) feet wide and twenty (20) feet long, not including passageways.

Plat: A plan for subdividing a piece of undivided property.

1. Preliminary Plat. The preliminary drawings indicating the proposed layout of the subdivision to be submitted to the Planning Board for its consideration.

2. Final Plat. The final map, drawing or chart on which the subdivider's plan of subdivision is presented to the Planning Board for approval, and which, if approved, will be submitted to the County Clerk for recording.

Residence: See Dwelling

Site Plan: A plan showing the intended design, arrangement, and use of land to be improved and/or occupied or redeveloped, with sufficient information for determining the physical, social and economic effects of the proposed development and/or use on the community and its infrastructure.

State Environmental Quality Review (SEQR): The regulations under Title 6 of the New York Codes, Rules and Regulations (6 NYCRR Part 617) which provide for incorporating environmental review within the decision-making of any agency of any governmental unit in the State of New York. The terms "action", "agency", "applicant", "Coastal Area", "Directly undertaken action", "Environmental Assessment Form", or "EAF", "Environmental Impact Statement" or "EIS", "excluded action", "type I action", "type II action", and "unlisted action" shall have the meaning set forth in Section 617.2 of the LWRP.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above, then the space between any floor and the ceiling next above it.

Street and Alley: Public or private thoroughfares which affords the principal means of access to abutting property, specifically:

1. Street. A way for vehicular traffic, whether designated as a street, highway, thoroughfare, road, throughway, parkway, avenue, boulevard, lane, place or however otherwise designated.

a. Arterial Streets and Highways. Those streets which are used primarily for fast or heavy traffic.

b. Collector Streets or Feeder Streets. Those streets which carry traffic from minor systems or streets to the major system of arterial streets and highways, including the principal

entrance streets of a residential development and streets for circulation within such a development.

c. Minor Streets. Those streets which are used primarily for access to the abutting properties.

d. Marginal Access Streets. Minor streets which are parallel to and adjacent to arterial streets and highways, and which provide access to abutting properties and protection from through traffic.

2. Alley. A minor street or way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

Street Line: The edge of the public right-of-way.

Structure: Structure means a combination of materials other than a building to form a construction that is safe and stable and includes among other things stadiums, platform, telecommunication and radio tower, shed, storage bin, fence and display sign.

Subdivider: Any person, firm, corporation, partnership or association, who shall layout any subdivision or part thereof, as defined herein, either for himself or others.

Subdivision: The division of a parcel of land into two (2) or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of land, provided that a division of land for agricultural purposes into lots or parcels of five (5) acres or more and not involving a new street shall not be deemed a "subdivision". The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

Tourist Home: A dwelling in which overnight accommodations are provided or offered for transient guests for compensation.

Yard, Front: Required open unoccupied space on the same lot with a principal building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street line. Covered porches whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into the required front yard.

Yard, Rear: Required open, unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot. The depth of the rear yard shall be measured between the rear line of the lot, or the center line of the alley if there be an alley, and the rear line of the building.

Yard, side: Required open, unoccupied space on the same lot with a main building, situated between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

ARTICLE II - PERMITS AND PROCEDURES

Section 1. PERMITS

A. Building Permit and Site Plan Approval.

1. No building or structure shall be erected, added to, or structurally altered until a permit has been issued by the Code Enforcement Officer. No permit shall be issued unless the proposed building, structure, or use is in conformity with the provisions of this local law, including the approval by the Planning Board of a site plan for certain uses within the Waterfront Overlay District.

2. Application for a building permit shall be made on a form available from the Code Enforcement Officer or Village Clerk and shall satisfy one of the following:

a. If issuance of the permit is not subject to prior site plan approval, the application shall be accompanied by two (2) copies of a layout or plot plan drawn to scale, showing actual dimensions of the lot to be built upon, the exact size and location on the lot of the building and accessory buildings to be erected, and such other information as may be necessary to determine compliance with this local law and to provide for the enforcement thereof.

b. If prior site plan approval is required, the application shall be held by the Code Enforcement Officer pending action by the Planning Board pursuant to Article V of this law.

B. Subdivision Plat Approval.

Subdivision plat approval, pursuant to Articles VII and VIII, is required in all zoning districts within the Village.

C. Certificate of Occupancy.

In the case of a structure for which a building permit has been issued, upon final satisfactory inspection by the Code Enforcement Officer, a Certificate of Occupancy shall be issued. No occupancy of the structure or portion for which the building permit has been issued shall occur prior to receiving such certificate.

Section 2. PROCEDURES FOR PERMIT APPLICANTS

A. Required Documents. Every application for activities described in Article II., section 1 above shall be made using forms approved and supplied by the Village Board and available at the Village Clerk's Office.

B. Discretion. The Enforcement Officer may waive or amend the requirements for filing plans and specifications for minor alterations to structures where such alterations are not contrary to the purposes of this Local Law and issue a building permit so stating. This authorization to the Code Enforcement Officer does not extend to site plans and subdivision plats.

C. Amendments. Amendments, if any, to the application or to the plans and specifications accompanying the same shall be filed with the Enforcement Officer prior to the commencement of such change of work. In the case of a use which is the subject of site plan approval, all such amendments shall be filed prior to final action on the site plan by the Village Planning Board.

D. Display. The building permit shall be prominently displayed on the property or premises to which it pertains.

ARTICLE III - LAND USE DISTRICT

Section 1. ESTABLISHMENT OF DISTRICT

For purposes of this local law, the Village of Waddington is divided into the following districts:

R-1 (One-and Two Family Residences)

R-2 (Multiple Family Housing)

B-1 (General Business)

C-1 (Commercial)

W-O (Waterfront Overlay)

Section 2. LAND USE DISTRICT MAP

The boundaries and divisions of the above mentioned districts are hereby established as shown on the map entitled "Village of Waddington Official Zoning Map" signed by the Mayor and the Village Clerk. Said map, with all explanatory matters thereon, accompanies and is hereby displayed in the municipal offices and shall be dated with the effective date of this local law. The effective date of any amendments to the official zoning map shall be shown thereon.

Section 3. DISTRICT BOUNDARIES

A. Interpretation of District Boundaries:

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the zoning map, the following rules shall apply:

1. Where a district boundary is indicated as approximately following a street or highway, the centerline of such street or highway shall be construed to be the district boundary.

2. Where district boundaries are so indicated that they approximately follow lot lines, such lot lines shall be construed to be said boundaries.

to be said boundaries.

3. Where district boundaries is so indicated that they approximately follow lot lines, such lot lines shall be construed to be said boundaries.

4. Where the boundary of a district follows a stream, lake, or other body of water said boundary line shall be deemed to be at the limit of the jurisdiction of the Village of Waddington unless otherwise indicated.

ARTICLE IV - DISTRICT REGULATIONS

Section 1 GENERAL REGULATIONS

A. Standards Applying To All Districts

1. Any use not listed as permitted is deemed to be prohibited.

Section 1. ONE AND TWO FAMILY RESIDENCE DISTRICT (R-1)

Purpose - The purpose of the residential district is to delineate those areas where a combination of single and two family housing in combination with selected other residential compatible uses is appropriate and to protect the integrity of these residential areas by prohibiting the intermixture of incompatible non residential uses.

The following regulations shall apply in all R-1 Districts

A. Permitted used:

1. One family or two family dwelling
2. Churches or similar places of worship, convent, parish house, Sunday school building.
3. Public parks and playgrounds, and recreational areas operated by membership organizations for the benefit of their members and not for gain.
4. Public schools and institutions of higher education, parochial schools, private school operated by a non stock corporation under the education laws of the State of New York.
5. Day care center.
6. Public libraries and municipal buildings.
7. Hospital or medical facility for the treatment of human beings.
8. Intensive care facilities for not more than 8 clients.
9. Customary agricultural operations including a garden, nursery, greenhouse and usual farm buildings, provided, however that no storage of manure or odor or dust producing substance or use shall be permitted within one hundred (100) feet of any property line.
10. Public utility structures and facilities necessary for the service of the area, on approval by the local Board of Appeals.

11. Customary home occupations, and offices of doctors, dentists, lawyers, or members of some other recognized profession in their places of residence, provided that there shall be no external evidence of such occupations except a small announcement of professional sign not over two (2) square feet in area.

12. One sign advertising the sale or rent of the land or buildings upon which it is located, but not to exceed six (6) square feet in area.

13. Other customary accessory uses and buildings, provided such are incidental to the principal use and do not include any activity commonly conducted as a business. Such permitted accessory uses shall include the following:

a. Private garage, storage shed, or similar structure. Mobile homes used as storage buildings or as temporary residences are prohibited (See section on Mobile Homes for additional detail).

b. Renting of not more than three (3) rooms to tourists or to non transient boarders or roomers.

B. Uses Permitted after Site Plan Approval - Certain uses located in the LWRP Overlay are subject to Site Plan Approval (See Section 6).

C. Required Lot Area and Width.

1. Area. Each lot containing one principal building shall be not less than seven thousand five hundred (7,500) square feet in area.

2. Width. Each lot width shall be not less than seventy five (75) feet.

D. Percentage of Lot Coverage: The total area of all buildings, including accessory buildings, shall not cover more than thirty five (35) percent of the area of the lot.

E. Yards Required for Principal Buildings : Each lot shall have front, side and rear yards of not less than the following depths or widths:

1. Front yard depth -- thirty five (35) feet
2. Side yard width -- fifteen (15) feet for each side yard
3. Rear yard depth -- thirty five (35) feet.

F. Front Yards Less than Required in Established Areas. In order to continue the existing setback pattern to retain the character of established residential areas, in addition to the statutory tests for area variances the Board of Appeals is authorized to grant front yard setbacks for new construction that reflect the average

setback of the existing nearby structures.

G. Location of Accessory Buildings. Accessory buildings may not occupy any required open spaces other than a rear yard and may not be less than five (5) feet from any lot line. Garages built into or attached to dwellings shall not be considered accessory buildings, but part of the principal building.

Section 3. MULTIPLE FAMILY RESIDENCE DISTRICT (R-2)

Purpose: The purpose of the multiple family residence district is to provide for development of other uses that are not permitted in the R-1 District but are compatible with multiple family development and subject to site plan approval.

The following regulations shall apply in all R-2 districts:

A. Permitted Uses:

1. Any use permitted in R-1 Districts, subject to all the specifications, restrictions and requirements for such use.

2. Multiple family dwelling.

3. Clubs, lodges, social and recreation center, except those of which the chief activity is customarily carried on for gain.

4. Nursing or convalescent homes.

5. Boarding, lodging, and rooming houses; tourist homes.

6. Signs not exceeding six (6) square feet (i.e. 2 x 3) in area in connection with the above uses. There shall be permitted one sign only on a lot.

7. Customary accessory buildings and uses.

B. Uses Permitted After Site Plan Approval. Certain uses located in the LWRP Overlay are subject to Site Plan Approval. (See Section 5.)

C. Required Lot Area and Width.

1. Area. Each lot containing one principal building shall be not less than seventy five hundred (7500) square feet in area. For each additional family dwelling unit over two provided in the structure, through construction or alteration, an additional two thousand and five hundred (2500) square feet of lot area shall be required.

2. Width. Each lot shall be not less than seventy five (75) feet in width as measured along the front yard setback line.

D. Percentage of Lot Coverage. All buildings, including accessory buildings, shall not cover more than thirty five (35) percent of the area of the lot.

E. Yards Required for Principal Buildings. Each lot shall have front, side, and rear yards not less than the depths or widths following:

1. Front yard depth -- thirty five (35) feet.
2. Side yard width - fifteen (15) feet for each side yard
3. Rear yard depth - thirty five (35) feet.

F. Front Yards Less than Required in Established Areas. In order to continue the existing setback pattern to retain the character of established residential areas, in addition to the statutory tests for area variances the Board of Appeals is authorized to grant front yard setbacks for new construction that reflect the average setback of the existing nearby structures.

G. Location of Accessory Buildings. Accessory buildings shall be governed by the regulations specified for R-1 districts.

Section 4. GENERAL BUSINESS DISTRICT (B-1)

Purpose: The purpose of the General Business District is to delineate those areas primarily utilized or appropriate for retail and related business uses and to insure that any use in this district is compatible with these types and intensities of use.

The following regulations shall apply in all B-1 districts:

A. Permitted Uses:

1. Any use permitted in R-2 districts, subject to all the specifications, restrictions and requirements for such use.

B. Uses Permitted After Site Plan Approval:

1. Store or shop for the conduct of retail trade except large scale businesses as otherwise regulated.

2. Business or professional office, such as accountant, architectural service, bank, consulting, counseling, engineer, financial service, health care, or real estate sales.

3. Personal service establishment, such as barber, beauty shop, carpet installation, equipment rental or repair, gallery, video rental or similar business.

4. Entertainment or leisure business, such as billiards, bowling fitness or health club, theater or other public



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Waddington at its November 21, 1997, meeting duly adopted Local Law No. 1 of the Year 1997, which amends, in part, Local Law No. 2 of the Year 1995, as amended. The text of Local Law No. 1 of the Year 1997 is as follows:

Section 1. Local Law No. 2 of the year 1995, the Zoning and Subdivision Local Law of the Village of Waddington, (hereinafter the Zoning and Subdivision Local Law), is amended, in part, by adding the following language to Article IV, District Regulations, subsection 4(B):

- 9. Bus Tour Business, including such accessory uses as offices, repair and maintenance facilities, paint shops, commercial garages, storage and parking facilities or any combination of uses permitted in the General Business District (B-1).

Section 2. The Village of Waddington Official Zoning Map and Article III Section 2 of the Zoning and Subdivision Local Law are amended to include all that land described on Schedule A hereto, which shall be deemed a part of this Local Law.

Section 3. The Village Clerk shall forthwith prepare, file and certify a new Village of Waddington Official Zoning Map, implementing this Local Law in accordance with Article III Section 2 of the Zoning and Subdivision Local Law and Article 7 of the Village Law.

Section 4. This Local Law shall take effect upon filing with the Secretary of State and compliance with Article 7 of the Village Law.

Pursuant to the New York State Environmental Quality Review Act, the Board of Trustees has issued a Negative Declaration, a copy of which is on file with the Village Clerk. Copies of Local Law No. 1 of the Year 1997 are on file with the Village Clerk and are available to the public for inspection.

November 24, 1997

Patricia P. Paradis
 Village Clerk
 Village of Waddington

entertainment or amusement.

5. Restaurant, tea room, cafe, tavern, bar, or other place for the serving of food and beverages.

6. Hotel/motel

7. Automobile sales, service, parts and repair station or gasoline service station.

8. Small industry such as laundry, dry cleaning, soap making, candles, assembly of pre-manufactured parts, etc.

9. Bus Tour Business - see Local Law 1, 1947

B. Lot Area and Width, Coverage and Yards. The requirements for lot area, lot width, percentage of lot coverage and front, side and rear yards shall be the same for residential building as specified in R-2 districts.

Where a Business District directly adjoins a Residential District, side and rear yards equal in depth to those required in the residential district shall be provided, and a front yard equal in depth to that required in the adjoining residential district shall be provided in the business district for a distance of fifty (50) feet along the street on which both business and residential districts front.

When an office or commercial structure is located along a rural highway, all parking areas should be cited behind the structure and a planting buffer should be established adjacent to the highway.

Section 5. COMMERCIAL DISTRICT (C-1)

The following regulations shall apply in all C-1 Districts:

A. Permitted Uses:

1. Any use permitted in S-1 districts, with the exception of one family, two family and multiple family dwellings and accessory structures associated therewith, subject to all the specifications, restrictions and requirements for such use.

2. Wholesale business, and wholesale storage and warehouse facilities but not salvage yards, junk yards and similar uses.

3. Greenhouse, nursery, garden plants and supplies.

B. Prohibited Uses:

1. Salvage yards and Junk yards

2. Commercial bulk fuel oil/feed storage and sales.

3. All uses of land, buildings, and structures or processes that may be noxious or injurious by reason of the production or emission of dust, smoke, refuse matter, odor, gas, fumes, noises, vibration or similar substances or conditions, provided, however, that any uses may be permitted on approval by the Planning Board, subject to such conditions, restrictions, and safeguards, as may be deemed necessary by said Board for the purpose of protecting the health, safety, morals, or the general welfare of the community.

Section 6. WATERFRONT OVERLAY DISTRICT (W-O)

Purpose: The purpose of the waterfront overlay district is to provide for development consistent with the Local Waterfront Revitalization Plan and the Coastal Zone Management Act.

The following regulations shall apply within the Waterfront Overlay District in addition to the specifications, regulations, and requirements applying within the underlying district:

A. Site Plan Approval. Prior to the issuance of a building permit or, if a building permit is not required, prior to the issuance of a certificate of occupancy, all uses shall be subject to site plan approval by the Planning Board except the following:

1. One and two family dwellings, including buildings and uses accessory thereto.

2. customary agricultural uses, and

3. any other use for which site plan approval would constitute a Type II action pursuant to SEQR.

B. Local Waterfront Revitalization Plan (LWRP) Consistency. Each use that is subject to site plan approval shall be reviewed by the Planning Board in accordance with site plan review regulations of this section and the Village's LWRP Consistency Law. If the Planning Board determines that the use would be inconsistent with the policies and purposes of the LWRP, the site plan for such use shall be disapproved.

ARTICLE V - SITE PLAN REVIEW

Section 1. PRE-APPLICATION CONFERENCE

A. Purposes; Information Needed. An applicant may arrange a pre application conference with the Planning Board to discuss the proposed development and/or use of the site, specifications for preparing the site plan, initial review pursuant to SEQR, and the Village's LWRP Consistency Law, application requirements, referrals to other agencies, and effects of the proposal on the surrounding area. The applicant should bring at least three (3) copies of a sketch plan to the conference. The sketch plan should be drawn to scale and should show the following:

1. Names of applicant and property owner and address or other means of identifying the site location;
2. Existing streams, wetlands, wooded area, and other natural features of the site;
3. General layout and approximate dimensions of existing and proposed features of the site, including property lines, buildings and structures and their uses, adjoining streets and access thereto, driveways, parking and loading areas, and outside storage areas;
4. Approximate areas of cut and fill, if any, and a general indication of existing and proposed drainage pattern; and
5. Plan notes indicating means of water supply, sanitary waste disposal, and solid waste disposal.

B. Waiver of Specifications. Based upon its review of the sketch plan and discussions with the applicant, the Planning Board may determine that certain of the specifications for preparing a site plan are unnecessary or inappropriate. If so, the Planning Board shall provide the applicant with a checklist indicating which specifications have been waived.

Section 2. PRELIMINARY AND FINAL PLAN; PLANNING BOARD REVIEW AND DECISION

A. Procedure. Within sixty-two (62) days of receipt of a complete preliminary application as defined in Article V. Section 3 of this Local Law, the Planning Board may approve the preliminary application or hold a public hearing. The Planning Board shall mail notice of said hearing to the applicant at least ten days before such hearing and shall give public notice of said hearing in

the official newspaper at least five days prior to the hearing and shall make a decision on the application within sixty-two (62) days after such hearing. The Planning Board may approve, approve with modifications, or disapprove the application. The time within which the Planning Board must render its decision may be extended by mutual consent of the applicant and Planning Board. Nothing herein shall preclude the holding of a public hearing on any matter on which a public hearing is not so required.

In the event that the parcel boundaries are within the five hundred (500) foot thresholds referenced in Article 1, Section 5-B of this Local Law, the Planning Board may not take final action on the application until a copy of the application has been forwarded to the St. Lawrence County Planning Board and that Board has taken action on it pursuant to Section 239-m of New York State General Municipal Law. Referral must be made to the County Planning Board at least ten days prior to any public hearing.

Compliance with State Environmental Quality Review Act. The Village Planning Board shall comply with the provisions of the State Environmental Quality Review Act under Article Eight of the Environmental Conservation Law and its implementing regulations in 6 NYCRR Part 617.

If a preliminary application is approved, the applicant and the Enforcement Officer shall be notified in writing by the Planning Board and a building permit issued within 10 days of receipt thereafter of a request from the applicant provided the Code Enforcement Officer has determined that all applicable standards have been met, including the NYS Uniform Fire Prevention and Building Code. The applicant shall not have to file a final site plan if the preliminary site plan is approved without modifications.

If the Planning Board approves the preliminary application with modifications the applicant shall submit a final detailed site plan to the Planning Board for approval according to the requirements set forth in Article V, Section 3 of this Local Law.

Within sixty-two (62) days of receipt of the application for final site plan approval, the Planning Board shall render a written decision to the applicant and Enforcement Officer, and such decision shall be signed by the Chairperson of the Planning Board.

C. Time Limitations. The town periods within which Planning Board actions are required by Article V, Section 1.A of this Local Law are the maximum times allowable. The Planning Board is encouraged to make every effort to act as quickly as possible in reviewing applications in order to minimize delays to the applicant. If the Planning Board does not complete its review within the times specified in Article V, Section 1.A of this Local Law, this will constitute approval of the application, except where the review period has been extended by mutual consent of the applicant and the Planning Board.

D. Justification and Notice

1. The Planning Board shall apply all of the review standards described in Article VI of this Local Law in reviewing site plans.

2. Decisions of the Planning Board shall be in writing and may include reasonable conditions to further the intent of this Local Law. Reasons for disapproval shall be clearly stated.

3. Decisions of the Planning Board shall be filed within five business days in the office of the Village Clerk and a copy mailed to the applicant by certified mail, with return receipt requested.

4. Approval of a Site Plan by the Planning Board shall be valid for a period of one year from the date thereof for the purpose of obtaining a building permit. Failure to secure a building permit during the period shall cause the Site Plan approval to become null and void. No building permit shall be issued and no site work shall commence until all necessary permits and approvals from Village, County and State agencies are obtained and any required performance bond is filed with the Village Clerk.

Section 3. APPLICATION REQUIREMENTS

A. Required Submissions. An applicant shall have a site plan prepared to meet all of the following specifications, with the exception of those which the Planning Board has waived as a result of a pre-application conference:

1. The site plan and supporting data shall be prepared by a professional engineer, registered architect or landscape architect, or licensed land surveyor.

2. The site plan shall include a title box indicating project name, if any; address or tax parcel number of the site; names of applicant; property owner and person or firm responsible for preparing the site plan; and date of site plan preparation.

3. The site plan shall be drawn to scale and shall accurately show the following information:

- a. scale and north arrow;
- b. location and dimensions of existing and proposed property lines and ownership of surrounding properties;
- c. location and width of adjoining street rights of way
- d. location, dimensions, type of construction, height or number of stories and use of existing and proposed buildings and structures;
- e. location, arrangement, and dimensions of existing and proposed curb cuts; driveways, and parking and loading areas;
- f. location and width of existing and proposed public and private sidewalks;

g. location and type of existing vegetative cover, buffers, and other natural features of the site, including large trees, streams, water bodies with high water marks shown, flood hazard area boundaries as determined by the Federal Emergency Management Agency, and freshwater wetlands;

h. location and type of outside storage areas or facilities;

i. location and size of existing utilities, sanitary sewers, storm sewers, water mains, and fire hydrants serving the site and the easements therefore;

j. location, design, and construction materials of all other existing or proposed site improvements, including drains, culverts, retaining walls, fences, signs, outdoor lighting, and connections to existing sanitary sewers, storm sewers, water mains, and facilities for fuel storage and energy distribution.

4. The site plan shall include, or be accompanied by the following:

a. a grading and drainage plan, showing existing and proposed contours;

b. a general landscaping plan and planting schedule;

c. an estimated project construction schedule, including completion for each phase of building, parking, and landscaping

d. a record of any federal State, and/or county permits or approvals required for the project and the status of applications therefore;

e. a description of the proposed uses, their hours of operation, and volume of traffic generation; and

f. an engineering feasibility study of any anticipated problem which might arise due to the project, when required by the Planning Board.

5. Application requirements. An application for site plan approval shall be made on forms available from the Village Clerk. When completed the application shall be filed with the Village Clerk and accompanied by the following items:

a. five (5) copies of the site plan prepared in compliance with the specifications under C.4. of this section.

b. a completed full or short environmental assessment form (EAF), depending on whether site plan approval of the given project or use would constitute a Type I or Unlisted action, respectively, pursuant to SEQR.

c. a completed Waterfront Assessment Form (WAF); and

d. such application fee as may have been established by the Village Board

B. Compliance Review.

The Code Enforcement Officer shall verify that the required items have been submitted. Within five (5) days of receiving an acceptable application, the Code Enforcement Officer shall:

1. Determine whether the use is subject to site plan approval.

2. verify whether or not the proposed project and/or uses comply with all other applicable requirements of this zoning ordinance and

3. forward the application to the Planning Board with an accompanying zoning compliance report.

C. Acceptance of Application.

Upon receiving the application, the Planning Board shall verify that the site plan has been prepared to the applicable specifications and that the EAF is complete. With such verification, the Planning Board shall accept the application as complete.

D. Referrals.

The Planning Board shall refer a copy of the accepted application to each of the following, as appropriate:

1. The St. Lawrence County Planning Board, when required pursuant to Section 239-m of the General Municipal Code

2. involved State and local agencies when site plan approval of the project and/or uses would constitute a Type I action pursuant to SEQR or when such approval would constitute an Unlisted action for which the Planning Board seeks coordinated review

E. Environmental Review.

When referral to other involved agencies is required or opted, the Planning Board must await the designation of a lead agency within the thirty (30) day period allowed by SEQR. Otherwise, the Planning Board is the lead agency. The lead agency is responsible for reviewing the EAF and determining the environmental significance of the proposed action within the twenty (20) day period allowed by SEQR. If the lead agency determines that the action would involve one or more significant environmental impacts, that agency will be responsible for the further environmental review procedures of SEQR involving the preparation and review of an environmental impact statement (EIS). If the lead agency determines that no significant impacts are involved, the environmental review is completed. SEQR requires that the lead agency satisfy notice and filing requirements as applicable to determination of significance, completion of a draft EIS, establishment of a public comment period and optional SEQR hearing on the draft EIS, and completion of a final EIS.

F. Site Plan Review Considerations.

Coincident with the environmental review, the Planning Board shall review the site plan and the WAF with consideration of the following:

1. The location, arrangement, size, design, and general site compatibility of buildings, lighting, and signs with respect to the

site, any proposed zone change, and adjacent development.

2. The adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers, and traffic controls.

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

4. The adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic, and overall pedestrian conveniences.

5. The adequacy of stormwater and drainage facilities.

6. The adequacy of water supply and sewage disposal facilities and any proposed charges to pay a portion of the cost of the capital improvement to water and sewer facilities, whether already expended or necessitated by the extent of the new proposed development.

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

8. The adequacy of fire lanes and other emergency zones and a provision for fire hydrants.

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

10. The location and arrangement of structures relative to the waterfront.

11. Conformance with the applicable policies and purposes of the village's Local Waterfront Revitalization Program.

G. Public Hearing.

The Planning Board may require a public hearing on the application for site plan approval when a majority of its members deem a public hearing to be in the public interest.

1. When so required, the hearing shall be held:

(a) within thirty (30) days of the date on which the Planning Board renders or receives notice of a determination of nonsignificance for the proposed action, or

(b) within sixty (60) days of the date on which the Planning Board accepts or receives notice of acceptance of a draft EIS for the proposed action.

2. If a SEQR hearing is to be held by the Planning Board, a separate public hearing on the site plan application shall not be required.

3. A scheduled public hearing on a site plan application shall be advertised by a public notice published in a newspaper of general circulation within the Village, at least five (5) days prior to the hearing date.

H. Action by the Planning Board.

1. The Planning Board shall render its decision to approve, approve with modification, or disapprove the application within thirty(30) days of the date on which the following conditions have

been satisfied:

(a) if required, comments have been received from the St. Lawrence County Planning Board or the thirty (30) days period allotted for the county's review has expired;

(b) the environmental review has been completed according to SEQR;

(c) if required by the Planning Board, a public hearing on the application for site plan approval has been held.

2. The decision of the Planning Board shall be made in writing and shall include:

(a) a statement of findings and conclusions on which such decision is based, and

(b) certification of its action according to the Village's LWRP Consistency Law.

3. The decision shall be filed immediately with the Village Clerk, who, with five (5) days, shall:

(a) provide one (1) copy to the Code Enforcement Officer and

(b) mail one (1) copy to the applicant.

I. Plan Approved

1. To identify an approved site plan, three (3) copies of said plan shall be marked "Approved by the Planning Board on (date of decision)" and signed by the Planning Board Chairman or in the Chairman's absence, by another authorized member of the Planning Board. However, no approved site plan shall be thus marked and signed unless:

(a) any and all modifications required as part of its approval have been satisfactorily incorporated in the site plan, and

(b) all fees and reimbursable costs due the Village have been paid by the applicant.

2. One (1) signed copy of the site plan shall be filed in the Village Clerk's office with the Planning Board's decision. The second and third signed copies shall be provided to the Code Enforcement Officer and the applicant, respectively, as authorization for issuance of the building permit or certificate of occupancy, as the case may be.

J. Reimbursable Costs.

The applicant shall reimburse the Village for the costs of consultant services or other extraordinary expenses incurred by the Planning Board in connection with the review of an application for site plan approval.

K. Installation of Improvements.

The Planning Board may require as a condition of site plan approval, that the applicant file a performance bond in amount

sufficient to ensure that proposed parking, walkways, drainage improvements, landscaping, lighting, and other site work will be completed in compliance with the approved site plan. No certificate of occupancy shall be issued until all improvements shown on the approved site plan are installed or a sufficient performance bond has been posted for improvements not yet completed.

L. Inspection of Improvements.

The Code Enforcement Officer shall be responsible for overall inspection of site improvements and coordination with the Planning Board and other officials and agencies regarding the proper completion of such improvements.

ARTICLE VI - SITE PLAN REVIEW STANDARDS

Section 1. GENERAL STANDARDS

The proposed land use activity should not be in conflict with the Village's purposes as expressed in Article I, Section 3 of this Local Law and community goals and objectives as expressed in the Village Plan or in future community planning documents.

Section 2. SPECIFIC STANDARDS.

The Planning Board's review of the site plan shall at a minimum include and shall evaluate each of the following criteria:

1. Compatibility of development with natural features of the site and with surrounding land uses.
2. Measures to prevent damage from floods.
3. Landscaping arrangements and the retention of existing vegetation for aesthetic qualities.
4. Buffers to protect neighboring properties against noise, glare or other nuisances.
5. Vehicular traffic access and circulation, including intersections, road widths, pavement surface dividers and other traffic controls.
6. Parking provisions.
7. Exterior lighting.
8. Fire protection provisions.
9. Erosion control methods during and after construction.
10. Stormwater and drainage facilities.
11. Water supply
12. Preservation of scenic vistas

Section 3. EXPLANATION OF STANDARDS

a. Specific Standards.

The specific standards listed in Section 2 above are further described as follows:

1. Compatibility of development with natural features of the

site and with surrounding land uses. The proposed use should not be located in such a manner on the site so as to:

- a. Create a traffic hazard by limiting site distance;
- b. Be located in a poorly-drained area;
- c. Be located on soils which, according to USDA Soil Conservation Service criteria are unsuitable for the particular use;
- d. Substantially obstruct an existing view of a river, stream, lake or historic site or historic structure or other identified scenic vista;
- e. Disturb existing bodies of water which contribute to the natural beauty of the site;
- f. Be located on slopes too steep to accommodate roads, walkways, riding trails or bike paths, as appropriate.

On a corner lot, no fence, wall, hedge, sign or other structure or planting more than 40 inches in height shall be erected, placed or maintained within the triangular area formed by the intersecting street lines and a straight line joining said street line at points which are 30 feet distance from the point of intersection. All buildings shall be located no less than 50 feet from the edge of a pavement or road. Buildings on corner lots shall be set back 50 feet from both road edges.

2. Measures to prevent damage from floods. Uses should, insofar as possible, be located in areas outside of designated flood hazard areas. Uses should not be situated in such a manner that they would endanger life or property if carried away by a flood.

3. Landscaping arrangement and the retention of existing vegetation for aesthetic qualities. Existing stone walls, mature trees and roads should be retained insofar as it is possible and to the extent that their retention will enhance the visual and aesthetic appeal of the site.

4. Buffers to protect neighboring properties against noise, glare or other nuisances. If a proposed use is likely to generate noise, odor, vibration or other emissions, the feasibility of using the following should be considered:

- a. Berms;
- b. Fences;
- c. Mufflers; and
- d. Vegetation for screening.

Structures within a well designed site plan will be located, constructed and insulated to prevent on site noise from interfering with the use of adjacent properties, similarly, buildings will be situated to prevent off site noise from unnecessary intrusion for property users. Additional methods for blocking noise include fencing, walls, landscape buffers, mounding, setbacks, and the use of state of the art building materials.

The lighting of a site will provide security and visual interest while not projecting adverse glares onto adjacent properties. On site lighting will be located to avoid harsh glares which distract the motorist's line of sight.

Outdoor storage, service, and parking areas for commercial buildings will be hidden or screened from the street and from other adjacent residential areas. This may be accomplished by site placement and/or the addition of coniferous plantings or architectural elements.

All buildings shall conform to the setback requirements of the zoning district. No dwelling unit or multiple dwelling unit structure shall be located less than 30 feet from an adjacent dwelling unit or multiple dwelling unit structure.

Signs shall be designed so as to not be confused with any traffic sign or signal. Signs may be illuminated by a steady light provided the lighting does not directly illuminate the adjacent properties or road.

5. Vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and other traffic controls. Uses generating traffic should be reviewed for the following possible negative impacts:

- a. Poor access off a State, County or Village road;
- b. Parking arrangement poorly designed so as to force vehicle to back into a public roadway or block entrances or exits.
- c. Unclear or confusing traffic control signs; and,
- d. Traffic flow which creates hazards to pedestrians.

6. Parking Provisions. Adequate off-street parking facilities shall be provided for the use of occupants, employees, and patrons of all structures and facilities so that parking does not obstruct the flow of traffic. All parking lots shall be so designed that vehicles will be traveling forward and away from the road. A minimum number of parking spaces is suggested for certain uses and structures as shown in the following table;

Apartments, mobile home park -- One (1) parking space per dwelling unit;

Store, shop, office -- One (1) parking space for each 200 square feet of gross floor area.

Church, meeting hall, other place of public assembly -- One (1) parking space for each eight (8) seats at maximum capacity.

Restaurant - One (1) parking space for each five (5) seats

Motel, tourist home - One (1) parking space for each guest room

Nursing Home - One (1) parking space for each full time employee per daytime shift plus one visitor space for every five rooms.

Industry - One (1) parking space for each employee, daytime shift.

Other Uses - Adequate to meet the anticipated demand, as determined by the Planning Board. Estimate to be included in the application for building permit or site plan approval as applicable.

7. Exterior lighting. Exterior lighting shall neither be too poor nor excessively bright. Lighting should illuminate those areas where people are likely to come into contact with vehicles, machinery, etc. Site illumination should not be allowed to be directed at residences adjacent to the site so as to create a nuisance.

8. Fire protection provisions. The New York State Uniform Fire Prevention and Building Code regulates fire protection. The Planning Board shall consult with the Enforcement Officer to determine whether the Code has been compiled with.

9. Erosion control methods during and after construction. Existing vegetation should be retained to the extent possible. Hay bales, netting, retaining structures, sediment ponds and timely seeding of ground cover should be considered depending on the erodibility of the site.

10. Stormwater and drainage facilities. Provisions for control of stormwater and drainage should be consistent with Article VII, Section 2 (e) of this Local Law.

11. Water Supply. Water supply must be provided by the Village's municipal system. The location of water line connections must be shown.

12. Sewage disposal facilities. Uses requiring sanitary sewage disposal must connect to the Village's municipal system. The location of sewer connections must be shown.

ARTICLE VII - SUBDIVISION REGULATIONS

Section 1. PROCEDURE

A. Preapplication Sketch Plan Conference

An applicant may arrange a pre-application sketch plan conference with the Planning Board to discuss the proposed subdivision, specifications for preparing the plat, initial review pursuant to SEQR, consistency with the Village's LWRP, and referrals to other agencies. The applicant should bring at least three (3) copies of a sketch plan to the conference. The sketch plan should be drawn to scale and should show the following:

1. Names of applicant and property owner and address or other means of identifying the site location.

2. Existing streams, wetlands, wooded areas, and other natural features of the site.

3. General layout and approximate dimensions of existing and proposed features of the site, including property lines, adjoining streets and access thereto, and connections to Village utilities; and

4. Approximate areas of cut and fill, if any, and a general indication of existing and proposed drainage pattern.

B. Waiver of Specifications. Based upon its review of the sketch plan and discussions with the applicant the Planning Board may determine that certain of the specifications for preparing an application for approval of the preliminary plat are unnecessary or inappropriate. If so, the Planning Board shall provide the applicant with a checklist indicating which specifications have been waived.

C. Procedure for Conditional Approval of Preliminary Plat.

(1) The applicant shall cause to be prepared a preliminary plat, together with improvement plans and other supplementary materials as specified in this local law. The preliminary plat, topographic map, street profiles, etc. and all procedures relating thereto shall in all respects be in full compliance with the provisions of this local law,, except where waived in writing by the Planning Board. Three (3) copies of the preliminary plat and supplementary material specified shall be submitted to the Planning Board with written application for conditional approval.

(2) The Planning Board shall hold a public hearing on the preliminary plat within sixty-two (62) days from receipt of a complete application. Written notice shall be mailed to the applicant at least ten (10) days prior to the hearing, and legal notice shall be published in the official newspaper at least five (5) days prior to the date of the public hearing.

(3) The Planning Board shall then study the preliminary plat and supplementary material in connection with the topography of the area, existing requirements of the Zoning Regulations, etc. and shall take into consideration the general requirements of the community and the best use of the land to be subdivided. Particular attention shall be given to matters enumerated in the Village Law as amended, as well as to specific requirements for parks, playgrounds, school sites, boulevards and main thoroughfares, the adequacy of street connections and the suitability of the land for development. Following such review of the preliminary plat and other materials submitted for conformity thereof to these regulations and negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made by him, the Planning Board shall hold a formal public hearing in compliance with local law, as amended. Within sixty-two (62) days after the public hearing the Planning Board shall communicate in writing its decision on the application as submitted or modified, and if approved, the Planning Board shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefor.

(4) The action of the Planning Board shall be noted on two (2) copies of the preliminary plat, referenced and attached to any conditions determined. One (1) copy shall be returned to the subdivider and the other retained by the Planning Board.

(5) Conditional approval of a preliminary plat shall specify the conditions prerequisite to the approval of the final plat, listing the specific changes which will be required for approval of the final plat which, upon fulfillment of the

requirements of these regulations and the conditions of conditional approval, if any, will be submitted for approval of the Planning Board and for recording.

D. Procedure for Approval of Final Plat.

(1) The final plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposed to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations.

(2) Application for approval of the final plat shall be submitted to the Planning Board at least one (1) week prior to the meeting at which it is to be considered.

(3) Three (3) copies of the final plat and other exhibits required for approval shall be prepared as specified and shall be submitted to the Planning Board within six (6) months after approval of the preliminary plat; otherwise such approval shall become null and void unless an extension of time is applied for and granted in writing by the Planning Board.

(4) The final plat shall be referred to the County Planning Board if substantially different from the approved or conditionally approved preliminary plat referred to the County Planning Board.

(5) A public hearing shall be held by the Planning Board with sixty-two (62) days after the time of submission of the final plat for approval. This hearing shall be advertised in a newspaper of general circulation in the village at least five (5) days before such hearing.

(6) The Planning Board shall, then, within sixty-two (62) days from the date of submission of the final plat, approve, modify and approve, or disapprove such final plat. The action of the Planning Board shall be noted on two (2) copies of the final plat. One (1) copy shall be returned to the subdivider and the other retained by the Planning Commission. If disapproved, reasons shall be stated in writing.

(7) Within one-hundred eighty (180) days after receiving final approval, the developer shall file the plat with the County Clerk; otherwise such approval shall expire as provided in the Village Law as amended.

(8) No changes, erasures, modifications or revisions shall be made in any final plat after approval has been given by the Planning Board and endorsed in writing on the plat, unless the said plat is first resubmitted to the Planning Board and such Board approves any modifications. In the event that any such final plat is recorded without complying with this requirement, the same shall

be considered null and void, and the Board shall institute proceedings to have the plat stricken from the records of the County Clerk.

Section 2. PLANS AND DATA

a. Preliminary information.

1. General subdivision information shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the drawings required below. This information may include data on existing covenants, land characteristics and available community facilities and utilities; and information describing the subdivision proposal, such as number of residential lots, typical lot width and depth, price range, business areas, playgrounds, park areas and other public areas, proposed protective covenants and proposed utilities and street improvements.

2. The location map shall show the relationship of the proposed subdivision to the existing community facilities which serve or influence it and shall include the development name and location; main traffic arteries; shopping centers; schools; parks and playgrounds; other community features, such as hospitals and churches; title; scale, North arrow; and date.

3. The sketch plan on the topographic survey shall show in simple sketch form the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan may be a freehand pencil sketch made directly on a print of the topographic survey. In any event, the sketch plan shall include either the existing topographic data listed in Subsection 4. below or such of these data as the Planning Board determined is necessary for its consideration of the proposed sketch plan.

4. The following data is required for conditional approval:

a. Boundary lines; bearings and distances;

b. Easements; location, width and purpose;

c. Streets on and adjacent to the tract; name and right of way width and location; type, width and elevation of surfacing; any legally established center line elevations; walks, curbs; gutters; culverts, etc.

d. Utilities on and adjacent to the tract; location, size and invert elevation of sanitary, storm and combined sewers; location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains, location of fire hydrants, electric and telephone poles and street lights, if water mains and sewers are not on or adjacent to the tract, indicate the

direction and distance to and size of nearest ones, showing invert elevation of sewers.

e. Ground elevations on the tract for land that slopes less than approximately two percent (2%) show spot elevations at all breaks in grade, along all drainage channels or swales, and at selected points not more than one hundred (100) feet apart in all directions; for land that slopes more than approximately two percent (2%) either show contours with an interval of not more than five (5) feet if ground slope is regular and such information is sufficient for planning purposes, or show contours with an interval of not more than two (2) feet if necessary because of irregular land or need for more detailed data for preparing plans and construction drawings.

f. Subsurface conditions on the tract, if required by the Planning Board; location and results of tests made to ascertain subsurface soil, rock and groundwater conditions; depth to groundwater unless test pits are dry to a depth of five (5) feet; location and results of soil percolation tests if individual sewage systems are proposed.

g. Other conditions on the tract; watercourses, marshes, rock outcrop, wooded areas, isolated preservable trees one (1) foot or more in diameter, buildings, houses, barns, shacks and other significant features.

h. Other conditions on adjacent land; approximate direction and gradient slope, including any embankments or retaining walls; character and location of buildings, railroads, power lines, towers and other nearby nonresidential land uses or adverse influences; owners of adjacent unplatted land. For adjacent platted land refer to subdivision plat by name, recordation date and number, and show approximate percent buildup, typical lot size and dwelling type.

i. Photographs, if required by the Planning Board, camera locations, direction of views and key numbers.

j. Zoning on and adjacent to the tract.

k. Proposed public improvements; highways or other major public improvements planned by public authorities for future construction on or near the tract.

l. Key plan showing location of the tract.

m. Title and certificates; present tract designation according to official records in office of appropriate recorder; title under which the proposed subdivision is to be recorded, with names and addresses of record owners, subdivider and designer of preliminary layout, notation stating acreage, scale, North arrow, datum, benchmarks, certification of registered civil engineer or surveyor and date of survey.

5. The preliminary plat shall be at a scale of two hundred (200) feet to one (1) inch, or larger. It shall be drawn on vellum, tracing cloth, linen or canvas backed paper twenty (20) inches wide by twenty (20) inches long or twenty (20) inches wide by forty (40) inches long. It shall show all existing conditions required in Subsection D (4), topographic data and shall show all proposals including the following:

a. Streets: names, right of way and roadway widths; approximate grades and gradients; similar data for alleys, if any,

b. Other rights of way or easements; location, width and purpose.

c. Location of utilities, if not shown on other exhibits

d. Connection with existing water supply or alternative means of providing water supply to subdivision, as provided in the Public Health Law, as amended.

e. Connection with existing sanitary sewerage system or alternative means of providing water supply to a subdivision, as provided in the Public Health Law as amended.

f. Provisions for collecting and discharging surface drainage.

g. Lot lines and dimensions, lot numbers and block numbers.

h. Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other non-public uses, exclusive of single family dwellings.

i. Minimum building setback lines.

j. Improvements, including proposed location of sidewalks, street lighting standards, if any, and species of street trees, if any.

k. Site data, including number of residential lots, typical lot size and acres in parks, etc.

l. Sites, if any, to be reserved or dedicated for parks, playgrounds or other public uses.

m. Proposed subdivision name or identifying title, name of village and county in which subdivision is located, scale, true North arrow and date.

6. When required by the Planning Board, the preliminary plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision; typical cross sections of the proposed grading, roadway and sidewalk, and preliminary plan of proposed sanitary and storm sewers with grades and sizes included. All elevations shall be based on a datum plane approved by the Village Engineer.

7. When applicable, the subdivider shall submit draft (s) of protection covenants whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.

B. Plats and Data for Final Approval:

1. The Final plat shall be clearly and legibly drawn in India ink or mylar or tracing cloth sheets or printed on linen or canvas backed paper twenty (20) inches wide by twenty (20) inches long or twenty (20) inches wide by forty (40) inches long and shall be a scale of one hundred (100) feet to one (1) inch or larger. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions the final plat may be submitted for approval progressively in continuous sections satisfactory to the Planning Board. The final plat shall show the following:

a. Subdivision name or identifying title; name of the Village, county and state; scale, true North arrow and date.

b. Primary control points, approved by the Village Engineer, or descriptions and ties to such control points, to which all dimensions, angles, bearings and similar data on the plat shall be referred.

c. Sufficient data acceptable to the Village Engineer to determine readily the location, bearing and length of every street line, lot line and boundary line, and to reproduce such lines upon the ground. Where practicable, these should be referenced to monuments, and in any event should be tied to primary control points approved by the Village Engineer.

d. Tract boundary lines, right of way lines and streets, easements and other rights of way and property lines of residential lots and other sites; with accurate dimensions, bearings, or deflection angles, and radii, arcs and central angles of all curves.

e. The length of all straight lines, the deflection angles, radii, length of curves and central angles of all curves, tangent distances and tangent bearings shall be given for each street. All dimensions and angles of the lines of each lot shall also be given. All dimensions shall be shown in feet and decimals of a foot.

f. Permanent reference monuments shall be shown thus: -x- They shall be constructed in accordance with specifications of the Village Engineer. They shall be placed as required by the Village Engineer and their location noted and referenced on the plat.

g. Monuments of a type approved by the Village Engineer shall be set at all corners and angle vertices of the boundaries of the original tract to be subdivided; and at all street intersections, angle points in street lines, points of curve and such intermediate points as shall be required by the Village Engineer. Location and description of all such monuments shall be shown.

h. All lot corner markers shall be permanently located, satisfactory to the Village Engineer, at least three fourths (3/4) inch (if metal) in diameter and at least twenty four (24) inches in length, shown thus: "o" and located in the ground to existing grade.

i. Name and right of way width of each street or other right of way.

j. Location, dimensions and purpose of any easements.

k. Number to identify each lot or site.

l. Purpose of which sites, other than residential lots, are dedicated or reserved.

m. Minimum building setback line on all lots and other sites.

n. Names of record owners of adjoining unplatted land.

o. Reference to recorded subdivision plats of adjoining platted land by record name, date and number.

p. Certification by licensed surveyor or professional engineer certifying to accuracy of survey and plat, including license numbers and seals.

q. All public open spaces for which deeds of cession are included and those spaces title to which is reserved by the subdivider.

2. The final plat shall be accompanied by the following agreements or other documents, unless waived by the Planning Board:

a. All offers of cession and covenants governing the maintenance of unceded open space shall bear the certificate of approval of the Village Attorney as to their legal sufficiency.

b. Statement by owner dedicating streets, rights of way,

lots, easements and any other sites for public uses.

c. Cross sections and profiles of streets showing grades approved by the Village Engineer. The profiles shall be drawn to village standards scales and elevations and shall be based on a datum plane approved by the Village Engineer.

d. A certificate from the Village Engineer certifying that the subdivider has complied with one (1) of the following alternatives:

(1) All improvements have been installed in accord with the requirements of these regulations and with the action of the Planning Board giving conditional approval of the preliminary plat and to his satisfaction in accordance with standards and specifications prescribed by him.

(2) A bond or certified check has been posted, which is available to the village and in sufficient amount to assure such completion of all required improvements. Such bond or certified check shall be accompanied by a certificate of the Village Attorney as to the sufficiency of the bond offered in lieu thereof.

e. Protective covenants in form for recording.

f. Other data; such other certificates, affidavits, endorsements or dedications as may be required by the Planning Board.

ARTICLE VIII - SUBDIVISION REVIEW PROCEDURES

Section 1. DESIGN STANDARDS

A. Streets.

(1) The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

(2) Where such is not shown in the Master Plan, the arrangement of streets in a subdivision shall either:

(a) Provide for the continuation of appropriate projection of existing principal streets in surrounding areas; or

(b) Conform to a plan for the neighborhood approved or adopted by the Planning Board to meet a particular situation where topographical or other conditions make continuation or conformance to existing streets impractical.

(3) Minor streets shall be laid out so that their use by through traffic will be discouraged.

(4) Where a subdivision borders on or contains a railroad right of way or limited access highway right of way, the Planning Board may require a street approximately parallel to and on each side of such right of way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

(5) Shared access that minimizes disruption of highway traffic flow, reduces potential points of conflict between through and turning traffic and facilitates the control and separation of vehicles and pedestrian movement shall be part of any development plans.

(6) Minor or secondary street opening into collector or major arterial roads shall, in general, be at least five hundred (500) feet apart.

(7) A tangent at least one hundred (100) feet long shall be

introduced between reverse curves on arterial and collector streets.

(8) In general, street lines within a block, deflecting from each other at any one (1) point by more than ten degrees (10), shall be connected with a curve, the radius of which for the center line of the street shall not be less than four hundred (400) feet on major streets, two hundred (200) feet on collector streets and one hundred (100) feet on minor streets.

(9) Street shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than sixty degrees (60).

(10) Property lines at street intersections shall be rounded with a radius of ten (10) feet, or of a greater radius where the Planning Board may deem it necessary. The Planning Board may permit comparable cutoffs or chords in place of rounded corners.

(11) Street right of way widths shall be as shown in the Master Plan and where not shown therein shall be not less than as follows:

Aerial.....75 feet right of way
Collector.....66 feet right of way
Minor, for row houses and apartments...66 feet right of way
Minor, for other residences...60 feet right of way

(12) Half streets shall be prohibited, except where essential to the reasonable development of subdivisions in conformity with other requirements of these regulations and where the Planning Board finds that it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

(13) Dead-end streets, designed to be so permanently, shall not be longer than four hundred (400) feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty (80) feet and a street property line diameter of at least one hundred (100) feet.

(14) No street names shall be used which will duplicate or be confused with the names of existing streets. Street names should reflect the history of the community wherever possible and is subject to the approval of the Planning Board with input from the Historian.

(15) No street grade shall be less than five tenths percent (0.5%).

(16) Driveway grades between the street and the setback line

shall not exceed ten percent (10%).

(17) The approval by the Planning Board of a final plat shall not be deemed to constitute or be evidence of any acceptance by the village of any street, easement or other open space shown on such final plat.

B. Alleys.

(1) Alleys shall be provided in commercial and industrial districts, except that the Planning Board may waive this requirement where other definite and assured provision is made for service access, such as off street loading, unloading and parking, consistent with and adequate for the uses proposed.

(2) The width of an alley right of way and pavement shall be not less than twenty (20) feet.

(3) Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

(4) Dead end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead end, as determined by the Planning Board.

C. Easements.

(1) Easements across lots or centered on the rear or side lot lines shall be provided for utilities where necessary and shall be at least twelve (12) feet wide.

(2) Where a subdivision is traversed by a watercourse drainageway, channel or stream, there shall be provided a stormwater easement or drainage right of way conforming substantially with the lines of such watercourse and such further width or construction, or both, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith.

D. Blocks.

(1) The lengths, widths and shapes of blocks shall be determined with due regard to:

(a) Provision of adequate building sites suitable to the special needs of the type of use contemplated.

(b) Zoning requirements as to lot sizes and dimensions.

(c) Needs for convenient access, circulation, control and safety of street traffic.

(d) Limitations and opportunities of topography.

(2) Block lengths shall not exceed one thousand two hundred (1,200) feet nor be less than five hundred (500) feet.

(3) A pedestrian right of way at least ten (10) feet wide shall be provided near and through the center of every block over eight hundred (800) feet long and shall be paved with a walk at least five (5) feet wide.

(4) Each block shall be planned to provide two (2) rows of lots, but irregularly shaped blocks indented by cul de sac streets and containing interior parks will be acceptable when properly designed and covered by agreements as to maintenance of interior parks.

E. Lots.

(1) The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

(2) Lot dimensions shall conform to the requirements of the zoning provisions in Article IV of this local law.

(3) Area variance. Where a proposed plat contains one or more features which do not comply with the dimensional standards in the zoning regulations, applications may be made to the Zoning Board of Appeals for an area variance pursuant to Section 7-712-b of NYS Village Law, without the necessity of a decision or determination of the Code Enforcement Officer. In reviewing such application the Zoning Board of Appeals shall request the Planning Board to provide a written recommendation concerning the proposed variance.

(4) Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off street service and parking facilities required by the type of use and development contemplated.

(5) The subdividing of the land shall be such as to provide, by means of a public street, each lot with satisfactory access to an existing public street.

(6) All development proposals shall survey and document existing site conditions.

(7) Side lot lines shall be substantially at right angles or radial to street lines.

(8) Building placement and lot layout should be designed to provide a functional relationship to the site's topography, existing vegetation and other pertinent natural features.

F. Public Sites, Open Spaces and Natural Features

(1) Where a proposed park, playground, school or other public use shown in a Master Plan is located in whole or in part in a subdivision, in those cases in which the Planning Board deems such requirements to be reasonable, the Board's approval shall be subject to such a requirement.

(2) Where deemed essential by the Planning Board, upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale neighborhood unit developments not anticipated in the Master Plan, the Planning Board may require the dedication or reservation of such other areas or sites of a character, extent and location suitable to the needs created by such development for schools, parks and other neighborhood purposes.

(3) Areas for parks and playgrounds shall be of reasonable size for neighborhood playgrounds or other recreation uses. No arbitrary percentage of area shall be insisted upon by the Board, but in general developers should set aside not less than ten percent (10%) of the area for these purposes.

(4) When a park, playground or other recreation area shall have been shown on a final plat, the approval of said plat shall not constitute an acceptance by the village of such area. The Planning Board shall require the plat to be endorsed with appropriate notes to this effect. The Planning Board may also require the filing of a written agreement between the applicant the Village Board of Trustees covering future deed and title, dedication and provision for the cost of grading, development, equipment and maintenance of any such recreation area.

(5) The Planning Board shall, wherever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, watercourses and falls, beaches, historic spots, vistas and similar irreplaceable assets. No tree with a diameter of one (1) foot or more as measured three (3) feet above the base of the trunk shall be removed unless such tree is within the right of way of a street as shown on the final plat. Removal of additional trees shall be subject to the approval of the Planning Board. In no case, however, shall a tree with a diameter of one (1) foot or more as measured three (3) feet above the base of the trunk be removed without prior approval by the Planning Board.

G. Drainage Improvements

(1) The subdivider may be required by the Planning Board

to carry away by pipe or open ditch any spring or surface water that may exist either previous to or as a result of the subdivision. Such drainage facilities shall be located in the street right of way where feasible, or in perpetual unobstructed easements of appropriate width.

(2) A culvert or other drainage facility shall, in each case, be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The Village Engineer shall approve the design and size of facility based on anticipated runoff from a ten-year storm under conditions of total potential development permitted by the Zoning Law in the watershed.

(3) The subdivider's engineer shall also study the effect of each subdivision on the existing downstream drainage facilities outside the area of the subdivision. This study shall be reviewed by the Village Engineer. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility during a five year storm, the Planning Board shall notify the Village Board of Trustees of such potential condition. In such case, the Planning Board shall not approve the subdivision until the provision has been made for the improvements of said condition.

(4) Land subject to flooding or land deemed by the Planning Board to be uninhabitable shall not be platted for residential occupancy nor for such other uses as may increase danger to health, life or property, or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or improved in a manner satisfactory to the Planning Board to remedy said hazardous conditions.

H. Miscellaneous Improvements.

1. When an office or commercial structure is located along a rural highway, all parking areas should be sited behind the structure and a planting buffer should be established adjacent to the highway.

2. Structures within a well designed site plan should be located, constructed, and insulated to prevent on site noise from interfering with the use of adjacent properties. Similarly, buildings should be situated to prevent off site noise from unnecessary intrusion for property users. Additional methods for blocking noise include fencing, walls, landscape buffers, mounding, setbacks, and the use of state of the art building materials.

3. The lighting of a site should provide security and visual interest while not projecting adverse glares onto adjacent properties. On site lighting should be located to avoid harsh glares which distract the motorist's line of sight.

4. Outdoor storage, service and parking areas for new residential complexes or commercial buildings should be hidden or screened from the street and from other adjacent residential areas. This may be accomplished by site placement and/or the addition of coniferous plantings or architectural elements.

5. All development should integrate into the site design New York State fire hydrant and emergency access standards subject to approval of the Village Engineer.

6. All new projects are encouraged to install underground utility services systems. When economically feasible, existing above ground utility service systems should be placed underground.

7. The use of art features such as sculptures, fountains, distinctive landscaping and murals add a unique identification and style to a development. Art features should be appropriate to the historic, architectural and visual character of the site and must be approved by the Planning Board.

8. Utility and Street Improvements, shall be provided in each new subdivision in accordance with the standards and requirements described in the following schedules:

(a) The standards and specifications for each general type of development shall be as follows:

(1) For apartment, row house and similar multifamily residential types, improvements shall be in accord with Standard A.

(2) For one family detached dwellings with typical lot widths of one hundred twenty (120) feet or less, improvements shall be in accord with Standard B.

(3) For country homes with typical lot widths greater than that specified in Subsection B(1)(b) above, improvements shall be in accord with Standard C.

(4) For commercial; industrial and other types, improvements shall be as determined by the Planning Commission with the advice of the Village Engineer.

(b) Schedule of required utilities and street improvements

Standard			Utility and Street Improvements
A	B	C	
x	x		Public water per Public Health Law of 1953, as amended, and per Waddington Village Board water regulations
x	x		Public sewer per Public Health Law of 1953, as amended, and per plans approved by the Village Engineer.

- x x x Storm sewer system and other drainage improvements, per plans approved by the Village Engineer.
- x x x Arterial streets; cross sections in accordance with the Master Plan as determined by the Village Engineer and the Planning Board

Collector Streets:

- x 75 foot right of way; 36 foot roadbed; 36 foot pavement, if required by the Village Board; and if installed, 5 foot sidewalks on each side per Village specifications.
- x x 66 foot right of way; 36 foot roadbed; 36 foot pavement, if required by the Village Board; and if installed, 5 foot sidewalks on each side per village specifications.

Minor Streets:

- x 66 foot right of way, 28 foot roadbed; 28 foot pavement, if required by Village Board; and if installed, five foot sidewalks on each side.
- x 60 foot right of way; 28 foot roadbed; 28 foot pavement, if required by Village Board; and if installed, 5 foot sidewalks on each side.
- x 50 foot right of way, 28 foot roadbed; and 28 ft. pavement if required by Village Board.
- x x x Streets along development boundaries and streets connecting development with existing improved street systems; cross sections as determined by Village Engineer and Planning Board.
- x x x Alleys: as determined by the Village Engineer and Planning Board
- x x x Grading and gradients; per plans and profiles approved by the Village Engineer.
- x x x Pavement base; per village specifications

ARTICLE IX - HISTORIC PRESERVATION

PURPOSE:

The purpose of such regulations is to attempt to control certain actions in and near historic districts and/or landmarks, to the legitimate purposes of the municipality in preserving them. The vast number of historic structures that impact on the importance of this community economically and the increasing interest in the history of the area and its inhabitants require the preservation of our heritage.

All practicable means to protect structures, districts, areas or sites that are of significance in the history, architecture, archaeology of culture of the State, its communities or the Nation shall be deemed to include the consideration and adoption of any techniques, measures or controls to prevent a significant adverse change to such significant structure, district, areas or sites. A significant adverse change includes but is not limited to:

a. Alteration of or addition to one or more of the architectural structural ornamental or functional features of a building, structure, or site that is a recognized historic, cultural, or archaeological resource, or component thereof. Such arrangement of the exterior of a structure and any original or historically significant interior features including type, color and texture of building materials; entryways and doors; steps, rails, fencing, windows; vents and other openings; grillwork; signs, canopies, and other appurtenant fixtures and is in addition all buildings, structures, outbuildings, walks, fences, steps, topographical features, earth moving, paving and signs are relevant, the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be considered.

b. Demolition or removal in full or part of a building, structure, or earthworks that is a recognized historic, cultural or archaeological resource or component thereof, to include all those features described in 1, above plus any other appurtenant fixture associated with a building structure or earthwork.

c. All proposed actions within 500 feet of the perimeter of the property boundary of the historic, architectural, cultural, or archaeological resource and all actions within an historic district that would be incompatible with the objective of preserving the quality and integrity of the resource. Primary considerations to be used in making judgement about compatibility should focus on the visual and locational relationship between the proposed action and the resource means that the general appearance of the resource should be reflected in the architectural style, design, material,

scale, proportion, composition, mass, line, color, texture, detail, setback, landscaping and related items of the proposed actions with historic districts. This would include infrastructure improvements or changes, such as street and sidewalk paving, street furniture and lighting.

This policy shall not be construed to prevent the construction, reconstruction, alteration or demolition of any buildings, structure, earthwork, or component thereof of a recognized historic cultural or archaeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall this policy be construed to prevent the ordinary maintenance, repair, or proper restoration.

Action:

Any request for development or construction within 500 feet of a historic district and/or landmark will bear comments from the local Historian as to its compatibility with the area being preserved.

No mobile homes will be permitted to locate within the historic district.

Any development within the historic district(s) and/or landmark will require considerable landscaping and the planting of trees and shrubs to add to the historic being of that area.

ARTICLE X - REGULATIONS OF MOBILE HOMES IN THE VILLAGE OF WADDINGTON

DEFINITIONS:

Mobile homes include but are not limited to modular homes, mobile homes, campers, and motorhomes.

SPECIAL PROVISIONS

1. Modular homes are permitted in the Village if they are at least 900 square feet and built upon permanent foundation walls. They will then be considered a residence and the regulations regarding lot size, yard size, etc. will be applied the same as any other residence built in the village.

2. Campers and motorhomes will only be allowed in available campsites bearing a special permit. This applies when the vehicle is used as a residence - be it seasonal or full year.

3. Storage of campers/motorhomes will not be permitted in the front yard (setback area) or in the back yards along the banks of any river or stream in the village where the storage of such vehicle will interfere with the scenic view.

4. Campers and motorhomes will be allowed on an owner's property (thru special permit) for seasonal use during any two week period in any one year.

5. No mobile homes will be allowed that do not bear a HUD seal indicating manufacture to federal standards first approved in 1976 and are over five years old when placed on site.

Mobile homes must have architectural details that are characteristic of most site built homes, specifically, the appearance of clapboard or shake siding, only one basic color for the siding, gable roof, roof shingles, substantial foundation system of full basement or thick slab and drainage, skirting, and wheels, chassis and tongue removed.

6. The placing of a mobile home within the village limits must possess a building permit if the home is to be utilized as residence and must be placed on a single site with the same regulations as if site built home. i.e. front yard setback, back yard and sideyard setbacks, landscaping, etc.

7. Construction trailer offices will be permitted when there is an approved development plan for that area of land. However the developer must apply for a building permit and will not be allowed to remain on site for longer than six months, unless otherwise agreed to by the Village Board of Trustees.

8. Placement of any residential mobile home in the village will be under the Department of Health regulations for lot size when placed in a mobile home park - (Village regulations require DOH regulations on two or more mobile homes/modular homes in any development). The lot size, setbacks on individual lots will be the same as for any other residence.

ARTICLE XI - ADMINISTRATION

Section 1. ENFORCEMENT OFFICER

The Board of Trustees shall appoint a Code Enforcement Officer, at a salary to be determined by said Board. It shall be the duty of the Code Enforcement Officer to enforce this local law.

Section 2. PLANNING BOARD

A. Establishment. A Planning Board is hereby established with the provisions of Village Law applicable thereto

B. Membership.

1. The Planning Board shall consist of five (5) members appointed by the Village Board of Trustees for a term of five years. The said Board of Trustees shall have the power to remove any member for cause and after public hearing. Vacancies shall be filled for the unexpired term of the member whose place has become vacant.

2. The Planning Board Chairman will be appointed by the Village Board of Trustees. All meetings of the Planning Board shall be held at the call of the chairman and such other times as the Board may determine. Such chairman or in her/his absence the acting chairman, may administer oaths and compel the attendance of witnesses.

C. Powers.

1. Site Plans. The Planning Board is hereby authorized to review and approve, approve with modifications, or disapprove site plans, prepared to specifications set forth in this local law, showing the arrangement, layout and design of the proposed use of the land shown on such plan. The exercise of such authority shall be limited to certain uses within the Waterfront Overlay District and shall be in accordance with the requirements and procedures established therefor under Article IV of this local law.

2. Subdivisions. The Planning Board is empowered to review and approve, approve with modifications, or disapprove preliminary and final subdivision plats in accordance with the requirements and procedures established under Articles VII and VIII

of this local law.

Section 3. BOARD OF APPEALS.

A. Establishment. A Board of Appeals is hereby established in accordance with provisions of the Village Law applicable thereto.

B. Membership.

1. The Board of Appeals shall consist of five members appointed by the Board of Trustees of the Village of Waddington, each to serve for a term of five years. The said Board of Trustees shall have the power to remove any member of the Board of Appeals for cause and after public hearing. Vacancies shall be filled for the unexpired term of the member whose place has become vacant.

2. The Board of Appeals Chairman will be appointed by the Village Board of Trustees. All meetings of the Board of Appeals shall be held at the call of the chairman and such other times as the Board may determine. Such chairman or in her/his absence the acting chairman, may administer oaths and compel the attendance of witnesses.

C. Procedures.

1. Such Board of Appeals shall comply with S7-712-a of Village Law and all its deliberations, resolutions and orders shall be in accordance therewith.

2. The concurring vote of a majority of the full membership of the Board shall be necessary to reverse any order, requirement, decision or determination of any administrative official charge with the enforcement of this local law or to decide in favor of the applicant any matter upon which it is required to pass under this local law or to decide in favor of the applicant any matter upon which it is required to pass under this local law or to effect any variation of this local law.

3. The Board of Appeals shall act in strict accordance with the procedures specified by law and by these Regulations and shall be in accord with the following:

a. Application. All appeals and applications made to the Board of Appeals shall be in writing, in the form prescribed by the Board. Every appeal or application shall refer to the specific provisions of the Regulations involved and shall exactly set forth the interpretation that is claimed, or the details of the variance that is applied for and the grounds on which it is claimed

that the variance should be granted. Such appeal shall be taken within sixty (60) days of the date of notification of the determination which is being appealed. The Enforcement Officer shall transmit to the Board all of the records concerning the case which is being appealed.

b. Referrals. Where any appeal for variance involves lands within the five hundred (500) foot thresholds of Section 239-m of New York State General Municipal Law, it shall be referred to the St. Lawrence County Planning Board and acted upon in accord with Article 1, Section 3.B. of this Local Law.

c. Notification and Public Hearing. The Board of Appeals shall fix a reasonable time for any public hearing in connection with an appeal or application and shall give public notice thereof by publication in the official paper of a notice of such public hearing at least five (5) days prior to that date; and shall, at least five (5) days before such public hearing, mail notice thereof to the applicant or appellant and to the adjacent land owners.

d. Decision and Notification. Within sixty two (62) days from the date of any public hearing the Board shall render a determination on any appeal. Every decision of the Board of Appeals shall be by resolution. The Board of Appeals shall notify the Enforcement Office and Planning Board of the action taken on any application before the Board of Appeals with respect to an interpretation or variance.

e. Filing of Decision and Notice. The decision of Board of Appeals on the appeal shall be filed in the office of the Village Clerk within five business days after the day such decision is rendered, and a copy thereof mailed to the applicant.

D. Meetings. All meetings of such Board shall be open to the public. Such Board shall keep minutes of its proceedings showing the vote of each member on every question. If any member is absent or fails to vote, the minutes shall indicate such fact, and shall also keep records of its examinations and other official actions.

E. Appeals, How Taken

1. Appeals to the Board of Appeals may be made by any person aggrieved, or by an office, department, board or bureau of the village.

2. Such appeal shall be taken by filing with the officer from whom the appeal is taken and with the Board of Appeals a notice of appeal specifying the grounds thereof.

3. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

F. Powers.

1. Order, requirements, decisions, interpretations, determinations. The Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appealed from and shall make such order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the Code Enforcement Officer and to that end shall have all the powers of the Code Enforcement Officer from whose order, requirement, decision, interpretation or determination the appeal is taken.

2. Use Variances.

a. The Board of Appeals, on appeal from the decision or determination of the Code Enforcement Officer, shall have the power to grant use variances as defined herein.

b. No such use variance shall be granted by the Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located.

1. the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;

2. that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;

3. that the requested use variance, if granted, will not alter the essential character of the neighborhood; and

4. that the requested alleged hardship is not self created.

c. The Board of Appeals in the granting of use variance, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proved by the applicant and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

3. Area Variances

a. The Zoning Board of Appeals shall have the power, upon an appeal from a decision or determination of the Code Enforcement Officer or as otherwise provided in this local law, to grant area variances as defined herein.

b. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

1. whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

2. whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

3. whether the requested area variance is substantial;

4. whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

5. whether the alleged difficulty was self created; which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

c. The Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

4. Imposition of Conditions The Board of Appeals shall, in the granting of both use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning regulations, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

G. Compensation. Compensation of Board of Appeals members for expenses associated with their duties may be fixed from time to time by resolution of the Village Board.

H. Removal Conflict of interest. A Board of Appeals member may have his or her appointment terminated for cause by a resolution of the Village Board after a public hearing. No member of the Village Board or Board of Appeals shall hold simultaneous membership on the Planning Board.

Section 4. AMENDMENTS

The foregoing regulations, restrictions and boundaries may from time to time be amended, supplemented, changed, modified or repealed by local law by the Board of Trustees, following proper public notification and a public hearing.

Section 5. JUDICIAL REVIEW

Any person or persons, jointly or severally aggrieved by any decision of the Planning Board, Zoning Board of Appeals or Village Board or any official instrument of the Village in the administration of this Local Law may apply to have the decision reviewed in the manner provided by Article Seventy Eight of the Civil Practice Law and Rules, provided the proceedings is commenced within thirty (30) days after the filing of the decision in the office of the Village Clerk. Costs shall not be allowed against the village unless it appears to the Court that the Village or its representative acted with gross negligence or in bad faith or with malice in making the decision appealed from.

Section 6. NOTIFICATION OF ABUTTERS.

The Village Planning Board or Zoning Board of Appeals shall, respectively, upon receipt of a complete application for subdivision, site plan or variance, use all due diligence to notify, in writing, all owners of real property which immediately abut the parcel or parcels which are the subject of the application. In no case shall any Board take action on any such application unless a minimum of 15 days has elapsed between the postmarked date of such notification and the date on which the board will officially consider the application. Such notification shall briefly describe whether the application is for a map amendment, subdivision, site plan or variance and shall also state the time, date and place at which the application will be considered.

Section 7. PUBLIC HEARINGS.

Any public hearing held under the provision of this Local Law shall be advertised by a notice of public hearing to be published once in the official newspaper of the Village at least 5 days prior to the date of the hearing. In addition notices shall be mailed to the applicant and all owners of real property within 500 feet of the exterior boundary of a proposed subdivision. Notices shall be mailed by certified mail, return receipt requested or may be presented in person. Any hearing may be recessed in order to obtain additional information or to serve further notice upon property owners or other persons it decides may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to be resumed shall be announced and any further notice or publication shall be within the discretion of the Board.

Section 8. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York State Secretary of State and publication of an abstract in the official newspaper of the Village of Waddington.

Validity

In the event that any section or provision of this local law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity or the local law as a whole or any part thereof, other than the part so decided to be unconstitutional or invalid.

Amendments

The foregoing regulations, restrictions and boundaries may from time to time be amended, supplemented, changed, modified or repealed by the Board of Trustees, following proper public notification and a public hearing.

Repealer

The Village of Waddington Zoning Ordinance shall be repealed upon the filing of this Local Law with the New York Secretary of State.

Effective Date

This local law shall take effect and be in force from and immediately after the passage, publication of notice adoption and posting required by law.

Date:

Village Clerk:

(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 Waddington
~~TOWN~~
Village

Local Law No. 1 of the year 1997

A local law Changing the Village Zoning Ordinance of the Village of Waddington, NY
(Insert Title)

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

~~COUNTY~~
~~CITY~~ of Waddington, NY
~~TOWN~~
Village as follows:

A Local Law changing the Village Zoning Ordinance of the Village of Waddington, N.Y.

SECTION 1 SHORT TITLE

This local law shall be known and may be cited as "Amendments to the Zoning Ordinance (L.L. #1 of 1997).

SECTION 2 PURPOSE

The purpose of this local law is to amend the Zoning Ordinance of the Village of Waddington, New York to open up the opportunity for some added commercial growth in our Village.

SECTION 3 DEFINITION

The term Zoning Ordinance as used in this local law shall mean the Zoning Ordinance of the Village of Waddington, New York, as adopted November 30, 1995.

SECTION 4 CHANGES

4.1 Rezone an area south of Route 37 Lot 21.032-01-21&-22 and a portion of Lot 21.040-01-01.2 as more particularly described on Schedule A of the Building Permit Application presently owned by William and Marcia Tiernan and Kenneth and Catherine Pierce from R-1 to B-1.

4.2 Amend the local zoning law permitted use of B-1 district after Site Plan approval, to include the bus tour business, including accessory uses particular to that business such as offices, repair and maintenance facilities, parking facilities or any combination of uses.

SECTION 5 EFFECTIVE DATE

This local law shall take effect immediately after it has been filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Village of Waddington
P.O. Box 335
Waddington, NY 13694
315-388-5534
Fax 315-388-5957

TO: Keith Zimmerman

DATE: 11/4/04

379 - 2252

FROM: Liz Phillips

RE: _____

PAGES INCLUDING COVER: 3

Please find the Local Law filing for
Sub-division passed on Sept. 4, 2002.

Liz

If you have difficulty in reading any copy, or did not receive all of the pages, please notify us as soon as possible.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(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~~
~~Town~~
Village

of Waddington

Local Law No. 1 of the year ~~199~~ 2002

A local law Establishing definition and use of a Minor Subdivision

(Insert Title)

Be it enacted by the Village Board of the

(Name of Legislative Body)

~~County~~
~~City~~
~~Town~~
Village

of Waddington

as follows:

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WADDINGTON:

- Section 1. **Definitions:** As stated in this Local Law, the following shall have the meanings subscribed to them. All other words shall have the meanings normally ascribed to them in normal usage.
- a. Sub-division as defined in Local Law #2 of the year 1995 as dividing any properties into two (2) parcels or more.
 - b. Minor Sub-division is defined as properties to be divided and sold on existing accepted Village streets that include water, sewer, lights and gas.
- Section 2. **Regulations:** The Village deems it permissible for a Minor Sub-division to be developed on those existing streets in the amount of ten (10) lot divisions in five (5) years with those lots being exempt from Sub-division law.
All building is subject to Code Enforcement Law.
- Section 3. **Effective Date:** This Law shall be effective immediately.

(If additional space is needed, attach pages the same size as this sheet, and number each.)



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

RANDY A. DANIELS
SECRETARY OF STATE

October 22, 2002

VILLAGE OF WADDINGTON
P.O. BOX 335

WADDINGTON, NY 13694-0335

RE: Village of Waddington, Local Law 1, 2002, filed 10/17/2002

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,

A handwritten signature in cursive script that reads "Linda Lasch".

Linda Lasch
Principal Clerk
State Records & Law Bureau
(518) 474-2755

VILLAGE OF WADDINGTON

48 MAPLE STREET, P.O. BOX 335

WADDINGTON, NY 13694

Elizabeth J. Phillips
Mayor

(315) 388-5534

FAX (315) 388-5957

Patricia P. Paradis
Village Clerk

Snider & Snider
252 N. Main Street
Massena, NY 13680

Dear Mr. Snider:

The vacant land off from Donald Manor, Mary Manor and William Manor in the Village of Waddington is not a sub division but is considered an extension.

Liz

Dear Mr. Snider:

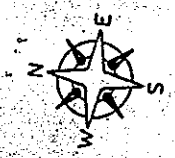
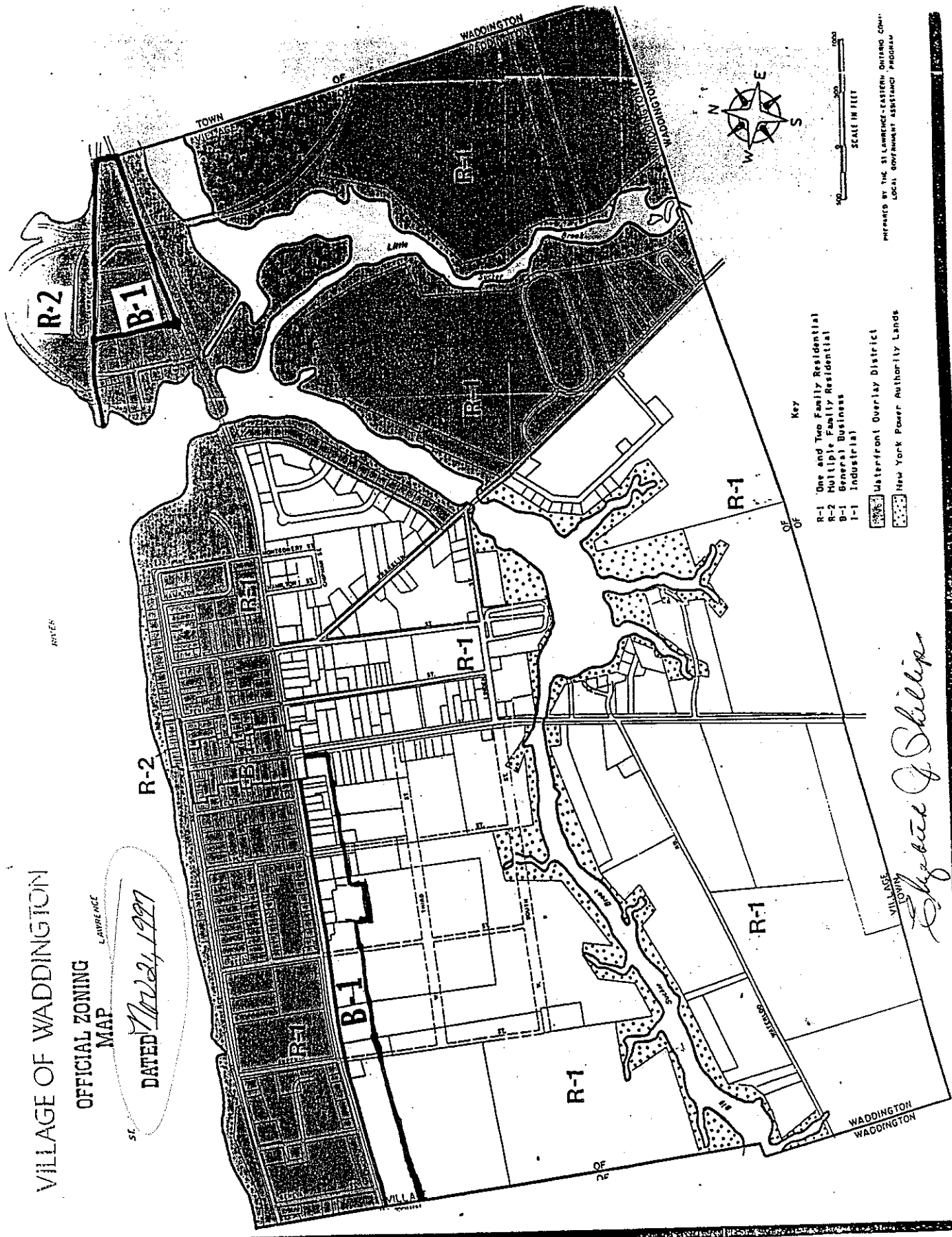
The Parcel of land convey to Mr. Arquette off from Mary Manor Drive is not considered a sub division but an extension in the Village of Waddington.

J. Richard Mayette

VILLAGE OF WADDINGTON

OFFICIAL ZONING
MAP

DATED *May 1997*



- Key
- R-1 One and Two Family Residential
 - R-2 Multiple Family Residential
 - B-1 General Business
 - I-1 Industrial
 - Waterfront Overlay District
 - New York Power Authority Lands

PREPARED BY THE ST. LAWRENCE - EASTERN ONTARIO COMMUNITY DEVELOPMENT PROGRAM

Sharon J. Phillips