ORIGINAL
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TOWN OF LYME

Fishermans Paradise

12175 NYS RT. 12E ♦ PO BOX 66
CHAUMONT, NY 13622

ZONING ORDINANCE

LOCAL LAW NO. 1 FOR THE YEAR 1989

THAT A LOCAL LAW FOR THE TOWN OF LYME REPEALING ALL PRIOR ZONING LAWS AND ORDINANCES AND PROVIDING FOR A REVISED COMPREHENSIVE ZONING LAW FOR THE TOWN OF LYME, NEW YORK. ENACTED, BY THE TOWN BOARD OF THE TOWN OF LYME, ON JANUARY 16, 1989.

AMENDMENTS:

1. LL #3 of 1989 (Corrections)
2. LL #3 of 1993 (Section 420)
3. LL #1 of 1997 (Section 425)
4. LL #2 , #3 OF 2011& LL #2 of 2012 (Section 750&..930 & consolidation of laws Dated 2-08-2012)

Rev 0: Dated 2-08-2012

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ARTICLE I - PURPOSE. TITLE. AND APPLICATION OF REGULATIONS

Section 105: Purpose and Authorization

For the purpose of promoting the public health, safety and welfare, and the most desirable use for which the land in each district may be adapted, of conserving the value of buildings and of enhancing the value of land throughout the Town, pursuant to the authority conferred by Article 16 of the Town Law and Section 10 of Municipal Home Rule Law, and in accordance with a general plan, with reasonable consideration, among other things, of the character of each district and its peculiar suitability for the particular uses, the Town Board of the Town of Lyme in the County of Jefferson, State of New York, hereby ordains and enacts this local law. Pursuant to Municipal Home Rule Law, where this law is inconsistent with the Town Law, General Municipal Law, or any other State Law, this local law shall control and supersede those inconsistent laws.

Section 110- Title

This Law shall be known and may be cited as "The Town of Lyme Zoning Law".

Section 115: Application of Regulations

1. No building, structure or land shall be used or occupied and no building, structure or part thereof shall be erected, moved or altered (to change the exterior physical dimensions) unless in conformity with the regulations for the district in which it is located, as specified by this local law.
2. Within each district, the regulations established by this law shall be minimum regulations and shall be applied uniformly to each class or kind of structure or land.
3. Any use which is not listed as a permitted or special permit use in the appropriate district pursuant to this Law shall be deemed to be prohibited.

Section 120- Prior Existing Laws and Ordinances

All prior Zoning Laws and Ordinances, and all amendments thereto are hereby repealed

ARTICLE II - DEFINITIONS

Section 205- General Construction of Words

When used in this Law, words in the present include the future and words of one gender include all genders. The singular number includes the plural and the plural includes the singular.

Except where specifically defined in Section 210 below, all words or terms used in this law shall carry their customary meaning. In addition, the following provisions hold true:

1. Words used in the present tense include the future tense;
2. The word "person" includes a firm, partnership, corporation, company, association, organization or trust as well as an individual;
3. The word "lot" includes the words tract of land, plot or parcel;
4. The words "used" or "occupied" as applied to any buildings, structure, or land include the words intended, arranged, or designed to be used or occupied;
5. The word "shall" is intended to be mandatory.

Section 210: Definitions

When used in this Law, unless otherwise stated, the following words and terms shall have the meanings indicated:

ACCESSORY BUILDING/STRUCTURE: A building or structure, the use of which is customarily incidental to that of a principal building and which is located on the same lot as that occupied by the main building. Examples of an accessory building are swimming pool, patio, garage, storage shed, dog house, dock, or boathouse.

ACCESSORY USE: A use customarily incidental and subordinate to the principal use and conducted on the same lot therewith.

ADMINISTRATIVE EXPENSES: All actual expenses and liabilities incurred by the Town or any of its officers or agencies in processing and reviewing applications or appeals hereunder and insuring compliance with this law and all other applicable laws or regulations, including but not limited to, engineering fees and disbursements, legal fees and disbursements, publication expenses, actual charges of the Zoning Enforcement Officer, administrative expenses and any other actual expenditure incurred or accrued by the Town.

AGRICULTURAL OPERATION: The raising, nurturing and growing of crops, livestock and agricultural or dairy products, fish or game for sale or profit. The term includes plant, crop and tree growing and harvesting, animal husbandry, horticulture, forestry, fish for bait or harvest, and the sale at wholesale or retail of farm products thereof upon the premises where the same are grown or produced. The term does not include the operation of a hog, fur or poultry farm, or the commercial slaughtering of animals and livestock or bait held for retail sale.

AIRSTRIP: An area used by aircraft for take-offs and landings.

ALTER: To externally change or rearrange any structural part of the existing facilities of a building or structure, or to enlarge the building or structure whether by extending any side or increasing the height thereof, or to move the same from one location or position to another.

ANIMAL HOSPITAL: Any facility used commercially for the treatment of injured or ill animals.

AUTOMOBILE SERVICE STATION: Any lot or building or portion thereof used or occupied for the sale or supply of gasoline or motor vehicle fluids, oils, or lubricants, or for the polishing, greasing, washing or servicing of motor vehicles.

BAR: An establishment, or part thereof, used primarily for the sale or dispensing of alcoholic beverages by the drink.

BUILDING: Any structure having a roof supported by columns or by walls which is used or occupied for the shelter, housing or enclosure of animals, persons or property. The term, unless differentiated, includes both principal and accessory buildings.

BUILDING .AREA: The total area taken on a horizontal plane at main grade level of the principal building and all accessory buildings, excluding chimneys, uncovered porches, patios, terraces, steps and open areaways.

BUILDING LINE: The line that is formed by the face of the building or the attached part of the building nearest the lot line. This includes measurements from porches, patios, terraces, attached garages and other similar protrusions.

CAMPING: An outdoor recreational activity involving the spending of one or more nights in a tent, primitive structure, a travel trailer or recreational vehicle. (Amend. 4)

CESSATION: The termination period of a ZBA approved (valid) pre-existing condition as set by the specific law as related to such condition. (Amend. 4)

COMMERCIAL FUR FARM: Any lot or building or part thereof used or occupied for raising or keeping for compensation or profit of rabbits, foxes, minks, skunks or other fur bearing animals.

COMMERCIAL HOG FARM: A commercial operation having more than five (5) resident pigs three months of age or older.

COMMERCIAL POULTRY FARM: A commercial operation with more than fifty (50) birds in residence at any one time.

COMMERCIAL CAMPGROUND: Any lot or parcel of land, or part of thereof, used or occupied by one or more tents or other similar temporary living quarters, by persons other than the owner of the real estate or his immediate family, for commercial or business purposes. (Amend. 4)

COMMERCIAL RECREATION: Business enterprises primarily devoted to the amusement of the general public. Examples include theaters, bowling alleys, indoor amusement arcade, health club, golf driving range, golf pitch and putt course, par three golf course, recreation court, open space, play-field, swimming pool, bike trails, hiking trails, and similar facilities for outdoor recreation. Incidental food service is also included.

DWELLING UNIT : A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. (Amend. 4)

DWELLING, QNE FAMILY: Detached building designed for or occupied exclusively by, one (1) family.

DWELLING, TWO-FAMILY: Building designed for, or occupied by, two (2) families living independently of each other.

DWELLING, MULTI-FAMILY: A building designed for, or occupied by, three (3) or more families living independently of each other.

ERECT: To construct, build, or re-erect, reconstruct, rebuild, or excavate a building or structure.

ERQSIQN: The natural process by which the surface of the land is worn away by the action of water, wind or chemical action.

ESSENTIAL. SERVICES: Erection, construction, alteration, operation or maintenance by municipal agencies or public utilities of telephone dial equipment centers, electrical or gas substations, water treatment or storage facilities, pumping stations, sewers and wastewater treatment plants and similar facilities.

FAMILY: One or more persons living together as a single housekeeping unit.

FENCE: All types OF fences, including walls that are not an integral part of a building.

FIFTH WHEEL TRAVEL TRAILER: A unit designed to be affixed and towed by a pickup equipped with special hitch in the truck bed and designed to serve as self-contained living quarters for camping or other recreational activities. (Amend. 4)

GENERAL PLAN: The goals, objectives, and policies of the Town which are embodied by the planning process upon which these Zoning regulations are based pursuant to Section 263 of the Town Law.

GROSS DENSITY: The number of dwelling units divided by the total acreage of the land upon which they are located, excluding any land used for non-residential purposes.

GROSS FLOOR AREA (GLA): The total area of a building measured by adding together the outside dimensions of the building at each floor.

GROSS LEASABLE AREA *(GLA)* The gross floor area designed for the exclusive use of tenants, clients, and customers, not including public or common areas, such as public toilets, corridors, stairwells, elevators, lobbies or enclosed atria.

HEIGHT: The vertical distance measured from the average elevation of the main grade at the front of the building/structure to the highest point of the roof.

HELIPORT: An area of land used on a recurring basis for helicopter take-offs and landings.

HOME OCCUPATION: Any use of a service character conducted within the principal dwelling by the resident thereof which is clearly secondary to the use of the dwelling for living purposes.

IMPERVIOUS SURFACES: The impermeable or non-porous surfaces of roads, buildings, and other structures or materials on or above the ground that do not allow precipitation to be readily absorbed into the underlying soil.

INSTITUTIONAL USES: Any one (1) or more of the following uses, including grounds and accessory building necessary for their use:

1. Religious Institutions, including convents, monasteries, churches, synagogues, and rectories.
2. Public parks, playgrounds and recreational areas when authorized or operated by a governmental authority and generally open to the public.
3. Schools.
4. Public Libraries.
5. Not-for-profit fire, ambulance and public safety buildings.
6. Public or private meeting halls, or places of assembly, not operated primarily for profit.
7. Hospitals.
8. Nursing Homes.

JUNKYARD: An area of land, with or without buildings, substantially used for the storage outside of a completely enclosed building, of used and discarded materials, including but not limited to waste paper, rags, metal, building materials, house furnishings, machinery, vehicles or parts thereof, including junk, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage of two or more inoperative motor vehicles, or the major parts of two or more such vehicles, shall be deemed to make the lot a junkyard.

LIGHT INDUSTRY: A light industry is a facility which manufactures a product for wholesale or retail sale, does not produce significant volumes of pollution and is compatible with the surrounding neighborhood.

LOT: A parcel of land occupied or capable of being used or occupied by one (1) principal building or structure and the accessory buildings or uses customarily incident to it, including such open spaces and yards as are required by this Law.

LOT, CORNER: A parcel of land at the junction of, and fronting on, two or more intersecting streets.

LOT DEPTH: The mean horizontal distance between the front and rear lot lines.

LOT, WATERFRONT; Any parcel abutting Lake Ontario, its bays, or the Chaumont River.

LOT WIDTH: The horizontal distance between the side lot lines measured at the front lot line.

LOT LINE:

1. Front Lot Line: The property line separating a plot or parcel of property from a street line or highway right of-way line. If a lot adjoins two (2) or more streets or highways, it shall be deemed to have a front lot line respectively on each. Water-front lots shall be deemed to have a front lot line on that side of the lot closest to the water body they abut and on the side of the lot closest to any street, road, highway or private right-of-way. On waterfront lots, the front lot line will be the naturally occurring mean high water mark, not including the water line created by artificially constructed boat slips.

2. Rear Lot Line: That lot line which is opposite and most distant from the front lot line. A rear lot line shall not be adjacent to a front lot line. In the case of a comer or waterfront lot, there might be no rear lot lines.

3. Side Lot Lines: A lot line not a front lot line or a rear lot line.

MANUFACTURED BUILDING: A building which is:

1. Mass-produced in a factory; and
2. Designed and constructed for transportation to a site for installation and use when connected to required utilities or either an independent, individual building or a module for combination with other elements to form a building on the site.

MANUFACTURED HOUSING: A manufactured building or portion of a building designed for long-term residential use.

MARINA: Any lot, building, structure or part thereof located on the waterfront that:

1. provides docking and secure mooring facilities for three or more yachts, motor boats, sail boats and other marine vehicles or craft; or
2. provides for the sale, rental and/or storage of marine and boating vehicles; as well as supplies, service, repair and other related facilities and/or operations necessary to maintain such craft.

MOBILE HOME: Manufactured housing, built on a chassis, factory designed to be less than 18 ft. in width. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle.

MOBILE HOME PARK: A lot or adjacent lots with common ownership with two or more mobile homes placed on it for commercial purposes.

MOTEL/HOTEL: A building or group of buildings, whether detached or in connected units, containing transient and/or permanent lodging facilities for the general public and which may contain accessory facilities such as restaurants, meeting rooms, retail business activities and related activities primarily to accommodate the occupants, but open to the general public, including buildings designated as auto cabins, auto courts, motor lodges, tourist courts and similar terms.

MOTOR HOME: A motor vehicle built on a truck or bus chassis and designed to serve as self-contained living quarters for camping or other recreational activities. (Amend. 4)

NONCONFORMITY: A lot, building, structure, or use of land legally and substantially existing at the time of enactment of this Law which does not conform to the regulations of the district in which it is situated.

OFFICES: The use of offices and related spaces for such services as are provided by medical practitioners, attorneys, architects, engineers, real estate agents and similar uses.

PARKING SPACE: An off-street space available for the parking of one (1) motor vehicle and having an area of not less than one hundred eighty (180) square feet exclusive of passage ways and accesses thereto, and having direct access to a street, road or highway.

PRE-EXISTING CONDITION: (Amend. 4) A presently existing condition which was valid when established but is not in compliance with current law. A grace period, as set by the specific violation, shall be granted for valid pre-existing conditions. (See CESSATION)

A pre-existing condition is classified in three categories;

a) Pre-existing nonconforming use
b) Pre-existing nonconforming building
c) Pre-existing nonconforming lot

PRIMARY RESIDENCE: A dwelling unit in which is conducted the main, dominant or principal use of the lot on which such structure is located. (Amend. 4)

PRINCIPAL BUILDING: A building in which is conducted the main or principal use of the lot on which such building is located.

PRINCIPAL USE: The primary or predominant purpose, for which any lot, land, building or structure is used, utilized, employed or occupied. When the principal use is agricultural, any dwellings occupied by the owner, operator or full-time employee engaged in agricultural work on the premises, and their immediate families, shall be deemed part of the principal use. In the Agricultural and Rural Residence and Waterfront District , when the principal use of a lot is a commercial business, additional use of the lot as a single-family dwelling used by the owner/operator shall be deemed part of the commercial business use. In the Waterfront District only, those uses defined as permitted accessory uses may be principal uses subject to site plan review. (Amend. 4)

QUARRY: A lot or land or part thereof used for the purpose of extracting stone, sand, gravel, or soil for sale as an industrial or commercial operation, but does not include the process of grading a lot preparatory to the construction of a building which has an approved zoning permit.

RECREATIONAL VEHICLE: Shall include motor homes, truck campers, camping trailers, travel trailers, pop-up trailers, watercraft, ATV's, snowmobiles and similar licensed vehicles and their trailers used for recreational, travel and occasional dwelling purposes. (Amend. 4)

RECREATIONAL VEHICLE PARKS; Any lot or parcel of land, or part thereof, used or occupied by one or more recreational vehicles or similar temporary living quarters, by persons other than the owner of the real estate or his immediate family, for commercial or business purposes.

RESTAURANT: Any establishment however designated at which food and/or alcoholic beverages are sold for consumption to patrons seated within an enclosed building or on the premises. However, a snack bar or refreshment stand that is an accessory to a pool, playground, park or other recreational facility and is operated for a convenience of the patrons of such facility shall not be deemed to be a restaurant.

RETAIL, LARGE-PRODUCT: Include sales and service for new and used automobiles, trucks, mobile homes, boats, recreational vehicles, and farm implements, auctioneers where auctions take place on-site, retail tree nurseries and garden shops, and self-storage units.

RETAIL. SMALL PRODUCT: A commercial activity characterized by the direct on-premises sale of goods and services to the ultimate consumer, including on-premise manufacturing, processing, and servicing and preparation customarily associated therewith and generally involving either stock in trade such as are normally associated with department stores, food markets and similar establishments, or services such as barbers, hairdressers, shoe repair, laundry, or similar uses. Small retail shall also include furniture and large appliance sales but not large product retail.

RIDING ACADEMY; A facility that rents horses for riding and may offer riding instruction.

SATELLITE RECEIVER: A structure attached to the ground or another structure, built or intended for receiving television or radio programming transmitted or relayed from an earth satellite.

5CHOOL: Includes parochial, private, public and licensed nursery school or day care center, college, university, and accessory uses; and shall exclude commercially operated schools of beauty culture, business, dancing, driving, music and similar establishments.

SEASONAL OCCUPANCY: A period of use defined as being between April 1 and November 30 (Amend. 4)

SEMI PERMANENT RESIDENCY: Any occupancy of a semi-permanent structure on a seasonal occupancy basis. (Amend. 4)

SEMI PERMANENT STRUCTURE: Any primarily mobile vehicle such as a travel trailer which retains its mobility but has a fixed location. (Amend. 4)

SETBACK: Distance measured between the building line and the appropriate lot line.

S.E.Q.R.: The New York State Environmental Quality Review Act and the regulations promulgated there under.

SHOPPING CENTER: A group of commercial establishments, three or more, built on a site that is planned, developed, owned and managed as an operating unit related in location, size, and type of shops to the trade area that the unit serves; it provides on-site parking in definite relationship to the type and total size of the stores.

SIGN: Any kind of billboard, signboard, inscription, pennant, or other shape, device, or display used as an advertisement, announcement, or direction.

STREET: A public or private thoroughfare for motor vehicles which affords the primary means of access to abutting properties.

STREET LINE OR HIGHWAY RIGHT-OF-WAY LINE: The dividing line between a lot and a street, road or private right-of-way line, as dedicated by deed or record. Where there is no right-of-way line established, the street line shall be considered to be twenty-five (25) feet from the center line of the street pavement or the generally traveled portion of the street, road, or private right-of-way.

STRUCTURE: Any object constructed, installed, or placed on land to facilitate land use and development or subdivision of land, such as building, sheds, signs, satellite dishes, and any fixtures, additions, and alterations thereto.

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

1. Use, Special Permit: A use requiring Special Permit Approval by the Zoning Board of Appeals prior to the issuance of a zoning permit by the Zoning Enforcement Officer.
2. Use, Permitted: A use not requiring Zoning Board of Appeals review, but requiring a zoning permit issued by the Zoning Enforcement Officer.
3. Use. Temporary: An activity conducted for a specified limited period of time. Examples of such uses are buildings incidental to new construction which are removed after the completion of the construction work, and seasonal produce stands.

TRAVEL TRAILER: A unit whose original design required registration and licensing for public road use with transportation to be provided by towing by a car, van or pickup by means of a bumper or frame hitch and designed to serve as self-contained living quarters for camping or other recreational activities. The travel or recreational trailer definition shall exclude a mobile home or any other form of recreational vehicle.(Amend. 4)

VARIANCE: A variance is any departure from the strict letter of this Law granted by the Zoning Board of Appeals as it applies to a particular piece of property. Variances run with the land and are not particular to any one landowner.

1. Area Variance: A variance of the dimensional requirements of this Law.
2. Use Variance: A variance of the use requirements of this Law.

WAREHOUSE: A facility that stores goods for future transport, including self-storage units, truck terminals and distribution centers.

WATER STRUCTURE: Any pier, boat dock, boat ramp, boat slip, boathouse, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, or piling that would require a Department of the Army Corps of Engineers Permit authorized by the River & Harbor Act of 1899.

YARD: Space on a lot not occupied with a building or structure. Porches, whether enclosed or unenclosed, shall be considered as part of a building and shall not project into a required yard.

1. Yard, Front: The space within and extending the full width of the lot from the front lot line to the part of a building or structure (except water structure) which is nearest to such front lot line. If a lot adjoins two (2) or more streets, highways or water frontage, it shall be deemed to have a front yard respectively on each.
2. Yard. Rear: The space within and extending the full width of the lot from the rear lot line to the part of the building or structure which is nearest to such lot line.
3. Yard. Side: The space within the lot extending the full distance from the front yard to the rear yard and from the side lot line to the part of the building or structure which is to such side lot line.

ZONING BOARD OF APPEALS: The Zoning Board of Appeals appointed by the Town Board pursuant to Town Law. All references to "Board" or "ZBA" shall mean the Zoning Board of Appeals.

ZONING ENFORCEMENT OFFICER A person appointed by the Town Board to carry out the regulations of this Law.

ARTICLE III- ESTABLISHMENT OF ZONING DISTRICTS

Section 305 Establishment of Districts

For the purpose of promoting the health, safety, morals, and general welfare of the community, the Town of Lyme outside the Village of Chaumont, is hereby divided into the following districts:

1. AR - Agricultural and Rural Residence District. All areas of the Town outside the Village of Chaumont not included in any other district.
2. WF -Waterfront District. Those areas of land which are within 500 ft. of the mean high water mark of Lake Ontario, all of its bays, and the Chaumont River.
3. FPD - Floating Planned Development Overlay District. Those areas of the Town within the Waterfront District.

Section 310 Zoning Map (Next Page)

The boundaries of the above-named zoning districts are bounded as shown on the map entitled "Zoning Map, Town of Lyme", dated 1988 and filed in the Town Clerk's Office, which is by this reference made a part of this Law.

Any changes in district boundaries or other matter shown on the map shall be promptly made on the map with a statement describing the nature of the change and the date of the amendment.

Section 315 Interpretation of District Boundaries

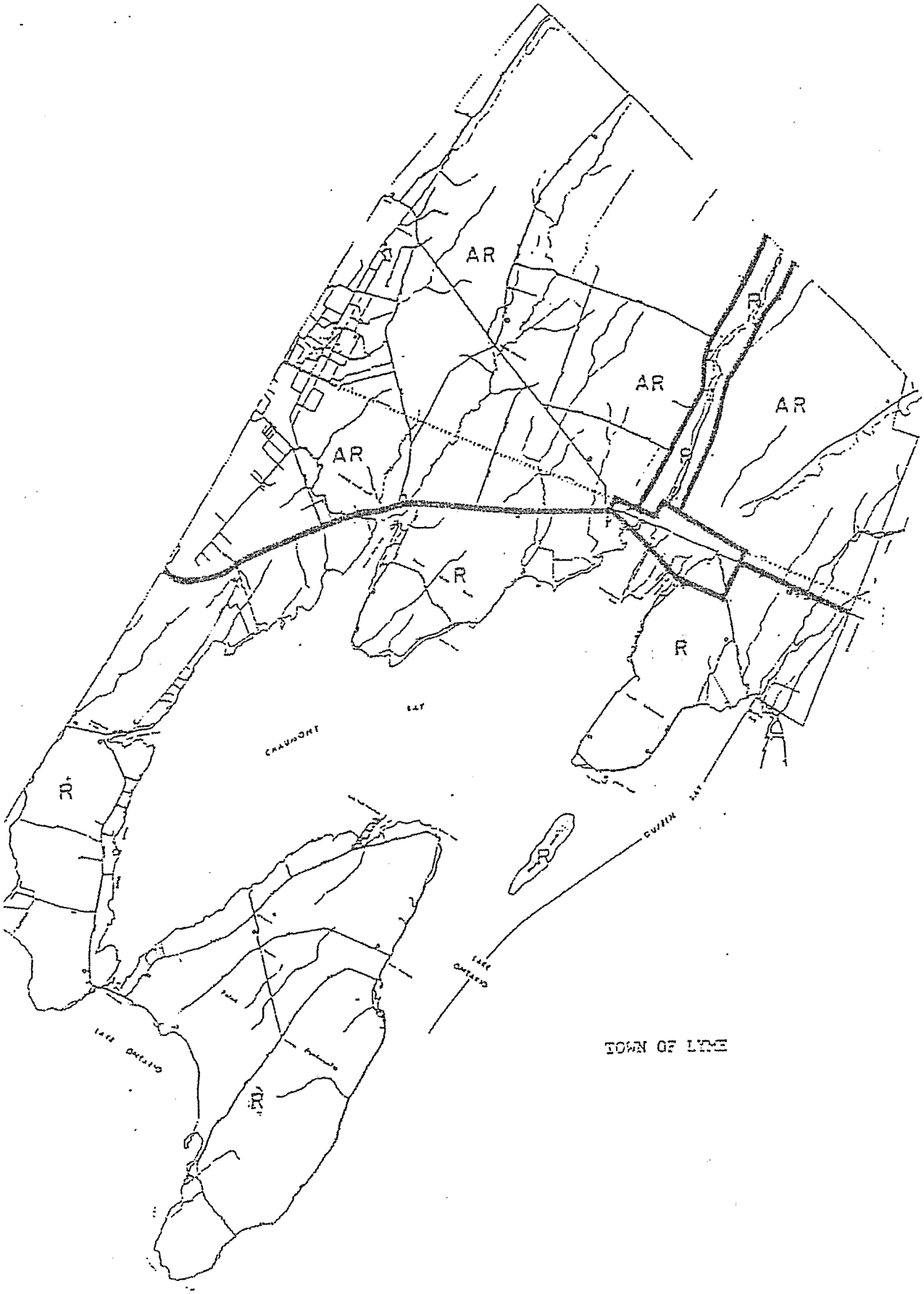
Where uncertainty exists with respect to the exact boundaries of districts as shown on the Zoning Map, the decision will be made by the Zoning Board of Appeals. Boundaries shown as a set distance from the waterfront shall be construed to be measured from the mean high water mark.

Section 320 Lots in Two Districts

Where a district boundary line divides a lot in single or joint ownership, existing at the time of enactment of this Law, the regulations pertaining to each district will govern the use of land within that district.

Section 325 Limited Exemption for Filed Subdivision

If the plat of a residential subdivision containing one or more new streets has been duly filed in the Jefferson County Clerk's Office prior to the adoption of this Law, the lots of the subdivision may be developed with the lots and yards delineated on the plat, and any provisions of this Law requiring larger lots or yards shall not apply to the subdivision, for a period of three years from the date of such filing of the plat with the Jefferson County Clerk.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TOWN OF LYME

ARTICLE IV DISTRICT REGULATIONS

Section 405 Agricultural and Rural Residence District - AR

A. Intent

The Agricultural and Rural Residence Districts - AR are primarily for agricultural and suburban residential uses.

B Permitted Uses

The Agricultural and Rural Residence Districts - AR are primarily for agricultural and suburban residential uses. In them, no building or other structure shall be built, altered or erected to be used for any purpose other than the following, except by special permit as hereinafter provided:

1. Agricultural Operation
2. One-family dwelling
3. Two-family dwelling
4. Multi-family dwelling
5. Individual mobile home
6. Home occupation
7. Accessory Building/Structure or Accessory Use
8. Sign
9. Recreational Vehicles (as provided in Section 750)

C. Special Permit Uses

The following uses require a special permit, according to the procedure outlined in Article V. These uses may be subject to additional regulations. See Articles VI and VII.

1. Motel/Hotel
2. Mobile Home Park
3. Airstrip
4. Heliport
5. Animal Hospital
6. Institutional Use
7. Essential Service
8. Quarry
9. Riding Academy
10. Automobile Service Station
11. Junkyard
12. Light Industry
13. Large Product Retail
14. Small Product Retail
15. Warehouse
16. Restaurant
17. Bar
18. Commercial Campground
19. Commercial Recreation
20. Commercial Hog, Poultry or Fur Farm
21. Office
22. Recreational Vehicle Parks (as provided in Section 765)

SECTION 405D: DIMENSIONAL REQUIREMENTS (N0TE 1)

USE	Minimum Lot Area (sq. ft.)	Minimum Front Setback (ft)	Minimum Rear Setback (ft)	Minimum Side Setback (ft)	Minimum Lot Width (ft)
Agricultural Operation	40,000	30' from front lot line	30' from rear lot line	60' from side lot line (2)	200
Accessory Bldg. Agricultural Operation	40,000	30' from front lot line	30' from rear lot line (3)	30' from side lot line (3)	200
Single & Two Family Dwelling, Individual Mobile Home	20,000	30' from front lot line	50' from rear lot line	15' from side lot line	100
Sign (Section 605)	N/A	5' from front lot line	N/A	15' from side lot line	N/A
Multi Family Dwelling	10,000 per unit	30' from front lot line	50' from rear lot line	15' from side lot line	150
Accessory Bldg. for Residential Use (4)	20,000	30' from front lot line	15' from rear lot line	15' from side lot line	100
Special Permit (5)	20,000	30' from front lot line	50' from rear lot line	60' from side lot line	150
Accessory Building Special Permit	20,000	30' from front lot line	15' from rear lot line	30' from side lot line	150

Note 1. All dimensional regulations are minimums. Greater areas or setbacks may be required. NYS regulations govern on-site septic systems.

2. An additional 2' for each foot the building exceeds 35' in height

3. Or 50' from the nearest residential lot line, whichever is greater

4. Accessory building on a lot with no principal use or structure requires the minimum lot size. If they are located on the same lot as a principal use or structure they require no additional lot area.

5. Unless otherwise specified in Article 805

Section 410 Waterfront District – WF

A. Intent

The Town recognizes that its most important and sensitive resource is its extensive shoreline. Development of, access to, and scenic views of this resource are issues of major interest to the Town.

The Waterfront District - WF is established to allow for residential development and limited commercial activity which would not harm this valuable resource, if developed according to the procedures established by this law. However, this District is also established to work in conjunction with the Floating Planned Development Overlay District, described in Section 415.

B Permitted Uses

Waterfront Districts - WF are established primarily for the purpose of providing for residential development and limited commercial activity. In them, no building or any other structure shall be built, altered or erected for any purpose other than the following, except by special permit as hereinafter provided;

1. Single-Family Dwelling
2. Two-Family Dwelling
3. Accessory Building/Structure or Accessory Use
4. Sign
5. Recreational Vehicles (as provided in Section 750)

C. Special Permit Uses

The following uses require a special permit, according to the procedure outlined in Article V. These uses may be subject to additional regulations. See Articles VI and VII.

1. Home Occupation
2. Restaurant
3. Bar
4. Institutional Use
5. Essential Service
6. Retail, Small Product
7. Retail, Large Product
8. Office
9. Marina
10. Agricultural Operation

SECTION 410D: DIMENSIONAL REQUIREMENTS (N0TE 1)

USE	Minimum Lot Area (sq. ft.)	Minimum Front Setback (ft.)	Minimum Rear Setback (ft.)	Minimum Side Setback (ft.)	Minimum Lot Width (ft.)
Single Family Dwelling	20,000	30' from front lot line	30' from rear lot line	15' from side lot line	100
Two Family Dwelling	10,000 per unit	30' from front lot line	30' from rear lot line	15' from side lot line	200
Sign	N/A	5' from front lot line	N/A	15' from side lot line	N/A
Accessory Building for Residential Use (2)	20,000	30' from front lot line	15' from rear lot line	15' from side lot line	100
Special Permit Use (3)	43,560 1 acre	30' from front lot line (4)	30' from rear lot line	30' from side lot line (5)	200

Note 1. All dimensional regulations are minimums. Greater areas or setbacks may be required. NYS regulations govern on-site septic systems.
2) Accessory building on a lot with no principal use or structure requires the minimum lot size. If they are located on the same lot as a principal use or structure they require no additional lot area.
3) Unless otherwise specified in Article 805
4) Unless otherwise determined by the ZBA through the Special Permit Procedure.
5) An additional 2' for each foot the building exceeds 35' in height

Section 415 Floating Planned Development Overlay District (See Appendix A)

It is the intent of this Floating Planned Development Overlay District to provide flexible land use and design regulations so that certain uses may be developed within the Town that incorporate a variety of residential and non-residential uses, and contain both individual building sites and common property which are planned and developed as a unit.

1). Planned Development District No. 1 - "The Barges" (See Appendix A1)

2). Planned Development District No. 2 - "Sportsmen's Hideaway Charters" (See Appendix A2)

ARTICLE V SPECIAL PERMITS

Section 505- Purpose and Scope

The purpose of the special permit procedure is to allow the Zoning Board of Appeals to attach reasonable safeguards and conditions to those uses which might otherwise produce deleterious effects on the environment the neighborhood character, or the Town residents' health, safety and welfare. Furthermore, it is the purpose of the special permit procedure to authorize the Zoning Board of Appeals to deny a permit for any use, the deleterious effects of which cannot be mitigated.

Section 510: General Requirements

A. All uses which require a special permit shall be subject to all applicable requirements of this Law, including this Article.

B. No zoning permit shall be issued for any such use until it has been granted a special permit by the Zoning Board of Appeals.

C. The Zoning Board of Appeals shall review and approve, approve with conditions, or disapprove special permit applications for all uses which require special permits under the terms of this Law.

Section 515: Application for Special Permits

All applications for special permits shall be submitted in writing by all owners of the real property concerned to the Zoning Board of Appeals through the Town Clerk. Applications shall be deemed submitted when all required documents are filed with the Town Clerk and all fees deposited with the Town Clerk.

A. Presubmission Conference: If the applicant or Zoning Board of Appeals so requests, a presubmission conference between the applicant and the Zoning Board of Appeals may be held to review the proposed development in light of existing conditions and to generally determine the information to be required on the special permit application. At the conference the applicant should provide a statement and a rough sketch depicting what is proposed and showing the location of the tract and its relationship to surrounding area.

B. Application Requirements: The Zoning Board of Appeals may require at the presubmission conference that any or all of the following elements be included in the special permit application. If no presubmission conference is held, then all of the following elements shall be included in the special permit application.

1. Name and address of applicant and owner, if different, and of the person responsible for preparation of all drawings, maps or depictions.

2. A map or drawing of the proposed buildings, structures, infrastructure, landscaping and other improvements which shows;

a) Date, north point, written and graphic scale;

b) Boundaries of the lot plotted to scale, including distances, bearings, and areas;

c) Location and ownership of all adjacent lands;

d) Location, name, and existing width and right-of-way of adjacent roads;

e) Location, width, and purpose of all existing and proposed easements, setbacks, reservations, and areas dedicated to public use located either on the site or adjoining the property;

f) Location, size, design of the following: existing and proposed buildings, driveways, parking, outdoor storage, sidewalks or pedestrian paths, drainage facilities, sewage facilities, water facilities, signs, outdoor lighting, landscaping or screening.

3. Written plans for controlling soil erosion and sedimentation during the construction.
4. Written or depicted plans for grading and drainage showing existing and proposed contour lines of five foot intervals or less,
5. Written designation of the amount of gross floor area and gross leasable area proposed for each non-residential use;
6. A Environmental Assessment Form (EAF) or draft Environmental Impact Statement (E.I.S.) and other documents, where required pursuant to 6NYCRR Part 617 (SEQRA).
7. Other elements integral to the proposed development as considered necessary by the Zoning Board including identification of any federal, state, or county permits required for the project's execution.
8. All applicants shall deposit with the Town Clerk, sufficient security to cover the anticipated administrative expenses of the Town as provided in Section 925 of this local law.

9. Location and design of any structures, facilities and processes that potentially impact on the quality of ambient air, the quantity of the impact and the mitigating measures that will be taken to reduce the adverse impacts on the quality of the ambient air.

C. Once an application has been submitted the Zoning Board of Appeals shall have a maximum of 90 days (from the date of receipt) to review and approve, approve with conditions, or disapprove the proposal.
D. Within 45 days from the date the Zoning Board of Appeals has received the completed application, a public hearing shall be held on the proposal to entertain public comment. At least ten (10) days advance public notice of the hearing shall be published in the Town's official newspaper.
E. The final decision by the Zoning Board of Appeals must be made within 45 days following the hearing, in writing, specifying any conditions that may be attached to an approval, the reasons that the Zoning Board of Appeals approved or denied the proposal and the vote of each member of the Zoning Board of Appeals. All decisions shall be filed in the Office of the Town Clerk and a copy mailed to the applicant.
F. A special use permit will be invalid and of no further effect if the property for which it was granted is not used for the approved special permit for a continuous one year period or if the improvements to be made under the approved are not substantially made or finished within one year after the approval is filed.
G. The Zoning Board of Appeals shall refer all applications to the Jefferson County Planning Board as are required by General Municipal Law, Section 239-m and will not vote on approval, conditional approval or denial until all requirements of General Municipal Law Article 12B have been complied with.

Section 520: Review Criteria

The Zoning Board of Appeal's review of the special permit application shall include, where appropriate, the following considerations:
A. Status of any federal, state, or county permits required.
B. Environmental (including physical, social and economic factors) impact on community and adjacent areas.
C. Compatibility with the General Plan.
D. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.
E. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, roads widths, pavement surfaces, dividers and traffic controls.
F. Location, arrangement, appearance, and sufficiency of off-street parking and loading.
G. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic, and overall pedestrian convenience.
H. Adequacy of storm water and drainage facilities.
I. Adequacy of water supply and sewage disposal facilities.
J. 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 vegetation.
K. Adequacy of fire lanes and other emergency zones and the provision of fire hydrants.
L. Special attention to the adequacy and impact of structures, roadways, and landscaping in areas with susceptibility to

ponding, flooding, and/or erosion.
M. Conformance with all other provisions of this Law.
N. Location, arrangement and design of any ventilation or exhaust device or other heat, moisture or odor producing process or use.

Section 525- Reasonable Conditions

In addition to the regulations mandated in Article VII of this local law, the Zoning Board of Appeals may also attach reasonable safeguards and conditions to any special permit including, but not limited to, approval of any required federal, state or county permits; redesign of building access, parking, pedestrian path location or arrangement; additional landscaping or screening; intersection improvement of traffic controls; and redesign or additional facilities for drainage, water provision, and sewage disposal.

The Zoning Board of Appeals is hereby specifically empowered to require any reasonable screening, landscaping, walls, or other methods necessary to protect residential uses from the noise, glare, odor, vibration, traffic or activity of an adjacent commercial use.

Section 530: Guarantees For Installation and Maintenance of Improvements *

A. Installation Guarantee
In order that the Town has the assurance that the construction and installation of such infrastructure improvements including but not limited to storm sewer, water supply, sewage disposal, landscaping, road signs, sidewalks, parking, access facilities, and road surfacing will be constructed, the Zoning Board of Appeals shall require that the applicant complete said improvements before final approval is granted or the applicant shall enter into the one of the following agreements with the Town:

1. Furnish bond with the Town named as obligee executed by a surety company equal to the cost of construction of such improvements as shown on the plans and based on an estimate furnished by the applicant and approved by the Zoning Board of Appeals. Any such bond shall require approval of the Town Board and the Town Attorney as to form, sufficiency, manner of execution and surety; or
2. In lieu of the bond, the applicant may deposit cash, certified check, an irrevocable bank letter of credit a certificate of deposit, or other forms of financial security acceptable to the Town Board. Acceptable substitutes, if furnished, shall be kept on deposit with the Town for the duration of the bond period,
3. All plans and specifications for the improvements and infrastructure shall be approved by the Highway Superintendent or an engineer hired by the Town.

B. Maintenance Guarantees
In order that the Town has the assurance that the construction and installation of such infrastructure and improvements, including but not limited to storm sewer, water supply, sewage disposal, landscaping, road signs, sidewalks, parking, access facilities, and road surfacing have been constructed in accordance with plans and specifications, the Zoning Board of Appeals shall require that the applicant shall enter into the one of the following agreements with the Town;

1. Furnish a maintenance bond with the Town named as obligee executed by a surety company equal to the cost of construction of such improvements and infrastructure as built or constructed and approved by the Town Highway Superintendent or engineer retained by the Town. Any such bond shall be for a minimum period of one year and approved by the Town Board and Town Attorney as to form, sufficiency, manner of execution and surety; or
2. In lieu of the bond, the applicant may deposit cash, certified check, an irrevocable bank letter of credit, a certificate of deposit, or other forms of financial security acceptable to the Town Board. Acceptable substitutes, if furnished, shall be kept on deposit with the Town for the duration of the bond period.
3. After construction of the improvements and infrastructure they shall be approved by the Highway Superintendent or an engineer hired by the Town.

*** The above requirements apply to any construction and/or installation projects not created by the town but where ownership is transferred to the town upon completion whence the town accepts maintenance responsibility**

ARTICLE VI - GENERAL REGULATIONS

Section 600- Applicability

In all zoning districts, the following regulations and standards shall apply whether the use is permitted by right or upon special use permit approval. In the case of special permit uses, these standards and regulations must be reviewed as part of the special use zoning permit approval process. In the case of permitted uses, the Zoning Enforcement Officer is responsible for determining that these regulations and standards are met.

Section 605- Signs

A Exempt Signs

A permit shall not be required for the following signs. All other signs require a zoning permit. Exempt signs are subject to the provisions of Section 605.C,

General Sign Regulations.

1. Temporary Signs

   a) Special Event Signs: Two temporary special event signs advertising events, activities or other similar instances that will be terminated on a set date. Yard sales, garage sales and similar on-lot sales shall be considered temporary activities and as such, signs advertising these events shall fall under the requirements of this section. Such signs shall be removed at the end of the event by the sponsor of the vent or those who placed the sign. Such signs shall not be used more than 60 days a year.

   b) Real Estate and Construction Signs - Signs announcing the construction of a project or the sale of lots or buildings. Such signs shall be removed within thirty (30) days of the completion of the construction or the sale of the building or lot.

   c) Special Sale Signs - Signs advertising special sales of goods or services shall be removed within thirty (30) days of the end of the sale period. Window signs are exempt from this time limit.

2. Flags

   Official flags of government jurisdictions, including flags indicating weather conditions and flags which are emblems of on-premises business firms; religious, charitable, public, and nonprofit organizations.

3. Plaques

   Commemorative plaques placed by historical agencies recognized by the Town, the County of Jefferson or the State of "New York.

4. Other Exempt Signs

   a) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

   b) Signs not exceeding two square feet in area and bearing only property numbers, post office box numbers, or names of occupants of premises.

   c) Trespass signs or other signs advising the public of hazardous conditions.

   d) Holiday decorations, including lighting, are exempt from the provisions of this local law and may be displayed in any district without a permit for a period of no more than 60 days.

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

1. All portable signs, other than those allowed in the previous Section 605.A.
2. Any sign which has flashing lights.
3. Any sign that does not qualify as an exempt sign under Section 605.A, or does not meet the General Sign Requirements, Section 605.C.

C. General Sign Regulations

1. All signs shall be subject to the following general standards:

   a) Unless otherwise specified, sign area shall not exceed thirty-two (32) square feet.

   b) No sign shall exceed 30 feet in height.

   c) No luminous sign, indirectly illuminated sign, or lighting device shall cast glaring or non-diffuse beams of light upon and public road, highway, sidewalk, or adjacent premises, or otherwise cause glare or reflection that may constitute a traffic hazard or nuisance. No sign shall employ any mirror or mirror like surface.

   d) No signs shall be painted or drawn upon trees, or natural features on the site, or on utility poles, bridges,

culverts, towers, unregistered vehicles and watercraft or similar structures.

e) Any business, enterprise, institution, or other advertisement entity that ceases operations shall remove their signs, supports, and electrical work within 90 days of such cessation. This provision shall not apply to seasonal businesses which are open at least ten weeks a year.

f) In the event a standard established in this law conflicts with another standard in this law, the more restrictive standard shall apply.

g) No sign shall project into the public right-of-way without specific written approval from the authority having jurisdiction over the right-of-way.

Section 610- Parking

A. General

If the parking space required by this Law cannot be reasonably provided on the same lot on which the principal use is conducted, the Zoning Board of Appeals may permit through special permit review or if the use is a permitted use, by variance, such space to be provided on other off-street property owned by the applicant provided such space lies within 400 feet of the main entrance to such principal use. The Zoning Board of Appeals shall ensure that such off-street property shall be dedicated to the parking required as long as the principal use remains.

1. A parking space shall not be less than nine (9) feet by twenty (20) feet exclusive of access ways and driveways.
2. Existing uses need not provide additional off-street parking unless the use expands its gross floor area in existence at the time of the enactment of this law, by twenty (20) percent or more.
3. To the greatest extent possible the number of all parking spaces, other than those for dwelling units and dwelling units with a home occupation, shall be based on gross leasable area. Where gross leasable area figures are unavailable, the same standards will be used with the phrase "gross floor area" substituted for "gross leasable area".
4. Minimum standards are:

a) Dwelling Unit (per)	2 spaces
b) Dwelling unit with a home occupation	(1) One space for each two hundred fifty (250) square feet (per)of the floor space devoted to the home occupation in addition to the two (2) residential spaces required.
c) Offices	1 space/250 sq.ft. GLA
d) Retail, small product1	1 space/250 sq.ft. GLA
e) Retail, large product	1 space/400 sq.ft. GLA
f) Shopping Centers	
(1) Shopping Center Site	
(sq.ft. GLA)	(Spaces)
25,000-400,000	1 space/250 sq.ft. GLA
400,000-600,000	1 space/225 sq.ft. GLA
600,000+	1 space/200 sq.ft. GLA

(2) Office space occupying greater than ten (10) percent GLA must meet office standards.

g) Facilities with Drive-Up Service Windows

In addition to the required parking for the GLA of the facility, three twenty (20) foot car length waiting spaces for each drive-up window are required. Also, in the event there is more than one drive-up window, there shall be one additional waiting space which may be a common lane for all windows

h) Public Facilities (churches, municipal buildings)	1 per 4 seats
i) Funeral Homes	1 per 4 seats
j) Industrial Facilities	1 per 1.5 employees on the largest shift
k) Restaurant or Bar	1 per 4 seats
1) Marina	6 per boat slip

5. All fractional portions of parking spaces shall be deleted if the fraction is less than .50; otherwise one additional parking space is required
6. Where the use, traffic generation or function of a site is such that the applicant can show that the number of parking

spaces is not justified, the Zoning Board of Appeals may modify these requirements.

7. Uses not included in this section are required to have adequate parking, according to the evident need. The Zoning Board of Appeals has the authority to require specific numbers of parking spaces for unlisted uses. In doing so, the Board shall use its sound judgment, personal experience, and information gathered through the public hearing process.

B. Off-Street Loading

1. All special permitted uses other than dwelling units or dwelling units with home occupations must comply with the following off-street loading standards;

First 5,000 sq. ft. GLA	1 Berth
Each additional 10,000 sq. ft.	1 Berth

2. With the exception of funeral homes, each loading berth shall be a minimum of twelve (12) feet wide fifty (50) feet long and fourteen (14) feet in height.

3. Loading area berths for funeral homes shall be a minimum often (10) feet wide, twenty-five (25) feet long and eight (8) feet in height.

4. Where the use, traffic generation, or function of a site is such that the applicant can show that the number of berths required is not justified, the Zoning Board of Appeals may modify these requirements.

Section 615- Well and Septic Tank Covers

All new well covers and septic tank covers shall be made of a substance not subjected to rot or decay (e.g. cement) and have sufficient strength to prevent persons or animals from falling through said covers.

Section 620: Temporary Uses and Structures

Temporary permits may be issued by the zoning enforcement officer for a period not exceeding one year, for the uses incident to housing and construction projects, including such structures and uses as the storage of building materials and machinery, the processing of building materials, and a real estate office located on the tract being offered for sale, provided such permits are conditioned upon agreement by the owner or operator to remove the structure or structures or use upon expiration of the permit. Such permits may be renewed upon application to the Zoning Board of Appeals and such renewals shall be reviewed in accordance with Article 5.

Section 625: Drainage

A. To the extent practicable, all development shall conform to the natural contours of the land and natural and pre-existing man-made drainage ways shall remain undisturbed.

B. Whenever practicable, the drainage system of a development shall coordinate with and connect to the drainage systems or drainage ways on surrounding properties or streets.

C. Provisions for storm drainage shall safely retain storm water or adequately carry and discharge accumulated run-off into drainage channels, storm sewers or natural water courses so it does not cause increased damage or increased flooding downstream.

D. Whenever the Zoning board of Appeals, in its review of special permit uses, requires an engineered drainage plan, such plan shall be based on, and shall safely accommodate, a 25 year frequency rainstorm.

Section 630: On-Site Sewage Disposal Systems

A. All on-site sewage disposal systems shall meet the requirements of New York State Public Health Regulations, 10 NYCRR Part 75.

B. If a use meets all other requirements of this Law, including dimensional regulations, but does not meet the requirements of 10 NYCRR Part 75, it shall not be permitted.

Section 635: Fences

A. On waterfront lots, fences shall not extend beyond the building line of the principal building closest to the water-front lot line unless the fence is open and does not interfere with the view of the water and in either case, shall not exceed a height of four (4) feet.

B. Fences higher than four (4) feet may be allowed for confinement of livestock, however, such fences that exceed eight (8) feet in height will be required to obtain a special use permit in accordance with Article V.

A All streets, or streetways that are constructed by private individuals or enterprise, and which are intended to serve the public as a public thoroughfare shall meet highway and street standards as adopted by resolution of the Town Board. Such standards include grade, horizontal curves, right-of-way, width, type of surface line of sight, tangents, shoulders, driveways, and drainage.

B. All driveways, residential and commercial, that are constructed by private individuals or enterprise shall conform to the policies and standards contained in New York State Dept. of Transportation's, "Policy and Standards, For Entrances to State Highways", published and adopted in 1983 as amended from time to time, regardless of whether such driveways enter onto state, county or local roads.

Section 640: Private Roads and Driveways

A All streets, or streetways that are constructed by private individuals or enterprise, and which are intended to serve the public as a public thoroughfare shall meet highway and street standards as adopted by resolution of the Town Board. Such standards include grade, horizontal curves, right-of-way, width, type of surface line of sight, tangents, shoulders, driveways, and drainage.

B. All driveways, residential and commercial, that are constructed by private individuals or enterprise shall conform to the policies and standards contained in New York State Dept. of Transportation's, "Policy and Standards, For Entrances to State Highways", published and adopted in 1983 as amended from time to time, regardless of whether such driveways enter onto state, county or local roads.

Section 645: Wireless Communication Law See Appendix B

The Town Board of the Town of Lyme has previously enacted Local Law #1 of 1989, the "Town of Lyme Zoning Law," and subsequently amended it by local law in 1989, 1993 and 1997. Prior to the adoption of this local law, no specific procedures existed to address recurrent issues related to the siting of wireless communication facilities. The Town of Lyme wishes to maximize services and benefits to the community by accommodating the needs for these facilities. Since such uses were not originally contemplated when the Town of Lyme zoning Law was enacted, it is the purpose of this local law to add regulations for the development of wireless communication facilities.

ARTICLE VII - SPECIFIC USE REGULATIONS

Section 705- Mobile Homes

A. Construction Standards: All Mobile homes shall be constructed in accordance with regulations set forth in the Compilation of Federal Regulations (CFR), Title 24 Housing and Urban Development, Chapter XX Office of Assistant Secretary for Housing, Federal Housing Commissioner, Department of Housing and Urban Development, Part 3280 Manufactured Mobile Home Construction and Safety Standards.

B. Mobile Home Installation:

1. The location and installation of mobile homes in the Town of Lyme shall be in compliance with the New York State Uniform Fire Prevention and Building Code.
2. Each mobile home shall be installed on a firm base with adequate support for the mobile home.
3. The mobile home base shall be graded to ensure adequate drainage but in no event shall the difference in grade exceed six (6) inches from one end of the stand to the other.
4. Each mobile home shall be provided with a stand which shall have a dimension approximately the width and length of the mobile home and any expansions or extensions thereto.
5. Well anchored tie-downs shall be provided at least on each comer of the stand.
6. Stands shall be either:
   a) Ten (10) inches of compact gravel; or
   b) A full concrete slab at least six (6) inches thick; or
   c) Six (6) inches of compacted gravel with a reinforced concrete runner on each side of the stand to provide support. Such runner shall be a minimum of four (4) feet wide, equal in length to the mobile home, and six (6) inches thick.
7. Each mobile home shall be provided with a skirt to screen space between the mobile home and the ground.
8. Such skirts shall be of permanent material similar to that used in the mobile home and providing a finished exterior appearance.

C. Mobile Home Additions: All additions (excluding decks, patios, etc.) to mobile homes shall be sided in a material compatible with the siding on the mobile home.

Section 710- Shopping Center

A minimum lot area of three (3) acres shall be required for a Shopping Center.

Section 715- Hotel/Motel

Hotel/Motels shall conform to the following requirements:

A. The minimum land area per establishment shall be 50,000 square feet and the minimum width of the lot at the front building line shall be 200 feet.

B. No rental structure or part thereof shall be placed closer to any street line than 50 feet or closer to a side property line than 30 feet.

C. Automobile parking space shall be provided to accommodate not less than one car for each rental unit.

D. Each rental unit shall be supplied with hot and cold running water and equipped with a flush toilet. All sanitary facilities including the waste disposal system and the water supply system must receive written approval from the New York State Departments of Health or Environmental Conservation, as appropriate.

E. If the rental units are individual structures, each unit is required to have 3,000 square feet of land area.

F. The minimum distance between structures shall be 15 feet.

G. The property must be appropriately landscaped, graded, and seeded.

Section 720: Mobile Home Park

A. Mobile Home Parks shall be subject to the licensing provisions of the Town of Lyme Mobile Home Park Licensing Ordinance.

B. The park shall be located on a well-drained site suitable for the purpose with an adequate entrance road at least twenty (20) feet wide.

C. Individual mobile home sites shall have an area of not less than 5,000 square feet with a minimum width of 50 feet and a minimum depth of 100 feet.

D. The total number of mobile home sites shall not exceed seven (7) per acre.

E. All individual mobile home units shall be subject to the regulations in Section 705. F. Mobile Home Parks which accommodate 25 or more mobile homes shall provide at least one recreation area consisting of at least eight (8) percent of the gross site area of the mobile home park.

G. An adequate supply of potable water shall be provided and wastes from showers, toilets and laundries shall be discharged into a suitable sewer system. Plans for the proposed water supply system and sewage disposal system must receive written approval from the New York State Department of Health and Environmental Conservation, and all other applicable agencies.

H. Refuse shall be disposed of in a manner as required by law.

I. The park shall keep a record of the name and permanent address of each occupant.

J. Before the park commences operation, the Zoning Enforcement Officer shall make an inspection of the premises to determine that all requirements of this Law have been complied with and shall issue a certificate of compliance. No use shall be permitted until such certificate has been issued.

Section 725: Quarry

A. No excavation of materials shall be located within 50 feet of the front lot line or within 20 feet of a side lot line.
B. All excavation slopes in excess of 50% shall be adequately fenced, barricaded, signed or protected as determined by the Town Zoning Board of Appeals.

Section 730: Automobile Service Station

A. All motor vehicle service stations shall be so arranged and all gasoline pumps shall be so placed as to require all servicing on the premises and be no closer than 30 feet to the front lot line and no gasoline pump shall be placed closer to any other lot line than 30 feet.

B. No inoperative motor vehicles shall be kept on the premises of motor vehicle service stations for longer than four (4) weeks unless enclosed within a structure, or placed so that it is not visible from the road or adjacent properties.

C. All waste material shall be stored within a structure or enclosed within fencing so as not to be visible from adjoining properties.

D. All waste shall be disposed of in an environmentally safe manner.

Section 735: Junkyards

A. Junkyards shall be subject to the licensing provisions of the Town of Lyme Junkyard Licensing Ordinance.

B. The outside limits of the area used as a junkyard, including any fence or building, shall be located at least 5C feet from any residential, commercial, or institutional structures or lines, and at least 50 feet from any street line.

C. The Junkyard shall be totally screened by a solid fence, berms, or vegetation, except that not more than two (2) openings, no wider than fifteen (15) feet each, shall be permitted for access.

D. The premises shall be kept free from rodents or vermin and obnoxious odors.

E. All motor vehicles and parts thereof stored or deposited by the applicant shall be kept within the enclosure of the junkyard, except as shall be necessary for the transportation of vehicles in the reasonable course of business. All wrecking or other work on such motor vehicles and parts shall be accomplished within the enclosure.

Section 740- Commercial Campground

A. The minimum land area for a campground shall be three (3) acres.

B. All sanitary facilities, including the waste disposal system and the water supply system, must receive written approval from the New York State Departments of Health, Environmental Conservation or other appropriate State or local departments or agencies.

Section 745: Satellite Receivers

A. The receiver shall be positioned on the lot so as not to obstruct the view of a driver entering or exiting a public or private road, driveway or right-of-way.

B. Where possible, the receiver shall be positioned on the lot in such a manner as not to hinder the view from adjoining parcels.

C. When establishing the required setback for a satellite receiver as an accessory structure, the distance shall be measured from the part of the satellite dish closest to the lot line, whether it be the stand, dish, or concrete pad.

Section 750- Recreational Vehicle (Reference Only, replaced by 750A, Amend. 4)

A. One recreational vehicle may be stored outside (unoccupied and not used for living quarters) as an accessory use to a principal building existing on the same lot if the recreational vehicle is duly licensed for highway use and is owned by the real property owner or his tenant, or by an immediate family member residing on the real property.

B. No external modifications or additions may be made to any recreational vehicle. If no principal building or structure occupies the same lot or parcel, no buildings or structures defined as accessory building or structures may be place on that lot or parcel.

C. In both the Agricultural and Rural Residence District and the Resort District, one recreational vehicle may be located on any parcel of land owned by the registered recreational vehicle's owner or by a member of his immediate family for no more than thirty days in any given calendar year.

D. No recreational vehicle shall be located in the Resort District for more than thirty days as provided in Section 750(c), unless it is an accessory use provided in Section 750(a).

E. In the Agricultural and Rural district, a recreational vehicle which is located on any parcel of land in said district for more than 30 days shall require a recreational vehicle permit to be issued by the Zoning Enforcement Officer upon evidence that the owner can meet the following conditions:

1) The recreational vehicle may not be located on the premises from December 1 until March 31;
2) Adequate potable and sanitary water supply;
3) Adequate septic or sewage facilities for the actual use and demand;
4) The lot area and setbacks of a single family dwelling in the Agricultural and Rural District must be met;
5) The recreational vehicle must remain licensed, registered, and inspected for highway use;
6) At all times the recreation vehicle must remain capable of use on public highways.
7) The permit shall be for April 1 through November 30 and shall be prominently displayed on the recreational vehicle so that it may be seen from the exterior of the vehicle.

Section 750A- Recreational Vehicles (Amend. 4)

Purpose: The Town Board of the Town of Lyme recognizes that zoning regulations are necessary in all Districts for the regulation of recreational vehicles, particularly travel trailers, that exists in the town of Lyme. Of special interest is the potential negative impact on neighboring property by the placement of travel trailers whose use is inconsistent with their intended design. This law is intended to provide property owners an alternative to the existing occupancy limitation while providing for standards to maintain neighborhood integrity. This and current law are not intended to restrict the appropriate storage of unoccupied recreational vehicles for which the intended use is off site recreation. Travel trailers may be used only for the purpose for which they were intended i.e. temporary residential occupancy only, not for storage.

A: Recreational vehicles (see definitions) may be stored unused and without external modifications or additions on a driveway or similar appropriate site while not in use off-site, on a lot with a primary residence and occupied by the real property owner, an on-premises tenant, or an immediate family member of that owner or tenant. RVs which do not meet NYS motor vehicle inspection are not permitted.

B: This section provides for a Semi-Permanent Residency Permit as pertaining to travel trailers only. It allows for travel trailers, while maintaining mobile status, semi permanent placement when used as a dwelling unit for seasonal or camping occupancy on a lot with a primary residence. A permit is required only when determination is made by the ZBA, at the request of the ZEO, that a permit is required to maintain health and public safety standards, such as pollution control, and to insure compliance with existing zoning laws including conditions listed below. Restrictions are required to maintain the integrity of neighborhoods by limiting the negative appearance of non conforming structures. A travel trailers status as a semi permanent structure requires that the appropriate structural conditions of travel trailers shall apply and are listed below in addition to additional permit conditions approved by the ZBA prior to ZEO permit issuance. In those cases where a pre-existing condition exists (see definitions) see C) below;

1) One travel trailer, used for semi permanent residency as an accessory use to a principal building, may be stored outside, on the same lot, as a semi permanent structure. Ownership must be by the property owner or authorized lessee residing on the real property. Conditions are as follows:

a) Occupancy is limited to a cumulative total of 45 days.

b) The occupancy is limited for the seasonal period of April 1 to November 30 only.

c) Where a permit is required, the application shall include a copy of a registration or title proving ownership and providing identification i.e. make, model and year of manufacture of the trailer.

d) Travel trailers which do not meet NYS motor vehicle inspection are not permitted.

e). No external modifications or additions shall be made to any travel trailer used as a semi permanent residency.

f). No additional recreational vehicles, used for living quarters, shall be located in any district.

g). All applicable requirements including setbacks and septic/water systems of the current zoning law shall apply. The exception shall be where the unit in question shares water, sanitary facilities and electric with the primary residence on which the travel trailer is located.

h). Travel trailers shall be permitted with the following procedures below and under the terms and conditions for approval stated in the permit issued.

i) A violation of any condition set within Section 750 or set by the ZBA by an approved permit is cause for immediate permit revocation by the ZEO. Revocation is reviewable by the ZBA upon appeal.

2) Permit conditions:

a) The permit shall be issued only if neighborhood appropriate by taking into consideration any undesirable change having an adverse effect on the physical, environmental, character, health, safety and welfare of the community.

b) Any permit issued is not valid for transfer, i.e. ownership change, nor may it be used for commercial purpose such as rental. (Non transferable, requires new permit upon change of ownership.)

C: In those cases where a pre-existing condition (see definitions) exists, as determined in a public hearing by the ZBA, conditions as related to travel trailers that cannot comply with 1989 and subsequent zoning laws, the following shall apply:

1) Beginning with the implementation of this law a grace period commences and concludes with cessation as follows:

A pre-existing nonconforming use or structure (see definition) may be continued, with a Non-

Conforming Continuation Permit approved by the ZBA and issued by the ZEO, for a period, beginning at the date authorized by this law and extending to the year 2018 of the same date. After the expiration of said period, any such pre-existing nonconforming use shall become an unlawful use and the permit shall be terminated. The pre-existing condition must have been found valid, at a hearing by the ZBA. For approved pre-existing conditions, at five years, after enactment of this law, in the year 2016, each property owner shall be notified by certified mail, including a required signed return receipt acknowledging receipt that two years remain in the compliance cycle. If the property changes ownership without a change in status of the non-conforming use or structure, the original date of the establishment of the pre-existing condition shall still apply

2) Changes to the non conforming pre existing condition may not result in an increase of the non conforming condition without the loss of pre existing status. See B) i above.

D): Purpose: It also recognizes that the current zoning laws do not have zoning regulations for limited, area sensitive, single lot residential access and use of property that does not have a primary residence. The purpose of this law is to provide the Town of Lyme a means by which to enable the owner(s) of property to make such singular use of their property by allowing living quarters other than a permanent residence on a seasonal basis.
Individual single lot and single use seasonal residency shall be permitted with the following procedures and under the terms and conditions for approval stated.

1). Procedures:

a) A seasonal permit application for seasonal residency shall be made to the Zoning Enforcement Officer (ZEO). Prior approval, by the Zoning Board of Appeals is required, after a public hearing for all permits issued under this law.

b) Application shall include a detailed site plan and an application fee assigned by the Town Board of the Town of Lyme. The site plan shall be a drawing to approximate scale showing exact location of all structures, both fixed and mobile, including front, rear and side setbacks. Proposed and existing water, septic and electrical connections are to be shown **in** detail. A detailed description and intended use of the area shall be supplied. The vehicle (motor home, travel trailer or fifth wheel travel trailer) shall be described in detail, with year, type, and recent picture. Also required is a copy of the last registration or title showing ownership and year of manufacture.

c) The site plan will be the basis for which the permit is issued and any changes will require a re-submission and subsequent permit amendment. The purpose of the site plan, considering the transient nature of the occupancy, is to ensure continued compliance with permit terms and conditions

d) The seasonal permit is valid for the period, April 1 to November 30 of the current calendar year, and must be renewed annually including an annual fee set by the Town Board of the Town of Lyme.

2). Terms and Conditions for Approval:

a) The applicant(s) must be the sole owner(s) of record for the lot for which the permit is requested and the sole seasonal resident(s) for which the permit is approved. Multiple residencies are not permitted. Subdivision for purposes of implementation of this law is not permitted.

b) The permit is issued for the seasonal period of April 1 to November 30 and shall be renewed yearly.The permit is valid for the calendar year issued only.

c) Approved vehicles include motor home, travel trailer or fifth wheel travel trailer. Vehicles which do not qualify for a New York State motor vehicle inspection sticker are excluded from consideration.

d) Vehicles are not permitted on the site, for which the permit was issued, during the non seasonal period (December 1 to March 31).

e) Suitable provision for water and septic and grey water waste shall be described in detail in the permit application. The issuance of the permit and the ZBA approved method of removal shall be a condition of the permit.

f) Accessory structures must comply with the current zoning law and shall be detailed in the site plan submitted for the permit.

g) The permit is not valid for transfer, i.e. ownership change, nor may it be used for commercial purpose such as rental.

h) The existence of a pre existing condition may be considered in granting a permit.

i) The permit shall be issued only if neighborhood appropriate by taking under consideration the following criteria which shall be met; The permit shall be issued only if neighborhood appropriate by taking into consideration any undesirable change having an adverse effect on the physical, environmental, character, health, safety and welfare of the community.

j) All appropriated articles of the current zoning law apply particularly setback requirements. The seasonal permit setback requirements are by the Single Family Dwelling requirements of tables 405D and 410D. Non conforming requirements of Section 805 shall apply where applicable.

k) A violation of any condition, either above or set by the approved permit, is cause for immediate permit revocation.

Section 755- Swimming Pools

No outdoor swimming pool shall be placed closer than 75 feet from the front lot line or closer to a side or rear property line than 25 feet. On a waterfront lot no outdoor swimming pool shall be placed closer than 25 feet to the front property line. If required by State law or regulations, written approval for the installation of swimming pools must be obtained from the New York State Department of Health.

Section 760: Single Family Dwelling

All single family dwellings that are manufactured housing shall meet the following standards.

1. The minimum roof pitch shall be a minimum of 2 1/2 ft. rise over 12 ft. run.
2. The roof and exterior walls shall have a traditional site-built appearance.
3. A Single Family Dwelling that is transported to its site shall also meet the minimum requirements of Section 705.

Section 765: Recreational Vehicle Park

A. There shall be a minimum distance of 25 feet between recreational vehicles.

B. The park shall be located on a well-drained site suitable for the purpose and shall provide an entrance road at least twenty (20) feet wide.

C. Individual recreational vehicle sites shall have an area of not less than 2,500 square feet. D. The total number of recreational vehicle sites shall not exceed fourteen (14) per acre.

E. Recreational vehicles located in an approved recreational vehicle park shall be exempt from the limitations of Section 750.

F. Recreational Vehicle Parks which accommodate 25 or more recreational vehicles shall provide at least one recreational area consisting of at least eight (8) percent of the gross site area of the park for use by all patrons of the park.

G. An adequate supply of potable water shall be provided and wastes from showers, toilets and laundries shall be discharged into a suitable septic or sewer system. The water supply system and septic or sewer disposal system must receive written approval from the New York State Department of health and Environmental Conservation, and all other applicable agencies.

H. Refuse shall be disposed of in a manner as required by law.

I. The park's owner and operator shall keep a record of the name and permanent address of each occupant and allow the Zoning Enforcement Officer access to these records on reasonable notice.

J. Before the park commences initial operation or before an expanded section of the park commences operation, the Zoning Enforcement Officer shall make an inspection of the premises to determine that all requirements of this Law have been met. If so, the Zoning Enforcement Officer shall issue a certificate of compliance. No use shall be permitted until such certificate has been issued.

ARTICLE V - NONCONFORMITIES

Section 805: Applications

A. A nonconforming use may be continued subsequent to adoption of this Law but the structure shall not be enlarged or altered in a way which increases its nonconformity, and use shall not be enlarged or increased to occupy a greater land area.

B. A nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption of this Law.

C. Nothing in this Law shall be deemed to prevent the strengthening or restoration to a safe condition of any structure declared unsafe by the Zoning Enforcement Officer. However, unless a structure has been declared unsafe by the Zoning Enforcement Officer, a non-conforming structure cannot be rebuilt once it is demolished.

D. A nonconforming structure or use may not be altered, rebuilt or resumed except in conformity with the regulations for the district in which it is located if:

1. It has once been changed to a conforming one.
2. A nonconforming use of a structure or land has ceased for a consecutive period of twelve months or a total of twenty-four months during any three year period.

E. Nonconformities created by amendments to this law shall be subject to the provisions of this Article.

F. Non-Conforming Lots. Any non-conforming lot in existence prior to the enactment of this local law and having lot width or lot depth less than the minimum area requirements set forth in this local law may be developed with any permitted or special permitted use listed for the district in which such nonconforming lot is located without requiring a variance provided that such lot:

1. Does not adjoin other property held by the same owner where sufficient land could be transferred to eliminate the nonconformity without reducing such other property to non-conforming dimensions; and
2. Has sufficient area, width and depth to undertake development which will:
   a). Maintain the required minimum front and rear setback; and
   b). Meet or exceed at least 1/2 of the required minimum side setbacks; and
3. Otherwise satisfies all applicable provisions of this local law or any other law or ordinance of the Town.

ARTICLE IX - ADMINISTRATION AND ENFORCEMENT

Section 905- Zoning Permits

A. No building or structure shall be erected or demolished, or use instituted, until a zoning permit for it has been issued. The exterior of any structure shall not be enlarged until a zoning permit therefore has been issued. If a new road or driveway is to enter onto a public road, no zoning permit will be issued until approval for such entry on a public road has been issued by the State or local agency having jurisdiction on said road.

B. A zoning permit shall not be required for

1. Routine maintenance and improvement (e.g., roofing, window replacement, siding replacement, etc.) that does not expand the exterior dimensions of the structure;
2. Chimneys.
3. Exempt signs.

C. When establishing measurements to meet the required front yards and structure setbacks, the measurements shall be taken from the street lot line to the furthermost protruding part of the structure. This shall include such projecting facilities as cornices, eaves, porches, carports, attached garages, etc.

D. No such zoning permit or certificate of compliance shall be issued for any building or structure where said construction, addition, and exterior expansion or use thereof would be in violation of any of the provisions of this law.

E. Notwithstanding any other provision of this law, a zoning permit issued under this law shall expire one (1) year from the date of issue if substantial construction is not started. However, a zoning permit issued for the demolition of a building or structure shall require that the site of the demolition be restored to a pre-development appearance, and all construction and demolition debris be properly disposed of within ninety (90) days from the date of issue. Extensions may be granted by the approving authority for the permit if the applicant has shown that good reasons beyond his control were responsible for the delay.

F. Any use that has been discontinued for a continuous period of twelve (12) months or longer shall be termed abandoned and may not be reinstituted without applying for a new zoning permit.

G. Applications for zoning permits, together with all fees, shall be submitted by the owner of the property involved to the Zoning Officer or Town Clerk and shall include two (2) copies of a layout or plot plan showing the actual dimensions of the lot to be built upon; the size and location on the lot of the structures and accessory structures to be; the distance from the building line to all lot lines, street right-way-lines, streams, and any other features of the lot; and such other information as may be necessary to determine and provide for the enforcement of this law. This information, and other relevant application data, shall be provided on a form issued by the Town.

H. Temporary permits may be issued by the Zoning Enforcement Officer, for a period not exceeding one (1) year, in accordance with Section 620. Such temporary permits are conditioned upon agreement by the owner or operator to remove the nonconforming structures or equipment upon expiration of the temporary permit or to bring the use into compliance by a specific time.

I. Parking lots for places of public assembly and commercial or business uses shall require a zoning permit for placement. They shall meet the requirements of Section 610.

J. The Zoning Enforcement Officer shall issue annual permits for certain recreational vehicles in accordance with Section 750.

Section 910: Certificate of Compliance

A. After a zoning permit is issued no structure or land shall be used or occupied until a certificate of compliance has been issued by the Zoning Enforcement Officer stating that the building, structure, or proposed use thereof complies with the provisions of this law and the zoning permit.

B. All certificates of compliance shall be applied for at the same time as the application for a zoning permit. Said certificate shall be issued after the structure has been inspected and approved by the Zoning Enforcement Officer as

complying with the provisions of this law and the zoning permit.

C. The Zoning Enforcement Officer shall maintain a record of all certificates.

D. No certificate of compliance shall be issued for a special permit use until all required improvements, such as storm sewer, water supply, sewage disposal, landscaping, traffic controls, sidewalks, curbs, parking, access facilities, etc., have been constructed or installed in accordance with the approved plan, including all conditions the Zoning Board of Appeals or the Town Board may have required in accordance with Article Five.

Section 915- Zoning Officer

A. This law shall be enforced by the Zoning Enforcement Officer, who shall be appointed by the Town Board.

B. The B. Zoning Enforcement Officer shall perform the following duties:

1. Zoning Permits.
   a) The Zoning Enforcement Officer shall approve or deny zoning permits within 30 days of receipt of application.
   b) If the Zoning Enforcement Officer denies a zoning permit, he will inform the applicant that his decision can be appealed to the Zoning Board of Appeals as well as the reasons for his decision. If requested, he will provide the applicant with an application for appeal or variance and assist the applicant in preparing it.
   c) The Zoning Enforcement Officer shall revoke a zoning permit where there is false, misleading or insufficient information on the application.
2. Special Permits.
   a) If a use requires a special permit before a zoning permit can be issued, the Zoning Enforcement Officer must provide the applicant with a special permit application and direct him to the Zoning Board of Appeals.
3. Certificates of Compliance
   a) The Zoning Enforcement Officer shall issued certificates of compliance in accordance with Section 910.
4. Records and Reports
   a) The Zoning Enforcement Officer shall keep accurate records of all permits issued and denied, and of all other actions taken.
   b) The Zoning Enforcement Officer should attend all Zoning Board of Appeals public hearings and shall make reports to the Zoning Board of Appeals when requested by the Chairman of the Zoning Board of Appeals and to the Town Board when requested by the Supervisor.

Section 920: Zoning Board of Appeals

A. Powers and Duties: The Zoning Board of Appeals shall have all the powers and duties prescribed by Section 267 of the Town Law and by this law, which include the following:

1. Interpretation: Upon appeal from a decision by an administrative official, it will decide any question involving the interpretation of any provision of this law, including determination of the exact location of any zone boundary if there is uncertainty with respect thereto.
2. Variances: The Zoning Board of Appeals may vary the strict application of any of the requirements of this law as outlined below:
   a) Area Variance where the strict application of the area requirements of this law would cause the owner
   b) Use Variance- where the strict application of the use requirements of the law would deprive the owner of a reasonable return on his land, and this deprivation is due to unique circumstances and not to general conditions in the neighborhood, the Board may grant a variance.
   c) No variance shall be granted unless it:
      (1) Observes the spirit of this law and would not damage the character of the district in which it is requested; and
      (2) Observes the intent of the general plan.
   d) In granting any variance, the Zoning Board of Appeals shall prescribe any conditions that it deems necessary or desirable.
3. Approval, approval with conditions, or disapproval of special permits in accordance with Article V.

B. Procedure: The Zoning Board of Appeals shall act in strict accordance with the procedure specified by law. All appeals

and applications made to the Board shall be in writing and on a form prescribed by the Town. Every appeal of application shall refer to the specific provisions of the law being appealed, shall exactly set forth the interpretation that is claimed, the details of the appeal that is applied for, and the grounds on which it is claimed that the appeal should be granted, as the case may be. A public hearing shall be held for all variance actions or interpretive appeals in conformance with the requirements of Town Law. A decision of the Zoning Board of Appeals must contain findings of fact upon which its decision is based. The reasons for the action may be set forth in minutes of the Zoning Board of Appeals meeting at which the action was taken. A tally of each member's vote shall be recorded. All meetings and hearings of the Board shall be public as provided by the Public Officer's Law.

C. County Referrals: Prior to taking action on any matter which would cause any change in the regulations or use of land or building or real property as specified in Section 239-m of the General Municipal Law, the Board shall make referrals to the County Planning Board in accordance with section 239-m of the General Municipal Law.
If within thirty (30) days after receipt of a full statement of such referred matter, the County Planning Board disapproves the proposal or recommends modification thereof, the Zoning Board of Appeals shall not act contrary to such disapproval or recommendations except by a vote of a majority plus one of all the members thereof and after the adoption of a resolution fully setting forth the reasons for such contrary action. The Chairperson shall read the report, if available, of the review. If the County Planning Board fails to report •within such period of thirty (30) days, or such longer period as may have been agreed upon by it and the County Planning Board, the Board may act without such report. The Zoning Board of Appeals shall notify the County Planning Board of its final action within seven (7) days of such final action.

D. Alternate Members.
"The Town Board of the Town of Lyme may appoint (2) alternate members to the Zoning Board of Appeals in accordance with Section 267(11) of the Town Law. Such member shall be appointed by resolution of the Town Board. Alternate members shall be allowed to participate in any absence of regular members or in the event of a conflict of interest. The Chairperson of the Zoning Board of appeals may designate alternate members to substitute for a member under those circumstances.
When so designated, the alternate member shall possess all the powers and responsibilities of the member for whom they are substituting. Such designation shall be entered into the minutes of the Zoning Board of Appeals meeting at which the substitution is made. Any alternate appointed shall be subject to all training and education, attendance and conflict of interest requirements as regular member and shall also have to meet all other criteria for eligibility.
Adopted by Resolution 2007 – 76

Section 925: Fees:

All applicants for any permit, approval or variance under this Local Law are required to pay a fee to cover the administrative expenses of the Town. Failure to pay such fee shall be deemed a violation of the Local Law.

All applications for any approval, permit, or variance shall be accompanied by a cash deposit, certified check or surety bond payable to the Town of Lyme in an amount determined by:

1. Supervisor for all applications requiring the Town Board's approval or other action;
2. Chairman of the Planning Board, for all applications requiring the Planning Board's approval;
3. Chairman of the Zoning Board of Appeals for all applications requiring such Board's approval or decision.
4. Zoning Officer for matters requiring his approval or action. Such amount shall include his anticipated actual charges to the Town for reviewing the application.

The Supervisor, Chairman of the Planning Board, Chairman of the Zoning Board of Appeals, and Zoning Officer, as the case may be, should obtain estimated expenses from the Town Engineer, Town Attorney, and Town Clerk and Town Zoning Enforcement Officer prior to setting the amount of the cash deposit, certified check or surety bond required of each applicant.

The Supervisor, Chairman of the Planning Board, Chairman of the Zoning Board of Appeals or Zoning Officer, as the case may be, may require additional security for the Town's administrative expense, in accordance with the provisions of this section, in the event that the Town's potential liability for such expense exceeds the initial amount deposited.

Upon completion of the latter of:

1). final approval, or rejection of, any application or approval, or

2). final approval of any and all completed improvements and submission of all final bills to the Town for its administrative expenses incurred as a result of the applicants proposed plan, all unused funds or proceeds from a surety bond shall be refunded to the applicant.

Section 930: Violations and Penalties

A. Whenever a Town Official or aggrieved resident complains of a zoning violation or the Zoning Enforcement Officer notices a violation, the Zoning Enforcement Officer shall conduct an inspection. If an apparent violation exists, as determined by the Zoning Enforcement Officer, the Zoning Enforcement Officer shall issue a Stop Work Order and Notice to Correct Violation, which shall inform the landowner of the nature of the violation and require that the landowner comply with this law within fourteen (14) days.(Amend 4)

Failure to comply shall be deemed a separate violation. The filing of a timely appeal to the zoning board of appeals stays enforcement of the order from the Zoning Enforcement Officer and stays prosecution in the justice court. (Amend 4)

B. If the violation continues, it is an offense punishable by a fine not exceeding three hundred fifty dollars or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty dollars nor more than seven hundred dollars or imprisonment for a period not to exceed six months, or both; and, upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars nor more than one thousand dollars or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this article or of such ordinance or regulation shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

The Town may appear in Court and prosecute all violations by an Attorney retained by the Town, with the consent of the District Attorney.

C. In addition to the penalties provided above, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of this Law.

Section 935: Amendments

A. The Town Board may from time to time amend, supplement, or repeal the regulations and provisions of this law after public notice and public hearing. If applicable. General Municipal Law Section 239-m must be complied with prior to taking any action on a proposed amendment. The Town Board, by resolution, shall fix the time and place of a public hearing on the proposed amendment and cause notice to be given as required by Town Law.

Section 940: Interpretation and Separability

A. Interpretation: Interpretation and application of the provisions of this law shall be held to be minimal requirements, adopted for the promotion of the public health, safety, or the general welfare. Whenever the requirements of this law differ from the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standards, shall govern.

B. Separability: Should any section or provision of this law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 945: Effective Date

The provisions of this law shall take effect upon filing with the Secretary of State and upon complying with Town Law Section 264.

APPENDIX A

SECTION 415 FLOATING PLANNED DEVELOPMENT OVERLAY DISTRICT

A. Intent and Applicability:

The Town recognizes that it's most important and sensitive resource is its extensive shoreline. Development of, access to and scenic views of this resource are issues of major interest to the Town. While the Town wishes to encourage the use and development of this resource, it believes such development must be of high quality and not in conflict with adjacent land uses. Because this land, which is coterminous with the land within the Waterfront District, can be used for a variety of uses, residential and commercial, the Town finds that its development must be monitored closely. It therefore creates this FPD - Floating Planned Development Overlay District, to review and oversee development that might otherwise cause injury to this most valuable resource.

The limits of this District are defined as coterminous with the boundaries of the Waterfront District as defined in this law. The regulations of the Waterfront district shall apply until the Town Board approves the Zone change pursuant to this Article.

It is the intent of this Floating Planned Development Overlay District to provide flexible land use and design regulations so that certain uses may be developed within the Town that incorporate a variety of residential and non-residential uses, and contain both individual building sites and common property which are planned and developed as a unit. This section encourages innovations in residential and Waterfront or retail commercial development so that the growing demands for such development may be met by greater variety in type, design, and siting of development and by the more efficient use of land in such developments. Planned developments do not require a mix of residential and non-residential uses to be considered for Planned Development Overlay District status.

While the standard zoning function (use and area) is appropriate for the regulation of land use in some areas or neighborhoods, these controls represent a type of regulatory strictness which may be inappropriate to the innovative techniques of quality land development contained in the Floating Planned Development Overlay District (FPD) concept. A rigid set of space requirements along with area and use specifications would frustrate the application of this concept. Thus, where FPD techniques are deemed appropriate through the rezoning of land to a Planned Development Overlay District by the Town Board, the use and dimensional specifications found elsewhere in this Law are herein replaced by the General Requirements and Planned Development Review Standards outlined in Article IV, Section 415.B.

B. General Requirements and Planned Development Review Standards:

The following is a list of the requirements that a proposal must meet to be considered for FPD status.

1. Minimum Area: A minimum lot size and frontage for a Planned Development use, which is less than the minimum specified by Section 410 of this law, shall be specified at the discretion of the Town Board, provided that an innovative layout, which provides for increased common property and/or recreational areas and the maximum gross density specified for the particular use as specified by Article *TV,* Section 410.D is not increased. The common property created by this technique shall remain permanently dedicated to the purposes described below under Section 415.B.6.
2. Ownership: An application must be filed by all the owners of the property to be included in a proposed project. In the case of multiple ownership, the approved plan shall be binding on all owners.
3. Permitted Uses: All uses must be approved by the Town Board. In reviewing and acting on applications for FPD Status, the Town Board will evaluate each proposed use in accordance with the spirit and intent of this Article.
4. Parking: Parking provisions shall be regulated by the provisions of Article 610.
5. Traffic and Circulation:
    a. Straight and uniform grid iron road patterns should be avoided but are subject to the discretion of the Town Board.
    b. Entrances must also be located to allow safe line-of-sight distances to and from their points of intersection with a public road.
    c. Internal road widths and comer radii must facilitate movement of emergency vehicles.
    d. There should be adequate storage areas for snow that will not interfere with sight distance at intersection or pedestrian movement.

e. Special consideration should be given to pedestrian movement from the standpoint of safety, convenience and amenity. Sidewalks, curbs and gutters should be considered in the design of the overall circulation system. Walk-through to adjoining areas should also be considered..

6. Common Property: Common property is not required for Planned Development District unless any aspect of the development does not meet the dimensional regulations of the Waterfront District. Common property in a Planned Development is a parcel or parcels of land, with or without the improvements thereon, the use and enjoyment of which are shared by the owners and occupants of the individual building sites. When common property exists, the ownership of such common property may be either public or private. When common property exists in private ownership, the Town Board must approve the arrangements for the improvement, operation and maintenance of such common property and facilities, including private streets, drives, service and parking areas, utilities and recreational and open space areas.

C. Planned Development District Procedure:

The following are procedural steps that shall be followed when applying for Planned Development status:

1. In order to establish a Planned Development District, the Zoning Map must be amended by the following procedures outlined herein and the prescribed regulations for amendments to this Zoning Law found in Section 935.
2. Application for a zone change for the establishment of a Planned Development District shall be made to the Town Board by the owner(s) of the property to be included in the District. Prior to the Town Board's consideration of any application, the applicant must comply with the provisions of Section 925.
3. The applicant must provide a preliminary development plan which would enable the Town Board to determine if the proposed development is in the Town's best interest. The plans must, at a minimum, include the following:
   a) A general layout of the development
   b) gross and net densities
   c)size of uses involved
   d)types of uses involved
   e)number of proposed units
   f)general traffic circulation
   g)necessary highway improvements
   h)number and location of highway access points.
   i) Other details that the Town Board may find necessary in order to evaluate the proposed development and its effects on nearby land uses and public services.
   j)An environmental assessment pursuant to SEQR.
4. The Town Board shall have the discretion, in reviewing applications, to approve, approve with modifications or disapprove the proposed zoning amendment application. In considering an application, it shall weigh the need for the proposed use in the proposed location, and its consistency with the General Plan and the existing character of the neighborhood in which the use would be located. It also must consider safeguards to minimize possible detrimental effects of the proposed use on the adjacent properties, on public services, on the natural elements making up the environment of the area, and on the historic character of the area.
5. If such an amendment is enacted, the permitted development must be confined to the specific designated area and adhere to the approved development plan and special permit approval. Anything different from this constitutes a violation of this Zoning Law.
6. If the proposal is rezoned as a Floating Planned Development Overlay District, the applicant then has a maximum of 180 days to submit a special permit application to the Zoning Board of Appeals for a Special Permit Review in accordance with the procedural and substantive requirements of Article V, Special Permits. The Zoning Board of Appeals shall also review the proposal in light of the requirement for Planned Development District, Section 415.B above.
7. Should the applicant fail to submit a special permit application to the Zoning Board of Appeals within the 180 day time period, the zone status of Planned Development District, granted by the Town Board, shall automatically revert to the Waterfront District.
8. In addition to the requirements and criteria outlined in Article V, the Zoning Board of Appeals shall consider:
   a. Whether existing and proposed streets and roads are suitable and adequate to carry anticipated traffic within the proposed district and in the vicinity of the proposed district.
   b. Whether existing and proposed utility services, including but not limited to water, sanitary sewer and storm water sewer are adequate for the proposed development.

c. That each phase of the proposed development, as it is proposed to be completed, contains the required parking spaces, landscaping and utility areas necessary for creating and sustaining a desirable and stable environment.

9. If the Town Board determines that no substantial construction of the development has occurred within one (1) year from the date of the special permit approval it shall advise the owner(s) of the property within the FPD District that the land has automatically reverted to the Waterfront District.

10. A Planned Development shall not be changed to increase the number of dwelling units, increase housing density, permit a change in a type of use or an expansion of a designated use without undergoing a complete Planned Development procedure outlined in this section, including special permit review by the Zoning Board of Appeals.

11. A finally approved Planned Development District shall not be changed to affect the following elements without an additional special permit review pursuant to Article V:

a) natural resources: water, fish, wildlife, vegetation
b) drainage and erosion plans
c) historic and scenic resources
d) any pollution
e) vehicular traffic access and circulation - site layout, including structural alterations
f) installation or layout of any improvements (e.g. sidewalks, curbs, water, sewer, landscaping)

The Zoning Board of Appeals shall exercise discretion in determining if a Planned Development change should require an additional site plan review under the above conditions.

APPENDIX A1

Section 420: Planned Development District No. 1 – "The Barges"

A. Area Included. The Planned Development District No. 1 shall include twenty-seven acres of land bordered on the west by County Route 57 and on the east by Lake Ontario (Chaumont Bay) and known as lands now or formerly of Alan E. and Patricia E. Strasser pursuant to deed dated June 25, 1996 as shown on deed recorded in the Jefferson County Clerk's Office at Liber 873 at Page 993.

B. Project Scope. The project is in accordance with the narrative and map submitted to the Town Board and shall include two portions as follows:

1. Portion I, 24.5 acres on which may be developed up to 72 single family homes clustered off of private roads and serviced by private water and sewer facilities. Ownership of all open spaces, roads, water and sewer services, and any other infrastructure improvements in common areas shall be under the control and ownership of the Homeowners Association to be created and approved by the developer. Homes may be either attached or detached. All construction in this area shall be subject to the terms and conditions set forth herein.
2. Portion n shall include the remaining acreage and will include an 82 slip marina.

C. Other Approvals. Prior to commencing any construction in either phase of the Planned Development District the owner must obtain Special Use Permit approval from the Zoning Board of Appeals of the Town of Lyme.

1. Flood hazard development permit from the Town of Lyme.
2. Sewage system\SPDES permit from the new York State Department of Environmental Conservation.
3. Water supply\water system permit from the New York State Department of Health.
4. Subdivision approval from the New York State Department of Health.
5. Highway right-of-way approval from the County Highway Department.
6. Permit for construction in navigable waters from the United States Army Corps of Engineers.
7. Such other and further permits as may be applicable by other agencies including the St. Lawrence Eastern Ontario Commission, and further review by the Jefferson County Planning Board pursuant to Section 239-m of the General Municipal Law.

D. Special Conditions. The Zoning Board of Appeals in reviewing any project in Planned Development District No. 1 for a special permit shall consider and approve for the following specific conditions and items.

1. Roads. Access road into the project. Further requirements should be reviewed with the Jefferson County Highway Department.
   a) Width. Road width should be a minimum of 35 feet for a length of 200 feet from County Route 57 on any access road into the project. Further requirements should be reviewed with the Jefferson County Highway Department.
   b) Road width within the project should be designed to assure access for emergency vehicles.
   c) Roads within the project must be paved to a width found to be appropriate by the Zoning Board of Appeals. Such paving however, may be phased to coincide with development of the project as the Zoning Board of Appeals shall direct.
2. Drainage. The Zoning Board of Appeals shall specifically require that a drainage plan be provided and that a drainage study be provided to show how surface water run-off will be handled. Specific attention should be given to how such surface water drainage may affect the road system within the project. All drainage facilities should be designed to minimize erosion and discharge of particulate matter into Lake Ontario.
3. Noise. The Zoning Board of Appeals shall determine what is appropriate buffering along the southerly boundary of the project, including evergreen barriers if appropriate along such boundary. A landscaping plan and time table for planting must be submitted and approved by the Zoning Board of Appeals.
4. Water and Sewer. The Zoning Board of Appeals shall require the developer to create a water district and a sewer district for the project. Such water and sewer district shall remain inactive unless and until there is a default by the developer and\or the Homeowner's Association in the proper maintenance of water and sewer service to project residents. The developer shall sign an agreement agreeing to deliver full right, title, and interest to all water and sewer facilities servicing the project to the water and sewer district for $1.00 in the event of a default as aforementioned. Such agreement shall be set forth in a contract to be entered into between the

Town of Lyme and the developer and\or the Homeowner's Association in a form acceptable to the Town Board and the Town Attorney.

5. The Zoning Board of Appeals shall consider what provisions must be made for fire protection to adequately service the project.

6. Other. The Zoning Board of Appeals may also consider such other factors as it deems appropriate, including potential impacts of the project upon wetland areas and wild life habitats.

APPENDIX A2

Section 425- Planned Development District No. 2 - "Sportsmen's Hideaway Charters"

A. Area Included. The Planned Development District No. 2 shall include 10.3 acres of land bordered on the west by the Chaumont River and on the east by County Route 179 and known as lands now or formerly of Gerald Kitzi, Thomas Kitzi, and Debra Slater, pursuant to deeds dated July 20, 1986 and July 21, 1986 and recorded in the Jefferson County Clerk's Office at Liber 1034 of Deeds at Page 59 and Liber 1031 at Page 150 respectively, known as Town of Lyme tax map parcels 52.09-1-1-, 52.09-1-11, and 52.09-1-12.

B. Project Scope. The project shall be in accordance with the narrative and map submitted to the Town Board and shall include the following:

15.4 acres on which may be developed up to 14 recreational vehicle sites and 20 tent sites, together with a pavilion, parking area, boat storage and docking area, and bath house clustered off of private roads and serviced by private water and sewer facilities. Ownership of all open spaces, roads, water and sewer services, and any other infrastructure improvements in common areas shall be under the control and ownership of the owners. All construction is subject to special permit.

C. Other Approvals. Prior to commencing any construction of the Planned Development District, the owner must obtain Special Use Permit approval from the Zoning Board of Appeals of the Town of Lyme.

1. Flood hazard development permit from the Town of Lyme.
2. Sewage system\SPDES permit from the New York State Department of Environmental Conservation.
3. Water supply\water system permit from the New York State Department of Health.
4. Highway right-of-way approval from the County Highway Department.
5. Permit for construction in navigable waters from the United States Army *Corps* of Engineers.
6. Such other and further permits as may be applicable by other agencies, including further review by the Jefferson County Planning Board pursuant to Section 239-m of the General Municipal Law.

D. Special Conditions. The Zoning Board of Appeals in reviewing any project in Planned Development District No. 2 for a special permit shall consider and provided for the following specific conditions and items:

1. Roads.

a) Width. Road width should be a minimum of 35 feet for a length of 200 feet from County Route 179 on any access road into the project. Further requirements should be reviewed with the Jefferson County Highway Department.

b) Road width within the project should be designed to assure access for emergency vehicles.

c) Roads within the project may be paved if found to be appropriate by the Zoning Board of Appeals. Such paving however, may be phased to coincide with development of the project as the Zoning Board of Appeals shall direct.

2. Drainage. The Zoning Board of Appeals shall specifically require that a drainage plan be provided and that a drainage study be provided to show how surface water run-off will be handled. Specific attention should be given to how such surface water drainage may affect the road system within the project. All drainage facilities should be designed to minimize erosion and discharge of particulate matter into the Chaumont River.

3. Noise. The Zoning Board of Appeals shall determine what is appropriate buffering along the southerly boundary of the project, including evergreen barriers if appropriate along such boundary. A landscaping plan and time table for planting must be submitted and approved by the Zoning Board of Appeals.

4. The Zoning Board of Appeals shall consider what provisions must be made for fire protection to adequately service the project.

5. Other. The Zoning Board of Appeals may also consider such other factors as it deems appropriate, including potential impacts of the project upon wetland areas and wild life habitats.

Local Law Filing

(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**
(Select one:)

of Lyme

Local Law No. 1 **of the year 20** 12

A local law to amend Section 930 of the Town of Lyme Zoning Law.
(Insert Title)

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

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**
(Select one:)

of Lyme **as follows:**

Article 1. - Statement of Authority. The Town Board of the Town of Lyme, pursuant to the authority granted it under Article 16 of the Town Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2. - Statement of Purpose and Findings. The Town Board of the Town of Lyme hereby finds that it will be beneficial to health, safety and welfare of the residents of the Town of Lyme if enforcement procedures of the Zoning Law are made clearer. The amendment provides clarity to the Zoning Enforcement Officer as well as to residents and will provide uniformity in the enforcement of the law.

Article 3. - Enactment. The Town Board of the Town of Lyme hereby amends subdivision A and C of Section 930 of the Zoning Law and as amended restates the same as follows:

Section 930: Violations and Penalties

A. Whenever a Town Official or aggrieved resident complains of a zoning violation or the Zoning Enforcement Officer notices a violation, the Zoning Enforcement Officer shall make an inspection. If an apparent violation exists, as determined by the Zoning Enforcement Officer, the Zoning Enforcement Officer shall issue a Stop Work Order and Notice to Correct Violation, which shall inform the landowner the nature of the violation and require that the landowner comply with this law within fourteen (14) days. Failure to comply shall be deemed a separate violation. The filing of a timely appeal to the Zoning Board of Appeals stays enforcement of the order from the Zoning Enforcement Officer and stays prosecution in the Justice Court.

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

Article 4. - Severability. If any part of this local law shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this local law.

Article 5. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

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

1. (Final adoption by local legislative body only.)
I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2012 of the ~~(County)(City)~~(Town)~~(Village)~~ of Lyme was duly passed by the Town Board on February 8, 2012, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on 20[ ][ ], in accordance w ith the applicable provisions of law.
(Name of Legislative Body) *(Elective Chief Executive Officer*)*

3. (Final adoption by referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20_____.
(Name of Legislative Body) *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20_____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20_____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_____, in accordance with the applicable provisions of law.
(Name of Legislative Body) *(Elective Chief Executive Officer*)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Lynn Wallace
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: April 23, 2012

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

STATE OF NEW YORK
COUNTY OF Jefferson

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

Signature

Mark G. Gebo, Town Attorney
Title

~~County~~
~~City~~ of Lyme
Town
~~Village~~

Date: April 23, 2012

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov/corps

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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.

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(Select one:)

of Lyme

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A. Whenever a Town Official or aggrieved resident complains of a zoning violation or the Zoning Enforcement Officer notices a violation, the Zoning Enforcement Officer shall make an inspection. If an apparent violation exists, as determined by the Zoning Enforcement Officer, the Zoning Enforcement Officer shall issue a Stop Work Order and Notice to Correct Violation, which shall inform the landowner the nature of the violation and require that the landowner comply with this law within fourteen (14) days. Failure to comply shall be deemed a separate violation. The filing of a timely appeal to the Zoning Board of Appeals stays enforcement of the order from the Zoning Enforcement Officer and stays prosecution in the Justice Court.

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1. (Final adoption by local legislative body only.)
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Town Board was duly passed by the
(Name of Legislative Body)
on February 8, 2012, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on 20[ ][ ], in accordance w ith the applicable provisions of law.

3. (Final adoption by referendum.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20_____.
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20_____, in accordance with the applicable provisions of law.

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I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20_____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_____, in accordance with the applicable provisions of law.

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* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Lynn Wallace
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: April 23, 2012

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

STATE OF NEW YORK
COUNTY OF Jefferson

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

Signature
Mark G. Gebo, Town Attorney
Title

~~County~~
~~City~~ of Lyme
Town
~~Village~~

Date: April 23, 2012

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

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

May 8, 2012

Hrabchak, Gebo & Langone, P.C.
Diane E. Collette
216 Washington Street, Suite 300
Watertown, NY 13601

RE: Town of Lyme, Local Law 1 2012, filed on May 2, 2012

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.state.ny.us.

Sincerely,
State Records and Law Bureau
(518) 474-2755

RECEIVED
MAY 14 2012