TOWN OF WILLSBORO ZONING LAW

ADOPTED BY LOCAL LAW NO. 1, OF THE YEAR 2015

WILLSBORO, NEW YORK

Historical Note: The Town of Willsboro's first Zoning Ordinance was adopted in 1974. Revisions were adopted in 1980, and in April 2002. *Text ~~Stricken~~ is to be deleted. Text <u>Underlined</u> is to be added.*

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Table of Contents

ARTICLE 1 - SHORT TITLE, GENERAL INTENT AND PURPOSES, AND JURISDICTION 1
Section 1.10 Short Title 1
Section 1.20 General Intent 1
Section 1.30 General Purposes 1
Section 1.40 Area of Jurisdiction 1
ARTICLE 2 - DEFINITIONS 2
ARTICLE 3 – ESTABLISHMENT, PURPOSES, AND DESIGNATION OF DISTRICTS 18
Section 3.10 Establishment of Districts 18
Section 3.20 Purposes of Districts 19
Section 3.30 Zoning Map 22
Section 3.40 Interpretation of Boundaries 24
Section 3.41 Centerlines of Streets 24
Section 3.42 Lot Lines 24
Section 3.43 500 Feet Offset 24
Section 3.44 Water bodies 24
Section 3.45 Shorelines 24
Section 3.46 Subdivided Land and New Lot Lines 24
ARTICLE 4 - GENERAL DISTRICT REGULATIONS 25
Section 4.10 Schedules of Use and Area Regulations 25
Section 4.20 General Regulations 34
Section 4.21 Development and Land Use 34
Section 4.22 Number of Principal Buildings per Lot 35
Section 4.23 Existing Undersized Lots 35
Section 4.24 Lots in Two or More Districts 35
Section 4.25 Access to Lots 35
Section 4.26 Excavations for Building Construction 35
Section 4.30 Subdivision 36
Section 4.31 Subdivision - General 36
Section 4.32 Minor Division 36
Section 4.33 Subdivision of a Lot With Existing Buildings 36
Section 4.40 Nonconforming Uses and Nonconforming Structures 36
Section 4.41 Continuing Existing Uses 36
Section 4.42 Nonconforming Use of Land 36
Section 4.43 Nonconforming Structures 37

Section 4.44 Nonconformity, Other Than Use 37
Section 4.45 Restoration Due to Unintentional Damage or Destruction 37
Section 4.46 Completion of Buildings and Signs Under Construction 38
ARTICLE 5 – GENERAL SUPPLEMENTAL REGULATIONS 38
Section 5.10 Manufactured Homes, Manufactured Home Parks, Travel Trailers, Campgrounds 38
Section 5.11 Manufactured Home 38
Section 5.12 Manufactured Homes on Lakefront 38
Section 5.13 Manufactured Home Park 38
Section 5.14 Travel Trailer 41
Section 5.15 Campgrounds 41
Section 5.20 General Landscaping and Screening 43
Section 5.21 Enclosed Uses 43
Section 5.22 Review by the Planning Board 43
Section 5.23 Maintenance 43
Section 5.30 Transition Areas 43
Section 5.31 Yard Requirements for Zones Abutting Residential Zones 43
Section 5.40 Height and Yard Regulations 44
Section 5.41 Height Regulations 44
Section 5.42 Yard Regulations 44
Section 5.43 Corner Lots 44
Section 5.50 Accessory Uses 45
Section 5.51 Accessory Buildings 45
Section 5.52 Location of Detached Accessory Buildings in Required Yard Area 45
Section 5.60 Home Occupations 45
Section 5.61 Major and Minor Home Occupations 45
Section 5.62 Major Home Occupations 45
Section 5.70 Seasonal Dwelling Unit Conversions 46
Section 5.71 Seasonal Certificate of Occupancy 46
Section 5.72 Occupancy Permits for Conversions to Year-Round Occupancy 46
Sections 5.80 Signs 46
Section 5.81 Signs in Stream Conservation, Land Conservation, and Residential Districts 46
Section 5.82 Signs in Business District (HC-1 and 2 and GB) & Industrial District (M) 47
Section 5.83 Mechanical, Luminous Signs and Other Restrictions 48
Section 5.84 Directional Signs 48
Section 5.85 Provisions for Nonconforming Signs 48

Section 5.86 Abandoned or Illegal Signs 48
Section 5.87 Requirements for Signs over 8 Square Feet 49
Section 5.90 Parking 49
Section 5.91 General 49
Section 5.92 Combined Parking Lots 49
Section 5.93 Joint Use of Parking Areas 49
Section 5.94 Parking Space Requirements Exceptions 50
Section 5.95 Maintenance 50
Section 5.96 Separation from a Public Street 50
Section 5.97 Parking in Residential District 50
Section 5.98 Loading Spaces 50
Section 5.99 Parking Area Requirements for Abutting Residential Zones 50
Section 5.990 Schedule for Parking Area Requirements 50
Section 5.100 Additional Standards for Certain Uses 51
Section 5.101 Filling Stations 51
Section 5.102 Membership Clubs 52
Section 5.103 Multiple Family Dwelling 52
Section 5.104 Commercial Sand, Gravel, or Topsoil Extraction 52
Section 5.105 Auto Sales, Service, Repair, or Rental 53
Section 5.106 Public Stables 53
Section 5.107 Group Camps 53
Section 5.108 Tourist Accommodations 53
Section 5.111 Marinas 54
Section 5.112 Primary Forest Industries 55
Section 5.113 Public Utility Use 55
Section 5.114 Fish Shanties 55
Section 5.115 Tarp Structures 56
Section 5.116 Bed and Breakfast 56
Section 5.117 Fences and Hedges 56
ARTICLE 6 – LAKEFRONT, SHORELINE, AND WETLANDS PROTECTION 57
Section 6.10 Lakefront and Shoreline Protection 57
Section 6.11 Application of Regulations 57
Section 6.12 Setback from the Shoreline, Lot Width and Side Yards 57
Section 6.13 Special Lakefront and Shoreline Regulations 59
Section 6.14 Lakefront and Shoreline, Tree Cutting Restrictions 59
Section 6.20 Wetlands 60

ARTICLE 7 – RIDGE LINE AREAS AND CLEAR CUTTING PROTECTION 61
Section 7.10 Purpose 61
Section 7.20 Ridge Lines 61
ARTICLE 8 - OPTIONAL CLUSTER DEVELOPMENT 61
Section 8.10 Authorization 61
Section 8.11 Purpose 61
Section 8.12 Objectives 61
Section 8.13 Application 62
Section 8.15 Zoning Districts 62
Section 8.15 Conditions 62
Section 8.16 Preservation of Land for Park, Recreational and Open Space 63
Section 8.17 Preservation of Required Open Space or Restricted Intensity Development 63
ARTICLE 9 - JUNKYARD REGULATIONS 63
Section 9.10 Purposes 63
Section 9.11 License Required 64
Section 9.12 Application for License 64
Section 9.13 Location Requirements 64
Section 9.14 The License 64
Section 9.15 Specific Regulations 64
Section 9.16 Duration of License 65
Section 9.17 Existing Junkyards 65
ARTICLE 10 - FLOOD HAZARD AREA DISTRICT DESIGNATION 66
Section 10.10 Boundaries and Purposes 66
Section 10.11 Definitions Applicable to this Article 67
Section 10.12 Flood Hazard Map 67
Section 10.13 Special Provisions outside GB & M and Downstream Portion of RM Districts 67
Section 10.14 Special Provisions within GB, M & RM Districts 67
Section 10.15 Special Flood Hazard District Permits 68
Section 10.16 Additional Information, Recording of Data 69
Section 10.17 Variance 69
ARTICLE 11 – ADMINISTRATION, ENFORCEMENT AND AMENDMENTS 69
Section 11.10 General Procedures for the Town Board, Code Enforcement Officer, Planning Board, and Zoning Board of Appeals 69
Section 11.11 General Information, Building Permit, and Application 70
Section 11.12 Building Permit Types and Referrals 70
Section 11.13 Sewage Disposal, Water Supply, and Drainage 71

Section 11.14 Fees....71
Section 11.15 Information Necessary for Application....72
Section 11.16 Permits: Issuance, Denial, Expiration, Revocation....72
Section 11.17 Certificate of Occupancy....73
Section 11.18 Complaints of Violations....73
Section 11.19 Penalties for Violations....73
Section 11.20 Procedure for Abatement of Violations....73
Section 11.21 Stop Work Order....73
Section 11.22 Applicability to Contractors, Architects, etc....74
Section 11.23 Record of Certificates....74
Section 11.24 Amendments....74
ARTICLE 12 – PLANNING BOARD (ORGANIZATON, POWERS, DUTIES, VOITNG) 76
Section 12.10 Establishment....76
Section 12.11 Appointment....76
Section 12.12 Appointment to Fill Vacancies....76
Section 12.13 Training....76
Section 12.14 Powers and Duties....76
Section 12.15 Votes Necessary for a Decision....77
Section 12.16 Conflict of Interest....77
ARTICLE 13 – SITE PLAN REVIEW STANDARDS AND PROCEDURES 78
Section 13.10 Purpose....78
Section 13.11 Authority....78
Section 13.12 Applicability and Waiver of Review....78
Section 13.13 Pre-submission Conference....78
Section 13.14 Application....79
Section 13.15 State Environmental Quality Review (SEQR)....79
Section 13.16 Site Plan Required Information and Waiver....80
Section 13.17 Review Standards and Considerations....80
Section 13.18 Referral to County Planning Board....81
Section 13.19 Referral to APA....81
Section 13.20 Decisions....81
Section 13.21 Public Hearing....82
Section 13.22 Special Consulting Fees....82
Section 13.23 Expiration of Approval....82
Section 13.24 Performance Guarantee....82
Section 13.25 Inspection of Improvements....82

ARTICLE 14 - SPECIAL USE PERMITS, STANDARDS AND PROCEDURES 83
Section 14.10 General Provisions 83
Section 14.11 Authority of Planning Board - Special Procedures 83
Section 14.12 Application 83
Section 14.13 SEQR 83
Section 14.14 Required Map and Plans 84
Section 14.15 Referral of Application to Other Planning Agencies 85
Section 14.16 Revocation of Special Permits 85
Section 14.17 Conditions and Safeguards 85
Section 14.18 Public Hearing 86
Section 14.19 Adjournment, Expiration of Planning Board Decision and Required Intervals for Hearing Applications after Denial 86
Section 14.20 Standards Applicable to all Special Permit Uses 86
Section 14.21 Use and Operation Standards 86
Section 14.22 Building and Landscaping Requirements 87
Section 14.23 Parking 87
Section 14.24 Emissions 87
Section 14.25 Compatibility and Compliance 87
ARTICLE 15 – ZONING BOARD OF APPEALS 88
Section 15.10 Zoning Board of Appeals – Organization, Powers, Duties, and Voting 88
Section 15.11 Establishment 88
Section 15.12 Appointment 88
Section 15.13 Appointment to Fill Vacancies 88
Section 15.14 Training 88
Section 15.15 Powers and Duties 88
Section 15.16 Review of Decisions of Zoning Board of Appeals 89
Section 15.17 Votes Necessary for a Decision 89
Section 15.18 Conflict of Interest 89
ARTICLE 16 – VARIANCES AND APPEALS 90
Section 16.10 Variances and Appeals 90
Section 16.11 Notice of Appeal 90
Section 16.12 Appeals Hearing & Decision 90
Section 16.13 Variance Process - Application 91
Section 16.14 Variance Process - Procedures 91
Section 16.15 Adjournment of Hearing 92
Section 16.16 Expiration of Board Decision 92

Section 16.17 Required Intervals for Hearings on Applications and Appeals after Denial 92
Section 16.18 Area Variances 92
Section 16.19 Use Variances 93
Section 16.20 Conditions 94
Section 16.21 Adirondack Park Agency Act Variances 94
Section 16.22 Referrals to Planning Board 94
Section 16.23 Referrals to outside agencies 95
ARTICLE 17 - PROCEDURES FOR REVIEW OF APA CLASS A AND CLASS B REGIONAL PROJECTS 95
Section 17.10 Purposes of this Article 95
Section 17.20 Applicability of this Article 95
Section 17.30 Authorization to Approve and Disapprove Class B Regional Projects 96
Section 17.40 Procedure for Review & Decision Regarding Class B Regional Projects 96
Section 17.50 Criteria for Review of Class B Regional Projects 97
Section 17.60 Procedure and Criteria for Review of Class A Regional Projects 97
Section 17.70 Planning Board Authority and Related Procedures Regarding Class A Regional Projects 98
Section 17.80 Sequence of Applications for Class A or Class B Regional Projects Involving a Variance 98
Section 17.90 Savings Provisions Regarding Allowable Uses 98
APPENDIX A – Class A Regional Projects 99
APPENDIX B - CLASS B REGIONAL PROJECTS 103
APPENDIX C - DEVELOPMENT CONSIDERATIONS 105
APPENDIX D - DEVELOPMENT CONSIDERATIONS FOR REGIONAL PROJECT REVIEW 107
APPENDIX E - DEVELOPMENT ACTIVITIES FOR USE IN REGIONAL PROJECT REVIEW 111
ARTICLE 18 – ADULT ENTERTAINMENT USE REGULATIONS 114
Section 18.10 Purposes 114
Section 18.20 Allowed Zoning Districts 114
Section 18.30 Location Within Allowed Zoning District 114
Section 18.40 Additional Regulations 114
Section 18.41 Area, Yard, and Height Requirements 114
Section 18.42 Parking space requirements 114
Section 18.43 Screening requirements and landscaping requirements 114
Section 18.44 Signage 115
Section 18.45 Prohibition of certain materials visible from outside building 115
Section 18.46 Prohibition of certain sounds discernible from outside building 115
Section 18.50 Definitions Related to Adult Uses 115

Section 18.60 Penalties For Offenses 117
ARTICLE 19 - SEPARABILITY AND EFFECTIVE DATE 118
Section 19.10 Separability Clause 118
Section 19.20 Effective Date 118

TOWN OF WILLSBORO ZONING LAW

ARTICLE 1 - SHORT TITLE, GENERAL INTENT AND PURPOSES, AND JURISDICTION

Section 1.10 Short Title

The title of this law is the Town of Willsboro Zoning Law and shall include this text and the official Zoning Map.

Section 1.20 General Intent

The intent of this Law is to establish comprehensive controls for the development of land in the Town of Willsboro, based on the Comprehensive Development Plan for the Town and enacted in order to promote and protect health, safety, comfort, convenience and the general welfare of the people.

Section 1.30 General Purposes

This Law is intended to promote the health safety, comfort, convenience, and the general welfare of the Town of Willsboro, to promote the orderly development of the Town, to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to provide adequate light and air, to avoid undue concentration of population, to avoid water pollution, to facilitate adequate provisions for transportation, water, sewage, schools, parks and other requirements, to prohibit uses incompatible with the character of existing or future development in a given land use district and to restrict and regulate as hereinafter provided the height, number of stories and size of buildings, signs, and other structures, the percentage of the lot that may be occupied, the size of yards and other open spaces, the density of population, and the use of buildings, structures and land for residence, forestry, agriculture, trade, industry or other purposes. Further, it is the purpose of this Law to preserve the beauty, wildlife, natural resources, and unique open space character of the Adirondack Park setting, and to retain the natural vistas of the Adirondack and Lake Champlain to the benefit of the residents and visitors to the community.

Section 1.40 Area of Jurisdiction

This Law regulates and restricts, as set forth above, the use of the land throughout the entire area of the Town of Willsboro.

ARTICLE 2 - DEFINITIONS

Unless the context otherwise requires, the following definitions shall be used in interpretations and construction of the Law. Words used in the singular number shall include the plural, and the plural the singular; the word "structure" shall include the word "building"; the word "used" shall include "arranged," "designed," "altered," "constructed," "converted," "rented," "leased," or "intended to be used" and the word "shall" is mandatory and not optional.

Any term or terms not defined in this Law shall be deemed, unless the context otherwise requires, to have the same meaning as those employed in the Adirondack Park Agency Act and the Rules and Regulations issued hereunder. To the greatest extent feasible this Law shall be construed in conformity with said Act.

Accessory Structure – any structure or a portion of a main structure customarily incidental and subordinate to a principal land use or development and that customarily accompanies or is associated with such principal land use or development, including a Guest Cottage not for rent or hire that is incidental and subordinate to and associated with a Single Family Dwelling. The following are specific types of Accessory Structures: Garage (private), Patio (or Terrace), Swimming Pool, Tarp Structure.

Accessory Use – any use of a structure, lot, or portion thereof that is customarily incidental and subordinate to and does not change the character of the principal land use or development, including in the case of residential structures, professional, commercial and artisan activities carried on by the residents of such structures, and other than any such use as may be specifically otherwise defined in this law. The following are specific types of Accessory Uses: Home Occupations (major and minor).

Adirondack Park or Park – land lying within the area described in Subdivision One of Section 9-0101 of the Environmental Conservation Law including any future amendments thereto.

Adirondack Park Agency or Agency - the Adirondack Park Agency created pursuant to the Adirondack Park Agency Act.

Adirondack Park Agency Act - Executive Law of the State of New York Article 27 as amended from time to time (Laws of 1973 chapter 348).

Agricultural Service Use – any milk processing plant, feed storage supply facility, farm machinery or equipment sales and service facility; storage and processing facility for fruits, vegetables and other agricultural products or similar use directly and customarily related to the supply and service of an agricultural use.

Agricultural Use - any management of any land for agriculture; raising of cows, horses, pigs, poultry or other livestock; horticulture or orchards; including the sale of products grown or raised directly on such land, and including the construction, alteration or maintenance of fences, agricultural roads, agricultural drainage systems and farm ponds.

Agricultural Use Structure - any barn, stable, shed, silo, garage, fruit and vegetable stand, or other building or structure directly and customarily associated with agricultural use.

Airport/Heliport - a place where aircraft land and take off on a regular basis.

Alterations - as applied to a building or structure, a change or rearrangement in the structural parts or the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another or interior alterations which do not enlarge the building or structure or change its prior use or purpose.

Alter - the carrying out of alterations.

Animal or Veterinary Hospitals - a building and related structure under the supervision of a licensed veterinarian where dogs, cats, cows, horses or other animals are given professional care and treatment. Animal or Veterinary Hospitals shall be considered Public or Semi-Public Buildings.

Area, Land - the total area within the property lines, excluding the external streets.

Assisted Living Facility - a building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This classification shall include, but not be limited to, the following: residential board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug abuse centers and convalescent facilities. Assisted living facilities shall be considered a Public or Semi-Public Building use.

Automobile or Auto - any passenger auto, truck, tractor-trailer, trailer, bus, motorcycle, , or other vehicle propelled by other than muscle power and required to be licensed by New York State, but not including all-terrain vehicles, boats, farm machinery, snowmobiles, or Travel Trailers.

Auto Sales, Service, Repair, or Rental - any building, structure, site, or portion thereof other than a private garage, which is used for the storage, repair (including painting and major repair), rental, sales, or servicing of or the supplying of parts, gasoline, motor fuel or oil to automobiles. The term includes new or used auto sales, auto service and auto rental facilities but not an automobile junkyard, or facilities for the sale, servicing, repair or rental of all-terrain vehicles, boats, farm machinery, snowmobiles, or travel trailers. Such facilities that include the sale of gasoline or motor fuel shall also be considered a Filling Station.

Bed and Breakfast – a Tourist Accommodation located within any dwelling where the owner has rooms to rent and meals are available to guests through the family kitchen. A Bed and Breakfast shall be considered a Tourist Accommodation unless the standards in Section 5.116 are met, in which case a Bed and Breakfast may be considered an Accessory Use.

Boathouse - a covered structure with direct access to a navigable body of water which:

1) is used only for the storage of boats and associated equipment;
2) does not contain bathroom facilities, sanitary plumbing, or sanitary drains of any kind;
3) does not contain kitchen facilities of any kind;
4) does not contain a heating system of any kind;
5) does not contain beds or sleeping quarters of any kind;
6) does not exceed a single story in that the roof rafters rest on the top plate of the first floor wall, and all rigid roof surfaces have a minimum pitch of 4 on 12, or, alternatively, 1 flat roof covers the entire structure; and

7) has a footprint of 1,200 square feet or less measured at the exterior walls (or in the absence of exterior walls, at the perimeter of the roof), and a height of fifteen (15) feet or less. For the purpose of this definition, the height of a Boathouse shall be measured from the surface of the floor serving the boat berths to the highest point of the structure.

Building - any Structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or other property.

Building Height – See Structure Height.

Cabin – see Hunting and Fishing Cabin or Private Club Structure.

Campground – any area designed and used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes or similar facility designed for temporary shelter, without structural additions to or removal of wheels from vehicles admitted. A site designed and used for transient occupancy by two or more such camping shelters shall be considered a Campground. For the purpose of this definition, camp trailers, Travel Trailers, motor homes or similar facility designed for temporary shelter shall not include any single vehicle exceeding eight (8) feet in width or 45 feet in length or vehicles, including a trailer or semi-trailer or any combination exceeding eight feet in width or a total of 55 feet in length, nor shall any Campground allow structural additions to or removal of wheels from vehicles admitted or furnish all-weather water supply or sewage disposal connections at individual sites.

Cemetery - burial place or ground operated and maintained by a Church, government agency, or other legally authorized agency, which can include a crematorium, and above ground storage vaults, and pet cemeteries.

Church - a building for public worship including a synagogue or mosque. A Church shall be considered a Public or Semi-Public Building.

Class A Regional Project and Class B Regional Project - the land use and development and subdivisions of land set forth in this Law and which are currently so characterized in Section 810 of the Adirondack Park Agency Act and any additions thereto which may from time to time result from amendments to said Act.

Clear cutting - any cutting of trees over six (6) inches in diameter at breast height over any ten (10) year cutting cycle where the average residual basal area of such trees after such cutting is less than thirty (30) square feet per acre, measured within the area harvested.

Club, Membership – see Membership Club

Code Enforcement Officer - the administrative officer charged with the duty of enforcing the provisions of the Law.

Commercial Sand, Gravel, or Topsoil Extraction - any extraction from the land of more than fifty (50) cubic yards in any two year period of sand, gravel or topsoil:
1) for the purpose of sale or use by persons other than the owner of the land, or
2) for the purpose of use by any municipality.

A point of sale facility (scales, booth, trailer, etc.) at a Commercial Sand, Gravel, or Topsoil Extraction site shall be an allowed Accessory Use.

Commercial Use - any use involving the sale or rental or distribution of goods, services or commodities either at retail or wholesale, other than any such use as may be specifically otherwise defined in this Law. The following are examples of specific types of Commercial Uses:

Auto Sales, Service, Repair, or Rental
Filling Station
Kennel
Manufactured Home Sales
Office, Professional or Business
Restaurant
Restaurant, Drive-In
Retail Store or Shop
Self-Storage Facility
Tavern

Conservation Practices - the management of land to retain or improve fish and wildlife resources, including planting of trees, shrubs or crops, preservation or improvement of wetlands, creation of ponds or new wetlands; the raising and harvesting of fish and wildlife and the establishment and maintenance of fish or wildlife parks or preserves.

Day Care Facility – a building or portion thereof used for caring for four or more children or adults in a supervised program where tuition, fees, or other forms of compensation for the care of these individuals is charged and a license issued by the State of New York is required to operate as such and where the cared-for children or adults do not stay overnight. Day care facilities operated within a single family residence by the inhabitant of that residence, and licensed by the State of New York, may be considered a Minor or Major Home Occupation provided the additional criteria for a Home Occupation are met.

Dock - a floating or fixed structure that:
1) extends into or over a lake, pond, or navigable river or stream from only that portion of the immediate shoreline or boathouse necessary to attach the floating or fixed structure to the shoreline or boathouse;
2) is no more than eight (8) feet in width; or in the case of interconnected structures intended to accommodate multiple watercraft or other authorized use, each element of which is no more than eight (8) feet in width; and
3) is built or used for the purposes of securing and/or loading or unloading water craft and/or for swimming or water recreation.

A permanent supporting structure located within the applicable setback area which is used to suspend a dock above water level for storage by means of a hoist or other mechanical device is limited to not more than one hundred square feet, measured in the aggregate if more than one such supporting structure is used. A dock must remain parallel with the water when suspended for storage, unless the size of the total structure does not exceed one hundred (100) square feet. Mechanisms necessary to hoist or suspend the dock must be temporary and must be removed during the boating season.

Drive-In Restaurant - See Restaurant, Drive-in.

Dude Ranch - see Group Camp.

Dwelling - a building designed or used as the living quarters for one (1) or more families**.**

Dwelling, Single Family - a detached building containing one dwelling unit designed for occupancy by one family. For the purposes of permitted uses listed elsewhere in this law, a manufactured home, although considered a dwelling, shall not be considered a Single Family Dwelling. The following are specific types of Single Family Dwellings:

- Modular Home
- Dwelling, Seasonal

Dwelling, Two Family - a detached building containing two dwelling units designed for occupancy by two (2) families.

Dwelling, Multiple Family - a detached building containing three (3) or more dwelling units and designed for occupancy by three or more families living independently of each other.

Dwelling, Seasonal – a cottage, cabin, camp or similar single family dwelling which is intended for the occupation only in the summer months and is not equipped with the provisions to combat damage or the discomfort of occupants during the colder months of fall, winter and spring seasons. The term includes dwellings occupied by a single family and those available for rental or hire as housekeeping cottages.

Educational Institution - a school, college, research or conference center, educational or research facility, public or private.

Family – one or more persons occupying the premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.

Filling Station - a lot or part thereof occupied or used whether in whole or in part, for the sale of gasoline, diesel fuel, or other motor fuel. A Filling Station shall be considered a Commercial Use. Convenience stores or other facilities that also sell motor fuel shall be considered both a Filling Station and a Commercial Use. Special regulations in Section 5.100 apply to Filling Stations.
Fish Shanty – A portable structure used for shelter while ice fishing, typically transported by motor vehicle to and from the water body where ice fishing occurs.

Forestry Use - the management, including logging, of a forest, woodland or plantation, and related research and educational activities including the construction, alteration or maintenance of wood roads, skid ways, landings, fences and forest drainage systems.

Forestry Use Structure - any barn, shed, garage, research, educational or administrative building or cabin directly and customarily associated with Forestry Use.

Garage, Private - an enclosed space for the storage of motor vehicles. No business, occupation or service for the profit shall be conducted therein, except as may be permitted in case of customary home occupation in a district where such a use is permitted. Space for only one vehicle may be rented therein to a nonresident of the premises. A private garage shall be considered an Accessory Use when placed on the same lot with an appropriately related Principal Use.

Golf Course - a large landscaped area for playing the sport of golf, including associated facilities such as a club- house or restaurant, or maintenance buildings.

Greenhouse – a building or structure, or part thereof used to grow plants for on-site sale to the public or for off-site sale.

Group Camp – any land or facility for seasonal housing and recreational, educational or business related use by private groups or semi-public groups, such as boy scout camp, fraternal lodge or university or college conference center, and any land, including any building thereon, used for any assembly of persons for what is commonly known as "camp" purposes, whether or not conducted for profit and whether or not occupied by adults or by children, either as individuals, families, or groups. The term also includes dude ranches and similar facilities, but does not include Campgrounds or Membership Clubs.

Guest cottage - not more than one residential structure which is associated with a Single Family Dwelling and which:

1) is used only on an occasional basis;
2) is used only by guests of the resident(s) of the Single Family Dwelling;
3) is not for rent or hire separately from the Single Family Dwelling;
4) contains one-half or less of the enclosed floor space of the associated Single Family Dwelling or 2,000 square feet, whichever is less; and
5) otherwise meets the definition of Accessory Structure.

Guest Cottages meeting the above definition shall be considered an Accessory Use if they are used less than six (6) months per year. For the purposes of this Town Zoning Law, the term “on an occasional basis” shall mean not more than 150 days per calendar year.

Health Care Facility – a Health Care Facility shall be considered a Public/Semi-Public Building.

Height – see Structure Height.

Home Occupation, Minor – a business or professional use which meets all of the following: (a) is conducted entirely within a dwelling or accessory structure; (b) is clearly subordinate to an existing residential use; (c) does not occupy a square footage greater than 50% of the dwelling square feet; (c) is carried on by the inhabitants of the dwelling; (d) does not employ any nonresidents; (e) does not require more than one parking space in addition to those that serve the residential use of the property; (f) does not significantly change the residential character of the dwelling or vicinity; (g) does not involve the use of an illuminated sign; (h) does not involve the use of a sign greater than five square feet in size.

Home Occupation, Major– a business or professional use which meets all of the following: (a) is conducted entirely within a dwelling or accessory structure; (b) is clearly subordinate to an existing residential use; (c) does not occupy a square feet of floor space greater than 50% of the dwelling square feet of floor space; (c) is carried on by the inhabitants of the dwelling; (d) does not employ more than two nonresidents; (e) does not require more than two parking spaces in addition to those that serve the residential use of the property; (f) does not significantly change the residential character of the dwelling or vicinity; (g) does not involve the use of an illuminated sign; (h) does not involve the use of more than two signs greater than ten (10) square feet total.

Hotel – a hotel shall be considered a Tourist Accommodation.

Hunting and Fishing Cabin or Private Club Structure - a cabin, camp or lean-to or other similar structure designed and used only for occasional occupancy and primarily for hunting, fishing, and similar purposes that:

1) is a one-story structure but may include a sleeping loft;
2) is built on posts or piers and does not have a permanent foundation;
3) is served by a sanitary pit privy or chemical toilet and does not have a conventional, onsite wastewater treatment system;
4) does not have pressurized or indoor plumbing (this prohibition does not preclude a kitchen sink with appropriate grey water leach pit); and
5) is not connected to any public utilities (such as electric, phone, cable, water or sewer systems).

Tents, Travel Trailers or other accommodations designed or for occasional, recreational occupancy shall be considered Hunting and Fishing Cabins as long as they meet criteria set forth in subsections 1 through 5 above.

Industrial Use –any manufacturing, production or assembly of goods or materials, including any on site waste disposal area directly associated with an industrial use. This term does not include Mineral Extractions, private and commercial Sand, Gravel, and Topsoil Extractions; or sawmills, chipping mills, pallet mills and similar wood using facilities (see Primary Forest Industry). The following are specific types of Industrial Uses:

x Warehousing & Distribution Facilities

Junk - litter; waste paper; rags; used tires; discarded materials, appliances, household furniture; used metal; construction debris; unoccupied mobile homes, inoperable farm implements; and unlicensed or inoperable motor vehicles (except on a working farm).

Junkyard - any place of storage or deposit (except inside a completely enclosed building), whether in connection with another business or not, where;

(1) two (2) or more unregistered, old, or secondhand motor vehicles no longer intended or in condition for legal use on the public highways, are held, whether for the purpose of resale of used parts therefrom, for the purpose of reclaiming for use some or all of the materials therein, whether metal, glass, fabric or otherwise; or

(2) any place of storage or deposit for any such purposes of used parts or waste materials from motor vehicles which, taken together, equal in bulk to two (2) or more such vehicles.

The term shall not include the storage area for unlicensed or inoperable motor vehicles or farm equipment kept on a working farm for spare parts.

The term Junkyard shall include those portions of auto sales, service, repair or rental facilities where damaged or wrecked autos or motor vehicles not in condition for use on public highways are stored pending eventual repair, recondition, sale, dismantling, or other dispose, whether or not such autos and or motor vehicles remain registered during storage.

The term Junkyard shall not include establishments having facilities for processing iron, steel or nonferrous scrap and whose principal produce is scrap iron, steel or nonferrous scrap for sale for remelting purposes only.

Kennel - any building, structure, or portion thereof where two (2) or more dogs, not belonging to the owner of the premises, are boarded for profit.

Land Use Area - the land use areas (currently Hamlet, Moderate Intensity, Low Intensity, Rural Use, Resource Management and Industrial Use) as specified in the official Adirondack Park Land Use and Development Plan Map created pursuant to the Adirondack Park Agency Act or any amendment thereof pursuant to law, all as applicable to the Town of Willsboro.

Land Use and Development - any construction or other activity which materially changes the use or appearance of land or a structure or the intensity of the use of land or a structure, but not including;

(1) landscaping or minor grading not intended to be used in connection with another land use; and
(2) alterations as herein defined.

Land Use and Development Plan - the Adirondack Park land use and development plan created pursuant to the Adirondack Park Agency Act or any amendment thereof pursuant to law.

Local Land Use Program - this Law, any subdivision regulation enacted by the planning board, a Town Sanitary Code, and any other or local law regulating land use and development or the subdivision of land, or any amendment of any of the above, in the Town.

Line, Street or Road - the dividing line between the street right-of-way line and the lot.

Loading Space, Off-Street - one loading space for merchandise or freight shall constitute an area not less than twelve (12) feet in width and one hundred (100) feet in length, with a vertical clearance of fifteen (15) feet or more.

Lot - a parcel or portion of land separated from other parcels or portions by description, as on a subdivision map, survey map, or by metes and bounds, for the purpose of sale, lease, or separate use.

Lot, Corner - a parcel of land at the junction of and fronting on two (2) or more intersecting streets.

Lot Coverage - that portion of a parcel or lot which is covered by buildings, covered porches, attached or detached garages, barns, sheds, decks (whether the deck is covered by a roof or not), tarp structures, and gazebos. Sidewalks, lawns, vegetation, landscaping, swimming pools, and any portable structures not listed above and not permanently attached to the ground shall not be considered a part of Lot Coverage.

Lot Line - any line dividing one lot from another.

Lot, Through - an interior lot having frontage on two parallel or approximately parallel streets.

Major Public Utility Use - any electric power transmission or distribution line and associated equipment of a rating of more than fifteen (15) kilovolts which is one mile or more in length; any telephone interchange or trunk cable or feeder cable which is one mile or more in length; any telephone distribution facility containing twenty five or more pairs of wire and designed to provide initial telephone service for new structures; any television, cable television, radio, telephone or other communication transmission tower; any pipe or conduit or other appurtenance used for the transmission of gas, oil or other fuel which is one mile or more in length; any electric sub-station, general facility or maintenance building and any water or sewage pipes or conduits, including any water storage tanks, designed to service fifty or more principal buildings. Any use which is subject to the jurisdiction of the public service commission pursuant to Article VII or Article X of the Public Service Law or other prior approval by the

Public Service Commission under the provisions of the Public Service Law is not a Major Public Utility Use or a use for the purpose of this law except for the shoreline restrictions (relating to lot width, setback, tree cutting and sewage disposal) in which case the bodies having jurisdiction over such article or other provisions shall have the authority of the Agency or a local government under this Law.

Manufactured Home (single wide and double wide) - A factory-manufactured dwelling unit built on or after June 15, 1976, and conforming to the requirements of the Department of Housing and Urban Development (HUD), Manufactured Home Construction and Safety Standards, 24 CFR part 3208, 4/1/93, transportable in one or more sections, which in the traveling mode is eight (8) feet or more in width or forty (40) feet or more in length, or, when erected on site, is 320 square feet minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. The term "Manufactured Home" shall also include any structure that meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Federal Department of Housing and Urban Development and complies with the standards established under the national Manufactured Housing Construction Safety Act of 1974, as amended. The term "Manufactured Home" shall not include any self-propelled recreational vehicle. Manufactured Homes may be single-section or multi-section and are transported to the site and installed. A Modular Home which does not require HUD approval is a type of Single Family Dwelling Unit, not a Manufactured Home. A mobile home is a type of Manufactured Home.

Manufactured Home Park or Court - Any lot upon which two (2) or more Manufactured Homes are occupied or intended to be occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodations.

Manufactured Home Sales – any building, structure, land area, or other premises, or portion thereof used for the commercial sale of Manufactured Homes.

Marina - any waterfront facility, which provides accommodations or services for boats by engaging in one (1) or more of the following:

1) The sale of marine products or services;
2) The sale, lease, rental or charter of boats of any type; or
3) The sale, lease, rental or any other provisions of storage, dock space, or mooring for more than two (2) boats not registered to the owner of said facility, members of the owner's immediate family, the owner or lessee of the immediately adjoining upland property, or the member of the immediate, or an overnight guest on said property.

Mean High Water Mark - the average annual high water level of a lake, pond river, or stream.

Membership Club - an organization exclusively for members and their guests, or premises and buildings for recreational or athletic purposes, which are not conducted primarily for gain, providing there are not conducted any vending stands, merchandising or commercial activities. The following are specific types of Membership Clubs:

- Rod & Gun Club
- Fish & Game Club

Mineral Extraction - any extraction, other than specimens or samples, from the land of stone, coal, salt, ore, talc, granite, petroleum products and other minerals or materials, except for Commercial Sand, Gravel or Topsoil Extractions; including the construction, alteration or maintenance of mine roads, mine tailing piles or dumps and mine drainage. A point of sale facility (scales, booth, trailer, etc.) at a mineral extraction site shall be an allowed Accessory Use when located on the same site as a Mineral Extraction.

Mineral Extraction Structure - any hoist; ore reduction, concentrating, sintering or similar facilities and equipment; administrative buildings; garages or other main building or structure.

Minor division – the division of any parcel of land such that no new building lots are created and not adversely affecting the development of the remainder of the parcel of adjoining property and not in conflict with any provision or portion of the Town land use plan or zoning regulations or policy set forth in these regulations. Minor division also includes the conveyance given to clear title to land between two adjoining neighbors to correct a pre-existing encroachment.

Modular Home - a structure designed primarily for residential occupancy, constructed by a method or system of construction whereby the structure or its components are wholly or in substantial part manufactured in manufacturing facilities, intended or designed for permanent installation, or assembly for permanent installation, on a building site. A one family modular home shall be considered a single family dwelling.

Motor Vehicle - all vehicles propelled or drawn by power other than muscular power, and required to be licensed by New York State.

Multiple Family Dwelling – see Dwelling, Multiple Family.

Nonconforming Use - a building, structure, or use of land existing at the time of enactment of this Law (or any amendment thereof) and which does not conform to the regulations of the district or zone in which it is situated.

Nursery – a building, structure, or site, or part thereof used to grow trees or shrubs indoors or outdoors for replanting and on-site sale to the public, or for off-site sale.

Nursing Home - any building other than a hospital where persons are housed or lodged and furnished with meals and nursing care for hire. Nursing homes shall be considered Public or Semi-Public Buildings.

Office, Professional or Business - an office or place to conduct licensed activities normally associated with their field for those engaged in a professional occupation including, but not limited to, all members of the field of medicine, a lawyer, architect, landscape architect, engineer, surveyor, licensed beautician or barber, real estate broker, insurance agent, or accountant. May be considered a Minor or Major Home Occupation provided the additional criteria for Home Occupation are met.

Open Space – an unoccupied space open to the sky on the same lot with the building.

Open Space Recreation Use -. any recreation use particularly oriented to and utilizing the outdoor character of an area; including a snowmobile, trail bike, jeep or all-terrain vehicle trail; cross-country

ski trail; hiking and backpacking trail; bicycle trail; horse trail; playground, picnic area, public park, public beach or similar use.

Owner - one who has legal title to the property.

Parking Area - any place, lot parcel or yard used in whole or in part for storing or parking motor vehicles under the provisions of this Law.

Parking Space - for the purpose of these regulations, one parking space shall constitute a minimum area of 180 square feet of such shape and vertical clearance so as to accommodate one automobile having an over-all length of 18 feet.

Passenger Station – a building, structure, or part thereof used by a commercial bus passenger business or train to sell tickets, and for bus or train passengers to board, disembark, and wait for passenger busses or trains.

Patio (or Terrace) - an unroofed area adjacent to a dwelling usually paved with asphalt, brick, or stones and used as an outdoor sitting area.

Person - any individual, partnership, corporation, association, condominium association, trustee or other legal entity, public or private.

Planning Board - the Planning Board of the Town of Willsboro.

Primary Forest Industry - saw mills, chipping mills, pallet mills, pole and fencing mills and similar commercial wood using facilities; does not include pulp and paper mills or other manufacturing or industrial facilities; or small scale saw mills incidental to an agricultural or forestry use and not of a commercial character.

Principal Building - means any one of the following:

1) A Single Family Dwelling constitutes one (1) Principal Building;
2) A mobile home or Manufactured Home constitutes one (1) Principal Building;
3) Each dwelling unit of a Multiple Family Dwelling constitutes one (1) Principal Building;
4) A tourist cabin or similar structure for rent or hire involving three hundred (300) square feet or more of floor space constitutes one principal building, and any tourist cabin or similar structure I involving less than three hundred (300) square feet of floor space constitutes one-tenth (1/10th) of a Principal Building;
5) Each motel unit, hotel unit or similar Tourist Accommodation unit that is attached to a similar unit by a party wall constitutes one-tenth (1/10th) of a Principal Building;
6) Each Commercial Use structure in excess of three hundred (300) square feet constitutes one (1) Principal Building, except that for a Commercial Use structure involving the retail sale or rental or distribution of goods, services or commodities, each eleven thousand (11,000) square feet of floor space or portion thereof constitutes one (1) Principal Building;
7) A structure that contains a Commercial Use and is also used as a Single Family Dwelling constitutes one (1) Principal Building;
8) Each Industrial Use structure in excess of three hundred (300) square feet constitutes one (1) Principal Building;

9) All Agricultural Use Structures and Single Family Dwellings or mobile homes occupied by a farmer of land in Agricultural Use, his employees engaged in such use, and members of their respective immediate families together constitute one (1) Principal Building;
10) Any other structure that exceeds twelve hundred fifty (1,250) square feet of floor space and is not an Accessory Structure constitutes one (1) Principal Building.

An Accessory Structure does not constitute a Principal Building.

Private Road – an access road serving one or more parcels of land for the exclusive use of those parcels of land, and not open to the public for access.

Private Sand, Gravel or Topsoil Extraction - any extraction from the land of sand, gravel or topsoil for the purpose of use, but not sale, by the owner of the land or any extraction for the purpose of sale of less than fifty cubic yards in any two year period.

Private Stable - a building, structure, or portion thereof for private use used for housing horses, goats, pigs, llamas, alpacas, sheep or other livestock, not including cows.

Project – any new land use and development or subdivision of land that is subject to the review jurisdiction of the Adirondack Park Agency and/or the Town of Willsboro.

Public or Semi-Public Buildings - any component building of a college, school, hospital, animal hospital, library, place of worship, museum, research center, rehabilitation center or similar facility, or a municipal building. The following are examples of specific types of Public or Semi-Public Buildings:

- Animal or Veterinary Hospital
- Assisted Living Facility
- Church
- Day Care Facility
- Educational Institution
- Nursing Home

Public Stable – any establishment, including riding academies, where two (2) or more horses are kept for riding, driving, or stabling for competition or incidental to the operation of any club, association, or similar establishment.

Public Utility Use - any public utility use, equipment or structure, which is not a Major Public Utility Use". A Public Utility Use does not include any use which is subject to the jurisdiction of the Public Service Commission pursuant to Article VII or Article X of the Public Service Law.

Restaurant - a place for the preparation, serving, and consuming indoors, primarily of food and beverages other than a tavern.

Restaurant, Drive-In – a place where food or nonalcoholic beverages are served or sold for consumption primarily outdoors or in vehicles.

Retail Stands for Farm Crops - a building, or shed used for the retail sale of farm crops or produce and located on the farm where some or all of the crops or produce are grown or processed.

Retail Store or Shop - a place, other than a restaurant or tavern, or other Commercial Use, with less than 10,000 square feet of floor space where goods or products or services are sold, or rented primarily indoors. The term includes personal service shops such as but not limited to barbershops, hairdressers and funeral parlors, and stores or shops where other goods are sold such as antiques, appliances, art supplies, books, carpeting, clothing, fabrics, florists, furniture, gifts, hobby and crafts, liquor or wine, jewelry, music, musical instruments, optical goods, paint, pets, pet supplies, photographic supplies, shoes, sporting goods, stationary, and wallpaper.

Retaining Wall - a permanent structure of cribbing, wood, masonry, stone, concrete or other material that supports a mass of soil. Retaining walls are accessory structures. For lot coverage purposes, the square footage of a retaining wall is determined by the top face (not vertical face) of the retaining wall (i.e. – plan view).

Required Yard – the minimum area that lies between a property line or right-of-way and an object required to be set back such as a building. The minimum set back dimensions are set forth in Section 4.10.

Ridge Line – the line formed by the meeting of the tops of sloping surfaces of land which, in the Town of Willsboro, are defined as those ridges above the elevation of 820 feet as shown on the United States Geological Survey of the Town.

Ridge Line Area – the area from the Ridge Line down to 100 feet (measured horizontally) below the Ridge Line.

Self-Storage Facility – a building, structure, site, or portion thereof designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

Setback - the established line beyond which no part of a building shall extend. See also, Yard (Front, Side, and Rear).

Shoreline - that line at which land adjoins the waters of lakes, ponds, rivers and streams within the Town at mean high water.

Sign - a billboard, advertising structure or advertising light display or similar device of any kind, intended to attract attention or to communicate a notice, including any surface on which a name, text, device, signal, ornament, or advertising matter is made visible or displayed to public view from off the premises of the owner; provided, however, the following shall not be included by this term:

1) a sign erected by the state, country, town or village or by any agency or department thereof.
2) a notice board maintained by any business, school, Church or other civic organization.
3) a patriotic flag or banner when temporarily displayed principally in daytime.
4) a temporary sign not in excess of eight (8) square feet and not erected or maintained for more than thirty (30) days pertaining to a parade, fair, horseshow or other civic or public event.
5) signs serving to mark property boundaries, trails or roads, posted no trespassing or similar signs or signs warning of any hazard or similar condition provided the sign does not exceed two (2) square feet in sign area and contains no advertising matter.

For the purpose of this Law a "Luminous Sign" means any incandescent or other sign which gives forth its own light, or any transparent or translucent sign through which artificial light is emitted, including without limitation, any neon sign, fluorescent sign or advertising sign light display. An "Illuminated Sign" means any sign illuminated by a lighting device exterior to the sign where the sign reflects the light of such device.

Sign Area - that portion of the surface of a sign, measured from the outside dimensions thereof, on which any name, text, device, signal, ornament, or advertising matter is displayed or visible. A sign having more than one face or surface or a group of connected signs shall be deemed only one sign and shall have the total sign area of all such surfaces measured from the outside dimension of such group provided, however, that if a sign is lettered on both sides, back to back, only one side shall be included as the total sign area thereof.

Ski Center - a trail or slope for alpine skiing, and snowboarding, including lifts, terminals, base lodges, warming huts, sheds, garages and maintenance facilities, parking lots and other buildings and structures directly and customarily related thereto.

Square feet – Square feet of floor space of a building shall be the area in square feet measured from the exterior walls of a structure, including the sum total of all floor areas, and including all attached covered porches and covered decks, and all other attached components with a roof or cover. The area shall also include any finished attic or basement. For the purposes of this definition, a finished basement of attic is one which contains walls, flooring, and ceiling suitable for use as a bedroom, living room, playroom, or office area, or if a non-residential use, suitable for storage, work area, or office.

Square footage – Square footage of a structure other than a building shall be the exterior area of the structure, measured in either the elevation (face) or plan (top) view, whichever is larger.

Street or Road - a public or private way, which affords the principal means of access to abutting properties, including any highway.

Street or Road Grade - the officially established grade of the street upon which a lot fronts; or if there is no officially established grade, the existing grade of the street shall be taken as the street grade.

Structure - any object constructed, installed or placed on land to facilitate land use and development or subdivision of land, such as buildings, sheds, dwellings, mobile homes, manufactured homes, modular homes, solar panels, photovoltaic arrays, windmills, wind turbines, towers, travel trailers, tents, decks, signs, tanks, fences and poles, and any fixture, additions and alterations thereto.

Structure Height - shall have the same meaning ascribed to Structure Height by the Adirondack Park Agency (in 2014), which states as follows: “The distance from the highest point of a structure to the lowest point of original or finished grade or the base of any supporting fill, whichever is lower. A structure is comprised of all attached components, including decks, porches, garages, roofs, and chimneys”.

Subdivision - the division of any parcel of land into two (2) or more lots, parcels or sites for the purpose of sale, lease, license or any form of separate ownership or occupancy.

Swimming Pool - a structure, in ground or above ground, or manmade pond, either permanent or temporary for the purpose of wading or swimming and holding at least 500 gallons of water. Swimming pools shall be considered an accessory use if an appropriately related principal use is on the same lot.

Tarp Structure - A structure, handmade or commercially purchased, made from canvas, poly, vinyl, or other such material, usually used for permanent or temporary storage or as a permanent or temporary portable garage. Tarp Structures shall be considered Accessory Structures.

Tavern - a place in which the principal income is derived from the sale or serving of alcoholic beverages for consumption on the premises, with or without live entertainment.

Terrace - see Patio.

Tourist Accommodations - any hotel, motel, resort, tourist cabin or similar facility designed to house the general public. Campgrounds shall not be considered Tourist Accommodations.

Tourist Attraction - any man-made or natural place of interest open to the general public and for which an admittance fee is usually charged, including but not limited to animal farms, amusement parks, replicas of real or fictional places, things or people and natural geological formations.

Travel Trailer - any enclosed motor vehicle or trailer used or designed to be used for recreational travel and temporary living and/or sleeping purposes, including tent campers, motor homes or truck campers. A motor vehicle or trailer meeting the above definition, but which is longer than forty (40) feet in length, shall be considered to be a mobile home or Manufactured Home.

Use - the specific purpose for which land or a structure is constructed, designed, arranged, intended, or for which it is or may be occupied, used or maintained. The term "permitted use" or its equivalent shall not be deemed to include any Nonconforming Use.

Vegetation – trees and woody-stemmed plants, except agricultural crops.

Warehousing & Distribution Facility - terminal facilities for handling freight with or without maintenance facilities, and buildings used primarily for the storage of goods and materials. Warehousing & Distribution facilities shall be considered an Industrial Use.

Waste Disposal Area - any area for the disposal of garbage, refuse and other wastes, including sanitary landfills and dumps, other than an onsite disposal area directly associated with an Industrial Use.

Wetlands - any land which is annually subject to periodic or continual inundation by water and commonly referred to as a bog, swamp or marsh which are either:

(1) one (1) acre or more in size; or
(2) located adjacent to a body of water, including a permanent stream, with which there is free interchange of water at the surface, in which case there is no size limitation.

Yard - an open space on the same lot with a building or structure.

Yard, Front - an open unoccupied space on the same lot with the principal building, between the front line of the principal building and the right-of-way line of the lot, and extending the full width of the lot.

Yard, Rear - a space on the same lot with the principal building, opposite the front yard, between the line of the principal building, and the rear line of the lot, and extending the full length of the lot.

Yard, Side - an open unoccupied space on the same lot with the principal building, situated between the side line of the principal building and the adjacent side line of the lot, and extending from the rear line of the front yard to the front line of the rear yard.

Zoning Board of Appeals - the Board of Appeals of the Town of Willsboro.

ARTICLE 3 – ESTABLISHMENT, PURPOSES, AND DESIGNATION OF DISTRICTS

Section 3.10 Establishment of Districts

For the purposes of promoting the public health, safety, and general welfare of the Town of Willsboro, the Town is hereby divided into the following types of land use districts:

ABBREVIATION	DISTRICT NAME	APA LAND USE CLASSIFICATION
GB	General Business	Hamlet
HC-1	Highway Commercial 1	Hamlet
HC-2	Highway Commercial 2	Moderate Intensity Use
IC	Island Conservation	Resource Management
LC-A	Land Conservation - Agriculture	Resource Management
LC-W	Land Conservation - Woodland	Resource Management
LC-R	Land Conservation - River	Resource Management, Hamlet, Rural Use,
M	Industrial	Industrial Use, Hamlet
RL-1	Residential – Low Density	Moderate Intensity Use, Low Intensity Use, Hamlet
RL-2	Residential – Low Density	Moderate Intensity Use, Hamlet, Industrial Use
RL-3	Residential – Low Density	Low Intensity Use, Moderate Intensity Use, Industrial use
RL-5	Residential – Very Low Density	Low Intensity Use, Moderate Intensity Use
RM-1	Residential – Medium Density	Hamlet
RM-2	Residential – Medium Density	Moderate Intensity Use, Hamlet, Rural Use
RM-3	Residential – Medium Density	Hamlet, Resource Management
RM-M	Residential – Medium Density – Manufactured Homes	Low Intensity Use
RR	Residential – Rural Density	Rural Use, Resource Management
AD-Overlay	Adult Entertainment Use Overlay	Industrial Use, Hamlet
LF-Overlay	Lakefront Overlay	Moderate Intensity Use, Low Intensity Use, Resource Management
SC	Stream Conservation Overlay	Rural Use, Resource Management, Hamlet

Section 3.20 Purposes of Districts

Development in each district should be consistent with the Town Vision Statement as stated in the Town of Willsboro Comprehensive Plan of 2012: *"In the future, Willsboro will be a neighborly place where its full time and part time residents care deeply about its unique beauty and small town character. The community will enjoy a diversified economic vitality, including a vibrant agricultural community, state of the art educational facilities, and systems, and carefully managed growth for the benefit of all its citizens. Willsboro's prized and natural resources including extensive waterfronts, forests, and open fields will be maintained and protected by the Town's citizens and government. The Town will take full advantage of its rural location, heritage, recreational opportunities, and its scenic beauty to be an attractive destination for visitors and a good home to all its residents."*

DISTRICT	PURPOSE
GB (General Business)	x To delineate those areas where predominately general business uses have occurred or will be likely to occur. Encompasses areas in the APA hamlet zone where the primary use is commercial mixed with residential.
HC-1 (Highway Commercial 1)	x Defines those areas where predominately highway-oriented commercial uses have occurred or will likely occur. x Continue residential and commercial growth in a concentrated fashion.
HC-2 (Highway Commercial 2)	x Defines area where limited types of highway-oriented commercial uses and tourist facilities have occurred or will likely occur.
IC (Island Conservation)	x Protect the Four Brother Islands in Lake Champlain lying within the boundaries of the Town of Willsboro. x The remoteness, lack of public facilities, severe slopes, soils and general conditions of topography and drainage dictate that development be strictly limited.
LC-A (Land Conservation – Agriculture)	x Protect and conserve high quality agricultural lands. x Encourage continuation of agricultural uses, and protect from intrusions of incompatible uses. x Protect important fish and wildlife habitat. x Avoid strip development and retain essential open space consistent with the open space character of the Adirondack Park. x Allow limited residential and other development on large lots or in select clusters, which do not impinge upon viable, high quality agricultural land.
LC-R (Land Conservation – River)	x Encompasses the lower reaches of the Bouquet River, a designated Recreational River under the Environmental Conservation Law. Development is limited due to steep slopes, rough topography, wetlands, areas of flood plain, poor soil and drainage conditions, general remoteness, lack of public facilities, and proximity to agricultural uses. x Encourage continuation of forestry and agricultural uses. x Protect fish and wildlife habitat, preserve floodplain of river in open space, preserve water quality and minimize the risks of siltation, flooding and erosion. x Retain open space consistent with the character of the Adirondack Park. To permit restricted residential and other development to locations of substantial acreage or select clusters that will not impinge upon the river corridor.

LC-W (Land Conservation – Woodland)	x Protect areas encompassed by the mountainous western and northern reaches of the Town where development in the form of buildings or structures is limited due to steep slopes and rough topography, drainage or soil conditions and/or remoteness and inaccessibility or lack of public facilities. x Encourage the continuation of forestry uses, and protect fish and wildlife habitats. x Avoid strip development and retain the open space character of the Adirondack Park. x Allow restricted residential and other development to appropriate locations of substantial acreage or select clusters.
M (Industrial)	x Defines those areas where industrial uses have occurred or will likely occur. x Protect existing and potential future industrial uses by prohibiting the incursion of incompatible uses.
RL-1 (Residential – Low Density)	x Preserve areas of low-density residential use (40,000 sq. ft.) though on a greater level of intensity than in RL-3 or RL-5 districts. RL-1 also contains segments of the Lake Champlain and Long Pond Shoreline developed on smaller lots and more modest frontages. x Encourage continuation of residential development following established patterns and protect from intrusions of incompatible nonresidential uses.
RL-2 (Residential – Low Density)	x Preserve those areas where low-density, single-family residential use (on 80,000 sq. ft.) predominates though on a greater level of intensity than in the RL-5 or RL-3 Districts. x Encourage residential development following established patterns; and protect from intrusions of incompatible nonresidential uses.
RL-3 (Residential – Low Density)	x Preserve areas of low-density, single-family residential use on relatively large lots (120,000 sq. ft.) where development is limited by soils, drainage, topography or similar conditions. x Included are segments of Lake Champlain shoreline and similar segments of Long Pond shoreline where development has occurred and is likely to occur on reasonably sized lots with substantial frontages. x Encourage development of single-family residential uses following the existing low-density pattern. x Preserve the general character of the shorelines along Lake Champlain and Long Pond, and protect from intrusions of nonresidential incompatible uses.
RL-5 (Residential – Very Low Density)	x Preserve those areas of low-density single-family residential use on very large lots (200,000 sq. ft.) among agricultural or forestry lands where soils, drainage, topography or similar conditions; and/or some restriction of available public facilities limit dense development. x Included are segments of sparsely-developed Lake Champlain shoreline due to rock outcroppings, wetlands, or other topographical conditions. Willsboro Golf Course, an important recreational asset of the Town, is also located in the district. x Encourage the development of single-family residential uses in appropriate locations on relatively large-sized lots or carefully designed clusters. x Protect Lake Champlain shoreline and insure future development be consistent with present shoreline character. x Permit continuation of current agricultural and forestry uses and the

	Willsboro Golf Course and protect from intrusions of incompatible uses.
RM-1 (Residential - Medium Density)	x Defines those areas where predominately medium density residential uses have occurred or will likely occur. Encompasses areas in the APA hamlet zone where the primary use is residential. x Protect the integrity of residential uses by prohibiting the incursion of incompatible uses.
RM-2 (Residential – Medium Density)	x Defines those areas where predominately medium density residential uses have occurred or will likely occur. x Protect the integrity of residential uses by prohibiting the incursion of incompatible uses.
RM-3 (Residential – Medium Density)	x Defines those areas of residential use together with limited retail stores or shops. Protect residential use by prohibiting the incursion of incompatible uses while allowing retail stores or shops as a special use.
RM-M (Residential – Medium Density – Manufactured Homes)	x Defines areas of predominately medium-density residential use, primarily manufactured homes. x Protect the integrity of residential uses by prohibiting the incursion of incompatible uses.
RR (Residential – Rural Density)	x Protect areas of rural residential use that retain their agriculture and forested low-density character. Development is limited by topographical conditions, soils, drainage and/or a degree of remoteness and limited public facilities. x Encourage the continuation of agricultural and forestry uses. x Protect fish and wildlife habitat; protect the corridor of the Bouquet River. x Retain open space consistent with the character of the Adirondack Park and avoid strip development. x Encourage single-family residential use on 350,000 sq. ft. lots or select clusters while maintaining agricultural uses consistent with the general rural character of these areas. x Protect from intrusions of uses incompatible with agriculture and rural residential.
SC (Stream Conservation)	x Conserve and protect those areas adjacent to the Bouquet River and the other permanent streams. x Severely limit development in order to: o Maintain the scenic beauty and natural appearance. o Protect wetlands and other wildlife habitat. o Eliminate the risks of pollution, erosion and siltation to preserve water quality and fishery resources. o Eliminate the risk of damage to buildings from flooding or erosion.
AD-Overlay (Adult Entertainment Use Overlay)	Delineate where adult entertainment uses shall be allowed.
LF-Overlay (Lakefront Overlay)	Delineate areas along the shores of lakes where Site Plan Review for all new development shall be required in order to provide higher protection of the shorelines.
FH-Overlay (Flood Hazard)	Special Flood Hazard Areas delineated as Zone A on FEMA Flood Insurance Rate Maps (FIRM's), and up to elevation of 103 feet along Lake Champlain. x To protect health, safety and welfare of the inhabitants of the Town from hazards due to periodic flooding. Refer to Article 10.

Section 3.30 Zoning Map

All zoning districts have boundaries as shown on the map titled "Zoning Map of the Town of Willsboro" which map is hereby made part of this Law. A reduced size version of the Zoning Map is shown below. A full size version of the Zoning Map is on file in the Town offices and on the Town Website.

Section 3.40 Interpretation of Boundaries

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

Section 3.41 Centerlines of Streets

Where district boundaries are indicated as approximately following the centerlines of the streets or highways, street lines or highway right-of-way lines, such centerlines, street lines, or highway right-of-way lines shall be construed to be such boundaries.

Section 3.42 Lot Lines

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

Section 3.43 500 Feet Offset

Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, or the centerlines or right-of-way lines of the highways, such district boundaries shall be construed as being parallel thereto and at a distance of 500 feet there from, unless otherwise specified on the zoning district map.

Section 3.44 Water bodies

Where the boundary of a district follows a stream, lake, or other body of water, said boundary shall be deemed to be at the mean high water mark unless otherwise indicated.

Section 3.45 Shorelines

Where district boundaries are so indicated that they approximately follow shorelines, such boundary shall be construed as following shorelines; and in the event of change in the shoreline, such boundary shall be construed as moving with the actual shoreline.

Section 3.46 Subdivided Land and New Lot Lines

Where new lot lines are created after the adoption of this law such that a district boundary divides a lot, the location of such boundary(unless the same is indicated by dimensions shown on the zoning map), shall be determined by use of the scale appearing thereon.

ARTICLE 4 - GENERAL DISTRICT REGULATIONS

Section 4.10 Schedules of Use and Area Regulations

The restrictions and controls intended to regulate development in each district are set forth in the following Schedules which are supplemented by other sections of this Law. Unless otherwise indicated, the regulations shall be deemed to be minimum requirements in every instance of their application.

Notes:

1. Allowed in any district:
   a. Accessory Uses and Accessory Structures (associated with an allowable use located on the same lot), including but not limited to boathouses, docks, guest cottages, minor home occupations, signs, and swimming pools.
   c. Public Utility Use.
   d. Private sand, gravel or topsoil extraction less than 50 cubic yards in a two year period.
   e. Travel Trailers.
2. Any use which is not listed as a Principal Permitted Use, use allowed by Site Plan Review, Special Use, or Accessory Use (see above) is prohibited in that zoning district. Any use that is not listed in any district is a prohibited use within the Town.
3. Special Uses are those that require Special Use Review by the Town Planning Board and issuance of a Special Use Permit. See Article XIII for further information.
4. See Articles IV through XIII and Article XV for other special regulations and additional dimensional requirements which may affect certain land use and development.

Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations (ft. unless otherwise noted)**	
GB - General Business	Commercial Use*	Auto sales, service, repair, or rental		
			Minimums	
		Educational institutions	Lot Size	5,000 s.f.
			Lot Width	n/a
	Office, professional & business*		Lot Frontage	n/a
		Greenhouse	Front Yard	0
	Restaurant*	Major Home Occupation	Side Yard	0 or 10
		Multiple family dwelling	Rear Yard	15
	Retail store or shop*	Nursery	**Maximums**	
	Seasonal dwelling		Lot Coverage	80%
	Single family dwelling;	Passenger Station	Building Height	40
	Two family dwelling	Public or Semi-Public Buildings	Building Stories	3
		Retail stand for farm crops		
	Tavern*	Tourist Accommodations		
	***Requires Site Plan Review**			

Zoning District	Principal Permitted Uses	Special Uses	Area Regulations	
HC-1 - Highway Commercial 1	Commercial Use*	Auto sales, service, repair, or rental	**(ft. unless otherwise noted)**	
			Minimums	
		Educational Institutions	Lot Size	20,000 s.f. (40,000 s.f. for nonresidential)
	Manufactured home			
	Office, professional & business*	Greenhouse	Lot Width	n/a
		Junkyard	Lot Frontage	n/a
	Restaurant*	Kennel	Front Yard	30
	Restaurant, Drive-in*	Major Home Occupation	Side Yard	15 (30 for nonresidential)
	Retail store or shop*	Manufactured home park		
	Retail stand for farm crops	Manufactured home sales		
		Multiple family dwelling	Rear Yard	25
	Seasonal dwelling		**Maximums**	
	Single family dwelling		Lot Coverage	30% (80% for nonresidential)
	Two family dwelling	Nursery		
		Passenger Station		
	Tavern*	Public or Semi-Public Buildings	Building Height	35
	***Requires Site Plan Review**	Public utility use	Building Stories	2 ½
		Tourist accommodations		

Zoning District	Principal Permitted Uses	Special Uses	Area Regulations	
HC-2 - Highway Commercial 2		Major Home Occupation	**(ft. unless otherwise noted)**	
	Retail store or shop*	Restaurant	**Minimums**	
	Seasonal dwelling	Tourist accommodations	Lot Size	40,000 s.f.
	Single family dwelling		Lot Width[1]	
			Lot Frontage	n/a
	***Requires Site Plan Review**		Front Yard	30[1]
			Side Yard	30[1]
			Rear Yard	20
			Maximums	
			Lot Coverage	30%
			Building Height	35
			Building Stories	2 ½

[1] See Article 6 for special waterfront regulations.

Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
IC - Island Conservation	Agricultural Use		**(ft. unless otherwise noted)**	
	Conservation practices	Educational Institutions	**Minimums**	
	Forestry Use	Hunting and Fishing Cabin or Private Club Structure	Lot Size	42 acres
	Open space recreation		Lot Width[1]	
		Seasonal dwelling	Lot Frontage	n/a
			Front Yard[1]	
			Side Yard[1]	
			Rear Yard	
			Maximums	
			Lot Coverage	5% of island
			Building Height	25
	***Requires Site Plan Review**		Building Stories	1 ½

Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
LC-A - Land Conservation – Agriculture	Agricultural Use	Agricultural Service Use	**(ft. unless otherwise noted)**	
			Minimums	
		Campground	Lot Size	42 acres
	Membership Club*	Cemetery	Lot Width[1]	
	Conservation Practices	Commercial sand, gravel, or topsoil extraction	Lot Frontage	n/a
	Forestry Use and Forestry Use Structures	Educational institutions	Front Yard[1]	150
	Hunting and Fishing Cabin or Private Club Structure		Side Yard[1]	100
	Manufactured home	Group camp	Rear Yard	150
	Open space recreation	Kennel	**Maximums**	
	Retail stand for farm crops	Major Home Occupation	Lot Coverage	10%
		Major Public Utility Use	Building Height	35
	Seasonal dwelling	Mineral extraction and Mineral extraction structures	Building Stories	2 ½
	Single family dwelling			
	***Requires Site Plan Review**			
		Primary forest industry		
		Public or Semi-public building		
		Public utility use		
		Public Stable		

[1] See Article 6 for special waterfront regulations.

Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
LC-R - Land Conservation - River	Agricultural use	Campground	**(ft. unless otherwise noted)**	
		Commercial sand, gravel, or topsoil extraction	**Minimums**	
	Membership Club*	Educational Institutions	Lot Size	42 acres
	Conservation practices	Group camp	Lot Width[1]	
		Major Home Occupation	Lot Frontage	n/a
	Forestry Use and Forestry Use Structures	Major Public Utility Use	Front Yard[1]	150
	Hunting and Fishing Cabin or Private Club Structure	Mineral extraction and Mineral extraction structures	Side Yard[1]	150
	Manufactured Home (except see Section 5.12 for exclusion within 500 feet of lakefront)		Rear Yard	200
	Open space recreation		**Maximums**	
	Retail stand for farm crops	Primary forest industry	Lot Coverage	10%
		Public or Semi-public building	Building Height	35
	Seasonal dwelling	Public utility use	Building Stories	2 ½
	Single family dwelling	Public Stable		
	***Requires Site Plan Review**			
Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
LC-W - Land Conservation – Woodland	Agricultural Use	Campground	**(ft. unless otherwise noted)**	
		Commercial sand, gravel, or topsoil extraction	**Minimums**	
	Membership Club*	Educational Institutions	Lot Size	42 acres
	Conservation practices	Group camp	Lot Width[1]	
		Major Home Occupation	Lot Frontage	n/a
	Forestry Use and Forestry Structures	Major Public Utility Use	Front Yard[1]	150
	Hunting and Fishing Cabin or Private Club Structure	Mineral extraction and Mineral extraction structures	Side Yard[1]	150
	Manufactured Homes (except see Section 5.12 for exclusion within 500 feet of lakefront)		Rear Yard	200
	Open space recreation		**Maximums**	
	Retail stand for farm crops	Primary forest industry	Lot Coverage	10%
		Public or Semi-public building	Building Height	35
	Seasonal dwelling	Public utility use	Building Stories	2 ½
	Single family dwelling	Public Stable		
	Two Family Dwelling*	Ski center		
	***Requires Site Plan Review**			

[1] See Article 6 for special waterfront regulations.

Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
M – Industrial		Auto sales, service, repair, or rental	**(ft. unless otherwise noted)**	
	Agricultural Service Use	Commercial Use	**Minimums**	
		Commercial sand, gravel, or topsoil extraction	Lot Size	120,000 s.f.
	Forestry Use and Forestry Structures	Educational Institutions	Lot Width	n/a
	Industrial Use*	Greenhouse	Lot Frontage	n/a
	Primary forest industry	Junkyard	Front Yard	75
		Kennel	Side Yard	75
		Major Public Utility Use	Rear Yard	75
		Mineral extraction and Mineral extraction structures	**Maximums**	
		Nursery	Lot Coverage	80%
		Passenger Station	Building Height	82
	***Requires Site Plan Review**	Public utility use	Building Stories	5
		Retail stores & shops		
Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
RL-1 - Residential - Low Density	Agricultural use	Cemetery	**(ft. unless otherwise noted)**	
	Conservation practices	Commercial sand, gravel, and topsoil extraction	**Minimums**	
	Forestry Use and Forestry Structures	Membership Club	Lot Size	40,000 s.f.
	Hunting and Fishing Cabin or Private Club Structure	Educational institutions	Lot Width[1]	
	Manufactured Homes (except see Section 5.12 for exclusion within 500 feet of lakefront)	Group camp	Lot Frontage	n/a
	Open space recreation	Major Home Occupation	Front Yard[1]	50
	Retail stand for farm crops	Mineral extraction	Side Yard[1]	50
	Seasonal dwelling	Manufactured home park	Rear Yard	50
	Single family dwelling	Office, Professional and Business	**Maximums**	
	***Requires Site Plan Review**		Lot Coverage	15%
		Primary forest industry	Building Height	35
		Public or Semi-public building	Building Stories	2 ½
		Public utility use		
		Public Stable		

[1] See Article 6 for special waterfront regulations.

Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
RL-2 - Residential - Low Density	Agricultural Use	Cemetery	**(ft. unless otherwise noted)**	
	Conservation practices	Commercial sand, gravel, and topsoil extraction		
	Forestry Use and Forestry Structures	Membership Club	Lot Size	80,000 s.f.
	Hunting and Fishing Cabin or Private Club Structure	Educational Institutions	Lot Width	n/a
	Manufactured Home	Golf course	Lot Frontage	n/a
	Open space recreation	Group camp	Front Yard	75
		Kennel	Side Yard	50
	Retail stand for farm crops	Manufactured home park (only in portion of district north of Rte 22)	Rear Yard	100
	Seasonal dwelling	Major Home Occupation	**Maximums**	
	Single family dwelling	Mineral Extraction	Lot Coverage	15%
	Two family dwelling*	Office, Professional and Business	Building Height	35
	***Requires Site Plan Review**	Public or Semi-public building	Building Stories	2 ½
		Public utility use		
Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
RL-3 - Residential - Low Density	Agricultural Use	Cemetery	**(ft. unless otherwise noted)**	
		Commercial sand, gravel, and topsoil extraction	**Minimums**	
		Membership Club	Lot Size	120,000 s.f.
	Conservation practices	Educational institutions	Lot Width[1]	
			Lot Frontage	n/a
	Forestry Use and Forestry Structures	Group camp	Front Yard[1]	75
	Hunting and Fishing Cabin or Private Club Structure		Side Yard[1]	50
	Manufactured Homes (except see Section 5.12 for exclusion within 500 feet of lakefront)	Major Home Occupation	Rear Yard	100
	Open space recreation	Marina	**Maximums**	
		Office, Professional & Business	Lot Coverage	15%
	Retail stand for farm crops		Building Height	35
	Seasonal dwelling	Public utility use	Building Stories	2 ½
	Single family dwelling			
	***Requires Site Plan Review**			

[1] See Article 6 for special waterfront regulations.

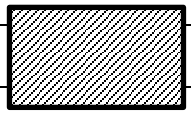
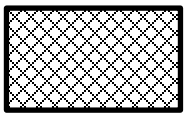
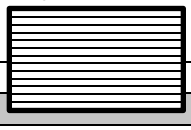
Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
RL-5 - Residential - Very Low Density	Agricultural Use	Cemetery	**(ft. unless otherwise noted)**	
	Conservation practices	Commercial sand and gravel extraction	**Minimums**	
	Forestry Use and Forestry Structures	Membership Club	Lot Size	200,000 s.f.
	Hunting and Fishing Cabin or Private Club Structure	Educational institutions	Lot Width[1]	
	Manufactured Home (except see Section 5.12 for exclusion within 500 feet of lakefront)	Golf courses	Lot Frontage[1]	
	Open space recreation	Group camp	Front Yard[1]	100
		Office, professional & business	Side Yard[1]	75
	Retail stand for farm crops	Public or Semi-public building	Rear Yard	150
	Seasonal dwelling	Public utility use	**Maximums**	
	Single family dwelling	Two family dwelling	Lot Coverage	15%
	***Requires Site Plan Review**		Building Height	35
			Building Stories	2 ½
Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
RM-1 - Residential - Medium Density	Agricultural use (provided such uses are engaged in solely for the consumption by residents of the property and not for commercial purposes)	Educational Institutions	**(ft. unless otherwise noted)**	
		Major Home Occupation	**Minimums**	
		Major Public Utility Use	Lot Size	15,000 s.f.
		Multiple family dwelling	Lot Width	
	Conservation practices		Lot Frontage	
		Office, professional & business	Front Yard	40
	Forestry Use and Forestry Structures		Side Yard	15
	Manufactured Home	Public or Semi-public building	Rear Yard	20
	Open space recreation	Public Utility Use	**Maximums**	
		Two family dwelling	Lot Coverage	15%
	Retail stand for farm crops		Building Height	35
	Seasonal dwelling		Building Stories	2 ½
	Single family dwelling			
	***Requires Site Plan Review**			

[1] See Article 6 for special waterfront regulations.

Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
RM-2 - Residential - Medium Density	Agricultural Use (provided such uses are engaged in solely for the consumption of residents of the property and not for commercial purposes)		**(ft. unless otherwise noted)**	
			Minimums	
		Educational Institutions	Lot Size	15,000 s.f.
		Major Home Occupation	Lot Width	
	Conservation practices	Major Public Utility Use	Lot Frontage	
		Multiple family dwelling	Front Yard	40
	Forestry Use and Forestry Structures		Side Yard	15
	Manufactured home	Office, professional & business	Rear Yard	20
	Open space recreation		**Maximums**	
		Public or Semi-public building	Lot Coverage	15%
	Retail stand for farm crops	Public utility use	Building Height	35
	Seasonal dwelling		Building Stories	2 ½
	Single family dwelling			
	Two family dwelling*			
	***Requires Site Plan Review**			
Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
RM-3 - Residential - Medium Density	Agricultural use (provided such uses are engaged in solely for the consumption of residents of the property and not for commercial purposes)	Educational Institutions	**(ft. unless otherwise noted)**	
		Major Home Occupation	**Minimums**	
		Major Public Utility Use	Lot Size	15,000 s.f.
		Multi-family dwelling	Lot Width	
	Conservation practices		Lot Frontage	
			Front Yard	40
	Forestry Use and Forestry Structures	Office, professional & business	Side Yard	15
	Manufactured home		Rear Yard	20
	Open space recreation		**Maximums**	
			Lot Coverage	15%
	Retail stand for farm crops	Retail stores & shops	Building Height	35
	Seasonal dwelling	Two family dwelling	Building Stories	2 ½
	Single family dwelling			
	***Requires Site Plan Review**			

Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
RM-M - Residential - Medium Density Mobile Homes	Agriculture Use (provided such uses are engaged in solely for the consumption of residents of the property and not for commercial purposes)		**(ft. unless otherwise noted)**	
		Major Home Occupations	**Minimum**	
	Conservation practices	Office, professional & business	Lot Size	10,000 s.f.
			Lot Width	n/a
	Forestry Use and Forestry Structures	Public or Semi-public building	Lot Frontage	n/a
	Manufactured home	Public Utility Use	Front Yard	20
	Open space recreation	Restaurant	Side Yard	10
		Retail stores & shops	Rear Yard	20
	Retail stand for farm crops		**Maximums**	
			Lot Coverage	30%
	Travel trailer		Building Height	35
	***Requires Site Plan Review**		Building Stories	2 ½
Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**	
RR - Residential - Rural Density	Agricultural Use	Agricultural Service Use	**(ft. unless otherwise noted)**	
	Conservation practices	Campground	**Minimums**	
	Forestry Use and Forestry Structures	Cemetery	Lot Size	350,000 s.f.
	Hunting and Fishing Cabin or Private Club Structure	Commercial sand, gravel, and topsoil extraction	Lot Width[1]	
	Manufactured home (except see Section 5.12 for exclusion within 500 feet of lakefront)	Membership Club	Lot Frontage	n/a
	Open space recreation	Educational institution	Front Yard[1]	100
			Side Yard[1]	100
	Retail stand for farm crops	Kennel	Rear Yard	150
	Seasonal dwelling	Golf course	**Maximums**	
	Single family dwelling	Group camp	Lot Coverage	15%
	Two family dwelling*	Major Home Occupations	Building Height	35
	***Requires Site Plan Review**	Major Public Utility Use	Building Stories	2 ½
		Mineral extraction and Mineral extraction structures		
		Primary forest industry		
		Public or Semi-public building		
		Public utility use		
		Public Stable		

[1] See Article 6 for special waterfront regulations.

Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**
SC - Stream Conservation Overlay	Agricultural Use		**Same as Underlying Zoning District**
	Conservation practices	Open space recreation	
	Forestry Use		
Zoning District	**Principal Permitted Uses***	**Special Uses**	**Area Regulations**
LF - Lakefront Overlay 	Same as underlying zoning district, except **ALL USES REQUIRE SITE PLAN REVIEW. Manufactured homes, and manufactured home parks are prohibited.**	Same as underlying zoning district	**Same as underlying zoning district, but also subject to Article 6 Lakefront and Shoreline Regulations.**
Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**
AD - Adult Entertainment Use Overlay 	Same as underlying zoning district	Same as underlying zoning district	**Same as underlying zoning district, but also subject to Article 18 Adult Entertainment Use Regulations.**
		Adult Entertainment Uses	
Zoning District	**Principal Permitted Uses**	**Special Uses**	**Area Regulations**
FH - Flood Hazard Area Overlay	Same as underlying zoning district, but also subject to Article 10 – Flood Hazard District Designation regulations.		

Section 4.20 General Regulations

In interpreting and applying this Law, the requirements contained herein are declared to be the minimum requirements for the protection and promotion of the public health, safety, comfort, convenience, and general welfare and to prevent the unrestricted use of signs. This Law shall not be deemed to affect in any manner whatsoever, any covenants or other agreements between parties; provided, however, that where this Law imposes a greater restriction upon the use of the buildings or land, or upon the erection, construction, establishment, moving , alteration or enlargement of buildings that are imposed by other laws, ordinances, rules, regulations, licenses, certificates, or other authorizations, or by easements, covenants, or agreements, the provisions of this Law shall prevail.

Except as hereinafter provided, the following general regulations shall apply to every building and use covered by this Law:

Section 4.21 Development and Land Use

No building, structure or sign shall be erected, moved, altered, rebuilt, or enlarged, nor shall any land, water or structure be used, designed or arranged to be used for any purpose except in conformity with this Law, for the district on which such structure or land or water is located.

Section 4.22 Number of Principal Buildings per Lot

Every building, structure, or sign hereafter erected shall be located on a lot as herein defined and, there shall be not more than one principal building and its accessory buildings on one lot, except for nonresidential buildings in districts where such uses and structures are permitted.

Section 4.23 Existing Undersized Lots

Any lawfully created lot held in single and separate ownership prior to the adoption of this Law whose area and/or width and/or depth are less than the specified minimum lot requirements of this Law for that district may be considered as complying with such minimum lot requirements, and no variance shall be required, provided that:

1. Such lot does not adjoin another vacant lot or lots held by the same owner whose aggregate area is more nearly conforming, equal to or greater than the minimum lot area required for that district;
2. Such lot has an area of at least two-thirds of the required square footage and a minimum width of at least two-thirds of the required front footage.
3. The following minimum yard dimensions are maintained: at least two-thirds of the required footage for side, front and rear yards;
4. All other requirements for that district are complied with.

Section 4.24 Lots in Two or More Districts

If a lot lies in two or more zoning districts, each portion of the lot shall be governed by the regulations of the district in which it lies. However, the regulations for the less restricted portion of such lot may extend up to thirty (30) feet into the more restricted portion. An extension of any zoning district beyond thirty (30) feet shall require an amendment of this law to allow a change to the official zoning map.

Section 4.25 Access to Lots

A lot to be used for building purposes shall be accessible to emergency vehicles including fire trucks and ambulances via a public or private street or road.

Section 4.26 Excavations for Building Construction

In the event that building construction operation is arrested before completion of the building, the premises shall be cleared of rubbish, building materials or other unsightly accumulations; any excavation for a building basement, foundation, utility or otherwise, for a depth greater than two feet below grade, shall be filled and the topsoil replaced, or all such excavation shall be entirely surrounded by a substantial fence at least six feet high that will effectively block access to the area. Where necessary, suitable gates

shall be installed and provided with locks. Such clearing, filling and/or fence shall be completed no later than the expiration date of the building permit.

Section 4.30 Subdivision

Section 4.31 Subdivision - General

No land in the Town of Willsboro may be subdivided into lots except in conformity with the minimum lot area, dimensional requirements, and all other provisions of this Law and any duly adopted subdivision regulations of the Town of Willsboro.

Section 4.32 Minor Division

The Planning Board, upon proper application made, may determine that a proposed minor division (see Definitions) is appropriate and shall grant the same providing the newly created lot line will:

1. not adversely affect the development of the community;
2. not cause a nonconforming building, use, or lot to become more nonconforming (in which case a variance must first be issued by the Zoning Board of Appeals).

Section 4.33 Subdivision of a Lot With Existing Buildings

Where a lot is formed from the part of a lot already occupied by a building, such separation shall be effected in such manner as to conform with all of the requirements of this Law with respect to the existing building, and all yards and other required spaces in connection therewith, and no permit shall be issued for the erection of a building on the new lot thus created unless the new building and lot comply with all the provisions of this Law.

Section 4.40 Nonconforming Uses and Nonconforming Structures

Section 4.41 Continuing Existing Uses

Except as otherwise provided in this Law, the lawfully permitted use of land or building existing at the time of the adoption of this Law may be continued, irrespective of subsequent changes in title or ownership of the land or building although such uses do not conform to the standards specified in this Law for the zone in which such land or building is located. However, no land shall be subdivided so as to create a nonconforming lot, use, building, or other structure, or make a nonconforming lot, use, building, or other structure more nonconforming from the effective date of this Law.

Section 4.42 Nonconforming Use of Land

Where no building or structure is involved, the nonconforming use of land may be continued; provided, however, that no such nonconforming use shall be enlarged or increased, nor shall it be extended to occupy a greater area of land than that occupied by such use at the time of the adoption of this Law, unless specifically allowed by provisions in the Law, nor shall any such nonconforming use be moved in

whole or in parts to any other portion of the lot or parcel of land occupied by such nonconforming use at the time of the adoption of this Law; provided, further, that if such nonconforming use of land, or any portion thereof, ceases for any reasons for any continuous period of more than one year, or is changed to a conforming use, any future use of the land shall be in conformity with the provisions of this Law. No conforming use of land shall be changed to another nonconforming use.

A building or structure, including a sign, the use of which does not conform to the use regulations for the district in which it is situated, shall not be enlarged or extended. Such sign or nonconforming building shall not be structurally altered to an extent greater than fifty percent of its equalized assessed valuation, unless such alterations are required by law; provided, however, that such maintenance and repair work as is required to keep a nonconforming building or structure in sound condition shall be permitted; and provided further that, and such nonconforming use may be extended throughout any parts of the building which were manifestly arranged or designed for such use at the time of the adoption of this Law. A nonconforming use may be changed only to a conforming use, or if the building in or on which such use is conducted or maintained is moved for any distance whatsoever, for any reason, then any future use for such building shall be in conformity with the standards specified by this Law for the district in which the building is located. If any building or sign in which any nonconforming use is conducted or maintained is hereafter removed, the subsequent use of any sign or building thereon shall be in conformity with the standards specified by this Law for the district in which such land, building or sign is located.

Section 4.43 Nonconforming Structures

Except in the case of structures that contain a nonconforming use, the following shall apply:

1. Conforming structures on existing undersized lots. Existing structures that otherwise meet the setback and lot coverage requirements set forth in this law may be continued. If the owner desires to tear down such structure, a new, larger structure may be placed on the nonconforming undersized lot without a zoning variance provided that the new structure meets the setback and lot coverage requirements set forth in this law.
2. Nonconforming structures on existing lots. Structures that do not meet the setback or lot coverage requirements set forth in this law may be continued, but if the owner desires to tear down and replace such structure, every reasonable effort should be made to make the new structure conform to the setback and lot coverage requirements set forth in this law. If the new structure location cannot be made more conforming, then the owner may rebuild the same size structure (meaning no larger than the three dimensional foot print of the existing structure) in the same foot print as the existing structure, without a zoning variance. If the owner desires to increase the size of the existing three dimensional foot print by building higher or wider or deeper than the existing structure, then a zoning variance is required.

Section 4.44 Nonconformity, Other Than Use

No permit shall be issued that will result in the increase of any nonconformity in the building height, lot coverage, and yard requirements set forth in this law.

Section 4.45 Restoration Due to Unintentional Damage or Destruction

A nonconforming building or structure, or a building or structure containing a nonconforming use which is damaged or destroyed by fire, flood, wind, earthquake or other act of nature may be restored and

the occupancy or use of such building, structure or part thereof which existed at the time of such partial destruction may be continued or resumed, provided that the restoration is commenced within one year of the damage. In the reconstruction, neither the square feet of floor space nor the use shall be increased beyond what existed prior to the damage. Failure to obtain a building permit to repair or reconstruct the damage within one year shall cause the nonconformity to terminate and will not be allowed to continue after the one year period expires.

Section 4.46 Completion of Buildings and Signs Under Construction

Any building, extension, or alteration for which permit has been duly granted pursuant to this Law, the construction of which has been substantially commenced before the effective date of this Law, or of a pertinent amendment thereto, and the foundation of which have been completed within one year after the adoption of this Law or amendment thereto, may be completed in accordance with previous plans provided that such construction is diligently prosecuted and the building is substantially completed within two years of the adoption of this Law. If construction progress has been substantial on any sign, this paragraph shall apply to it.

ARTICLE 5 – GENERAL SUPPLEMENTAL REGULATIONS

Section 5.10 Manufactured Homes, Manufactured Home Parks, Travel Trailers, Campgrounds

The provisions of this Law shall be subject to such exceptions, additions, or modifications as herein provided by the following supplementary regulations:

Section 5.11 Manufactured Home

A manufactured home parked or placed outside a manufactured home park shall have an adequate supply of pure water for drinking and domestic purposes, and a proper sewage disposal system. Both water and sewage disposal systems shall satisfy the requirements of this Law applicable to single family year-round dwellings and all requirements of this Law, including area, bulk, height and coverage controls.

Section 5.12 Manufactured Homes on Lakefront

No manufactured home, manufactured home park or campground may be located on or within five-hundred (500) feet of any lakefront.

Section 5.13 Manufactured Home Park

Where permitted in this Law, manufactured home parks shall conform to the following requirements:

1. Site

a. The park shall be located in areas where grades and soil conditions are suitable for use as manufactured home sites. The park shall be located on a well-drained site which is properly graded to ensure rapid drainage and be free at all times from stagnant pools of water. The areas of park where the manufactured home lots are to be located shall be free from heavy or dense growth of brush and woods.
b. The park shall be at least two (2) acres in size, with 200 hundred feet frontage on a public road.

2. Manufactured Home Lot
   a. Each manufactured home park shall be marked off into manufactured home lots.
   b. The total number of manufactured home lots in a manufactured home park shall not exceed five (5) per gross acre.
   c. Each manufactured home lot shall have a total area of not less than 6,000 square feet with a minimum width of sixty (60) feet.
3. Manufactured Home
   a. Any manufactured home shall not be parked or otherwise located nearer than a distance of:
      1. At least thirty (30) feet from an adjacent manufactured home in any direction.
      2. At least fifty (50) feet from an adjacent property line of any third party.
      3. At least seventy-five (75) feet from the right-of-way line of a public street or highway.
      4. At least twenty (20) feet from the nearest edge of any roadway location within the park.
   b. Only one manufactured home shall be permitted to occupy any one manufactured home lot.
4. Manufactured Home Stand
   a. Each manufactured home lot shall have a manufactured home stand which will provide for the practical placement on and removal from the lot of both the manufactured home and its appurtenant structures, and the retention of the home of the lot in a stable condition.
   b. The stand shall be of sufficient size to fit the dimensions of the anticipated manufactured homes and their appurtenant structures or appendages.
   c. The stand shall be constructed of an appropriate material which is durable and adequate for the support of the maximum anticipated loads.
   d. The stand shall be suitably graded to permit rapid surface drainage.
   e. The manufactured home shall be enclosed with a desirable and attractive base such as vinyl skirting.
5. Accessibility
   a. Each manufactured home park shall be easily accessible from an existing public highway or street.
   b. Where a manufactured home park has more than fifteen (15) manufactured homes, two (2) points of entry and exit shall be provided, but in no instance shall the number of entry and exit points exceed four (4).
   c. Such entrances and exits shall be designed and strategically located for the safe and convenient movement into and out of the park, and to minimize friction with the free movement of traffic on a public highway or street.
   d. All entrances and exits shall be at right angles to the existing public highway or street.
   e. All entrances and exits shall be free of any material, which would impede the visibility of the driver on a public highway or street.
   f. All entrances and exits shall be of sufficient width to facilitate the turning movements of vehicles with manufactured homes attached.

g. Each park shall have improved streets to provide for the convenient access to all manufactured home lots and other important facilities within the park.
h. The street system shall be so designed to permit safe and convenient vehicular circulation within the park.
i. Streets shall be adapted to the topography and shall have suitable alignment and gradient for traffic safety.
j. All streets shall intersect at right angles unless this is impractical.
k. All streets shall have the following minimum widths:
l. One-way traffic movement - 12 feet.
m. Two-way traffic movement - 20 feet.
n. Except in cases of emergency, no parking shall be allowed on such streets.
o. An improved driveway shall be provided for each manufactured home lot. This driveway shall have a minimum width of nine (9) feet.

6. Utilities and Service Facilities

a. The following utilities and service facilities shall be provided for each manufactured home park, which shall be in accordance with the regulations and requirements of the New York State Department of Health, and/or the New York State Department of Environmental Conservation.

(1) An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all manufactured home lots and buildings within the park to meet the requirements of the park. Each manufactured home lot shall be provided with the proper water connections.
(2) Each manufactured home lot shall be provided with a sewer, which shall be connected to the manufactured home situated on the lot, to receive the waste from the shower, flush toilets, lavatory and kitchen sink in such home. The sewer shall be connected to a septic tank and drainage field or seepage pit or other suitable drainage system or public or private sewer system so as not to present a health hazard.
(3) Sewer connections in unoccupied lots shall be so sealed to prevent the emission of any odors and the creation of breeding places for insects.
(4) Metal or plastic garbage cans with tight fitting covers shall be used in quantities adequate to permit the disposal of all garbage and rubbish. The cans shall be kept in sanitary condition at all times. The cans shall be located no further than two hundred (200) feet from any manufactured home lot. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary by the park owner or manager to insure that such cans shall not overflow.

b. Other service buildings shall be provided as deemed necessary for the normal operation of the park, however, such buildings shall be maintained by the owner or manager of the park in a clean, sightly, and sanitary condition.

c. Each manufactured home lot shall be provided with weather-proof electric service connections and outlets which are a type approved by the New York State Board of Fire Underwriters.

7. Open Space

a. Each manufactured home park shall provide common open space for the use by the occupants of such park for recreational and other purposes.

b. Such open space shall be conveniently located in the manufactured home park. Such space shall have a total area equal to at least 20 (twenty) percent of the gross land area of the park.

8. Landscaping

a. Lawn and ground cover shall be provided on those areas not used for the placement of manufactured homes and other buildings, walk-ways, roads and parking areas.

b. Planting shall be provided to the extent needed in order to provide for the screening of the objectionable views, adequate shade, and a suitable setting for the manufactured homes and other facilities.
   (1) Screen planting shall be provided to screen objectionable views at all seasons of the year. Views which shall be screened include laundry facilities, other nonresidential uses, garbage storage and collection areas, and all abutting yards of adjacent residential properties.
   (2) Screen planting shall be provided along those areas within the park which front upon or are visible from public highways and streets so as to substantially screen the manufactured home park from public views at all seasons of the year.

9. Compliance - Existing Parks
   The Planning Board may require compliance with the provisions of paragraphs (6.) and (8.) above for the manufactured home parks in existence on the effective date of this Law within a reasonable period of time not to exceed 3 years from the effective date.

Section 5.14 Travel Trailer

1. Storage. No more than one travel trailer may be **stored** outdoors on any lot, except no travel trailer may be stored within a Flood Zone as established by the Federal Emergency Management Agency (FEMA).
2. A travel trailer may be temporarily **occupied** up to 21 days per year on any lot.
3. Any travel trailer that is inhabited or used for sleeping or eating quarters must be provided with adequate temporary water, sewer, and electrical facilities. If electrical power is supplied by a generator, the noise from the generator may not exceed 65 decibels at the nearest property line and may not be operated between the hours of 10:00 p.m. and 7:00 a.m.
4. Before a travel trailer can be **occupied** on a lot for **more than 21 days**, a permit must be obtained from the Town Code Enforcement Officer. The maximum allowed days per permit is 150 consecutive days per year. Only one permit per lot may be issued in any calendar year.
5. No travel trailer may be parked in any zoning district for a rental purpose.
6. No structures such as porches, decks, or sheds may be attached to a travel trailer.
7. Placement of a travel trailer must meet the minimum zoning setback and area regulations for principal buildings.

Section 5.15 Campgrounds

1. Where permitted in this Law, campgrounds shall conform to the following requirements:
2. Travel Trailer
   a. Each Trailer camp shall be marked off into travel trailer lots.
   b. The total number of travel trailer lots in each camp shall not exceed ten (10) per gross acre.
   c. Each travel trailer lot shall have a total area of not less than 3,000 square feet with a minimum width of thirty (30) feet.
   d. Any travel trailer shall not be parked or otherwise located nearer than a distance of:
   e. At least twenty-five (25) feet from an adjacent travel trailer in any direction.
   f. The provisions found in Section 5.13-3-a (2) of this Law shall apply.
   g. The provisions found in Section 5.13-3-a (3) of this Law shall apply.
   h. The provisions found in Section 5.13-3-a (4) of this Law shall apply.
   i. Only one travel trailer shall be permitted to occupy any one travel trailer lot.

j. No travel trailer shall be allowed to remain whether occupied or not in any trailer camp for more than 150 consecutive days or for any other periods within a given calendar year which taken together aggregate more than 150 consecutive days.

3. Travel Trailer Stand
    a. Each travel trailer shall have a travel trailer stand which will provide for the practical placement on and removal from the lot of the travel trailer, and the retention of the trailer on the lot in a stable condition.
    b. The stand shall be of sufficient size to fit the dimensions of the anticipated travel trailers.
    c. The stand shall be constructed of and appropriate material which is durable, compacted and adequate for the support of the maximum anticipated loads.
    d. The provisions found in sections 5.13-4-d of this Law shall apply.
4. Accessibility
    a. The Provisions found in Section 5.13-5 of this Law shall apply.
5. Utilities and Service Facilities
    a. The following utilities and service facilities shall be provided in each travel trailer camp which shall be in accordance with regulations and requirements of the New York State Department of Health, and/or the New York State Department of Environmental Conservation, and the provisions of this Law.
6. Each trailer camp, which provides for travel trailers not equipped with self-contained bath and toilet facilities shall provide the following facilities.
    a. An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all buildings and trailer lots within the camp to meet the requirements of such camp. Each lot shall be provided with a cold water tap, the waste from which shall be emptied into a drain connected to an approved disposal system, such as a septic tank or drainage bed.
    b. Toilet and other necessary sanitary facilities for males and females shall be provided in permanent structures. Such facilities shall be housed in either separate buildings or in the same building; in the latter case, such facilities shall be separated by soundproof walls. The male and female facilities shall be marked with appropriate signs and have separate entrances for each.
    c. Such toilet and other sanitary facilities shall be provided in the following manner:
        i. Male facilities shall consist of not less than one flush toilet for every fifteen trailers; one lavatory for every ten trailers.
        ii. Female facilities shall consist of not less than one flush toilet for every ten trailers; on lavatory for every ten trailers.
        iii. Lavatory facilities shall be supplied with hot and cold running water.
        iv. The buildings housing such toilet and sanitary facilities shall be well-lighted at all times of the day and night; shall be well ventilated with screened openings; shall be constructed of moisture proof material; shall be well heated; and be cleaned and sanitarily maintained at all times.
    d. The floors of such buildings shall be of impervious material.
    e. Such buildings shall not be located nearer than fifty (50) feet nor further than two hundred (200) feet from any travel trailer.
7. The provisions found in Section 5.13-6-b of this Law shall apply.
8. The provisions found in Section 5.13-6-a (4) of this Law shall apply.

9. Waste from all buildings and trailer lots shall be discharged into an approved septic tank and drainage field or seepage pit or other suitable drainage field, or into a public or private sewer system, in such a manner as not to pollute surface waters or otherwise present a health hazard
10. Open Space
    a. The provisions found in Section 5.13-7 of this Law shall apply.
11. Landscaping
    a. The provisions found in Section 5.13-8 of this Law shall apply.
12. Compliance-Existing Travel Trailer Camps
    a. The provisions found in section 5.13-9 of this Law shall apply.

Section 5.20 General Landscaping and Screening

Every layout or plot plan submitted to the Code Enforcement Officer shall indicate information on the landscaping and, where required by other provisions of this Law, appropriate screening of the site. The landscaping and screening shall conform to the existing natural qualities of the site and of the surrounding area and shall maintain quality of the physical environment of the town. This regulation shall not apply to agricultural uses, one-family dwellings or individual manufactured homes and accessory structures.

Section 5.21 Enclosed Uses

Any enclosed use as may be required by this Law to be landscaped (junk yards, etc.) shall provide a fence, screen, or landscaping sufficient to obscure such uses from view from abutting properties lying in R-Districts.

Section 5.22 Review by the Planning Board

Plans and site designs for the installation of landscaping or required screening or fencing may be referred to the Planning Board for its review prior to the issuance of the permit by the Code Enforcement Officer. If within sixty (60) days following submission to the Planning Board, the Planning Board has not reported, it shall be deemed to constitute Planning Board approval thereof.

Section 5.23 Maintenance

Any landscaping, screening, or fencing installed in accordance with this Section shall be maintained in good order to achieve the objectives of this Section.

Section 5.30 Transition Areas

Section 5.31 Yard Requirements for Zones Abutting Residential Zones

Where the corner lot of a zone other than residential, fronts on a street that is otherwise residential, yard requirements for the frontage on such a residential street shall be the same as required for the residential district.

Section 5.40 Height and Yard Regulations

Section 5.41 Height Regulations

1. Height Exceptions. The height limitations of this Law, shall not apply to the following structures: , radio or television receiving antennae, or a public utility transmission tower or cable. No such uses shall in their aggregate coverage occupy more than 20 percent of the roof area on which located.
2. Walls and Fences. The yard requirements of this Law shall not be deemed to prohibit any necessary retaining wall, nor to prohibit any suitable fence or wall, provided that in the RM-1, RM-2, RM-3, RMM, GB, HC-1 and HC-2 Districts no fence or wall shall exceed four feet in height in any front yard, or six feet in height in any side or rear yard, measured above the finished grade. This regulation shall not prevent the planting or maintenance of shrubbery or trees.
3. Visibility at Intersections. On a corner lot in any district, no fence, wall, hedge, sign or other structure or planting more than three feet in height, shall be erected, placed or maintained within the triangular area formed by the intersecting street lines (or their projections where corners are rounded) and a straight line from the point of intersection, measured along said street lines or curb level, if any, or above the existing road level. In no event, however, shall a hazard to traffic be erected or maintained.

Section 5.42 Yard Regulations

1. Terraces. A paved terrace that is unroofed and without walls or parapets may have a guard railing not over three feet in height and shall not project into any yard closer than five feet from any lot line.
2. Porches. An enclosed porch shall be considered a part of the building in determining the size of yard or amount of lot coverage.
3. Projecting Architectural Features (Horizontal). The space in any required yard shall be open and unobstructed, except for the ordinary projection of the windowsills, belt courses, chimneys, cornices, eaves, and other architectural features; provided, however, that such features shall not project more than three feet into any required yard.
4. An accessory building may not be less than 10 feet from the side or rear property line. An accessory building may NOT protrude into the required front yard.
5. Yards for Double Frontage Lots. For any through lot fronting on parallel or abutting streets, both frontages shall comply with the front yard requirements of the district in which it is located.
6. Fire Escapes. Open fire escapes may extend into any required yard not more than six feet, provided, however, that such fire escape shall not be closer than four feet at any point to any lot line.

Section 5.43 Corner Lots

On a corner lot, each side which abuts a street shall be deemed a front yard and the required yard along each street shall be the required front yard. The owner shall decide (when applying for a building permit) which of the remaining yards shall be the required side yard and the required rear yard.

Section 5.50 Accessory Uses

Section 5.51 Accessory Buildings

1. In order to allow access by Emergency Responders, accessory buildings unattached to principal buildings shall be located no closer to the principal buildings, unless otherwise specified in this Law, than twelve (12) feet or a distance equal to the height of the accessory building, whichever is greater.
2. Any accessory building physically attached to a principal building by means of a breezeway or a roofed passageway with open or latticed sides shall not be deemed to be part of such principal building in applying regulations.
3. Where the main building structure faces the rear yard or waterfront, the design and location of any accessory building facing the front yard (the street) must be such as to result in a minimum of detraction from the overall appearance of the property and its main building structure as viewed from the street or highway.

Section 5.52 Location of Detached Accessory Buildings in Required Yard Area

1. An accessory building may not be less than 10 feet from the side or rear property line.
2. An accessory building may NOT protrude into the required front yard.
3. Boat houses, docks, or similar waterfront accessory structures must be no less than 10 feet from the side yard property line extended into the water.

Section 5.60 Home Occupations

Section 5.61 Major and Minor Home Occupations

Home Occupations are classified as either major, or minor. Both major and minor home occupations shall comply with the following requirements:

1. The off-premises impact of noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall be no greater than that produced by a typical Single Family Dwelling in the neighborhood.
2. Traffic generated shall not be in greater volume than would normally be expected in the neighborhood.
3. Parking shall be provided off-street and shall not be located within the front setback area unless it is screened from public roads.

Section 5.62 Major Home Occupations

Additionally, Major Home Occupations shall comply with the following requirements:

1. External storage of vehicles, equipment, tools, or other materials must be screened from public view and not placed outside the minimum setbacks required for buildings.

Section 5.70 Seasonal Dwelling Unit Conversions

Section 5.71 Seasonal Certificate of Occupancy

The Certificate of Occupancy for each seasonal dwelling unit shall determine whether it is fit for year-round occupancy. No dwelling for which a Seasonal Certificate of Occupancy has been issued shall be used for year-round occupancy except as otherwise provided herein. A Seasonal Certificate of Occupancy shall allow occupancy from April through November only.

Section 5.72 Occupancy Permits for Conversions to Year-Round Occupancy

All persons desiring to convert to year-round occupancy from seasonal occupancy shall apply to the Code Enforcement Officer in accordance with Article 11 of this Law.

In order for a seasonal dwelling unit to be issued a Certificate of Occupancy for year-round use, the Code Enforcement Officer must determine that:

1. the dwelling and lot complies with:
    a. this zoning law;
    b. the Fire Code of New York State;
    c. the Property Maintenance Code of New York State;
    d. the Residential Code of New York State;
    e. the Energy Code of New York State;
2. and that the wastewater system:
    a. complies with this zoning law;
    b. complies with the New York State Department of Health laws and regulations;
    c. can clearly demonstrate the ability to safely provide the capacity for year round occupancy of the dwelling.

Sections 5.80 Signs

Signs may be erected and maintained only when they comply with the following provisions: The sign owner, if not the owner or occupier of the premises on which the sign is located, shall be liable together with such owner or occupier for compliance with all provisions of this Law relating to signs.

Section 5.81 Signs in Stream Conservation, Land Conservation, and Residential Districts

The following types of on-premises non-illuminated, non-luminous, non-advertising signs are permitted in the SC, LC and all R Districts (but not in the Island Conservation District) as follows:

1. Nameplates of occupants of the premises not to exceed two (2) square feet in area.
2. Identification Signs of activities permitted to be carried out on the premises but not containing any advertising matter not to exceed eight (8) square feet in area.
3. Sale or Rent Signs not to exceed eight (8) square feet in area.

4. Temporary Development Signs used during construction, repairs or alterations not to exceed eight (8) square feet in area.
5. Number of Signs: Not more than one (1) of each of the above specific types of signs will be permitted on any given premises where the occupant resides or where the permitted activity is carried on.
6. Height: Not to exceed four (4) feet from the ground level to the bottom of the sign.
7. Directional signs not in excess of two (2) square feet in sign area nor more than four (4) feet from the ground level to the bottom of the sign and not in excess of four (4) such signs on such premises, confined to such directions as "Entrance," "Exit," "Office," "One Way," etc.
8. Free Standing: All Such signs shall be free-standing and not placed, painted or affixed to any building or structure.
9. On-Premises. All such signs shall be located on the premises of the occupants or where the activity permitted to be carried on is located and not in excess of two hundred (200) feet from the residence of such occupants or the location of such activity or the principal access point from a public highway thereto.

Section 5.82 Signs in Business District (HC-1 and 2 and GB) & Industrial District (M)

1. Business and Advertising signs are permitted in the Highway Commercial Districts, in the General Business District and in the Industrial District in accordance with the following regulations:
2. Location. All signs shall be located on the premises where the business activity advertised is actually carried on and not in excess of two hundred (200) feet from such business activity or the principal access point from any public highway to such activity.
3. Projection of Signs. No sign shall project more than three (3) feet from the main wall of a building nor shall any sign project into a public way.
4. Height of Signs. No signs shall be higher than twenty (20) feet from the ground level, nor shall any sign be located on the roof of any building so as to project above the roof line thereof.
5. Number of Signs. No more than two (2) signs shall be permitted at any one location. No filling station or auto sales, service, repair or rental facility shall have more than one pole sign.
6. Size of Signs. Where one (1) sign only is erected it shall not exceed forty (40) square feet in sign area. Where two (2) signs are erected neither sign shall exceed thirty (30) square feet in sign area.
7. Shopping Centers: Notwithstanding the provisions of paragraph 4 of this Section, in the case of a shopping center or shopping mall with more than one store or shop under a common roof and/or utilizing common parking and other facilities there may be one free standing sign meeting the size, height and other requirements of this Article advertising the center itself, and one wall sign flush with the building face, not to exceed thirty (30) square feet in size, and otherwise meeting the requirements of this Article for each separate shop or store in the shopping center. All signs within a shopping center shall be designed, erected and maintained to achieve a uniformity of design, style and lighting and the shopping center as a whole by the person responsible for the development of the center, which when approved, shall be binding on all tenants, owners or occupiers of each shop or store within the center.
8. Lighting. Notwithstanding the provisions of this Article, luminous signs, other than neon signs, are permitted in the GB, HC-1 and M Districts, provided not more than one sign is erected or maintained on any premises. Illuminated signs otherwise meeting the sign area, height, number and other provisions of this Law are permitted in the GB, HC-1, HC-2 and M Districts.

Section 5.83 Mechanical, Luminous Signs and Other Restrictions

1. Mechanical and luminous signs, signs with moving parts and flashing signs shall not be permitted in any District except GB (General Business), HC-1 (Highway Commercial 1), and HC-2 I (Highway Commercial 2); nor shall any sign employ any mirror or mirror-like surface nor any day-glowing other fluorescent paint or pigment; nor shall signs be permitted to be placed, painted or affixed to or on trees, rocks or other natural features or any vehicle parked or placed in a manner primarily intended to advertise or identify the business or activity in question.
2. Workmanship and Design. Each sign shall be constructed of durable materials in a safe, workmanlike manner and maintained at all times in good repair. In addition to such specified design standards as may be adopted by the Planning Board, the design of all signs shall be based on simple shapes, circles, ovals, rectangles or squares.

Section 5.84 Directional Signs

Off premises directional signs containing no advertising matter, not in excess of eight (8) square feet in area square feet in area and not exceeding four (4) feet from ground level to the bottom of the sign are permitted in all Districts (other than the IC District) where a permit has been obtained from the Department of Environmental Conservation under the Adirondack Park Sign Law and pursuant to this Law.

Section 5.85 Provisions for Nonconforming Signs

Not with standing any other provisions of this Law, a sign which does not conform to the use regulations for the district in which it is situated shall be removed by the owner thereof at his own cost and expense, thirty (30) days following the expiry of either: twelve months from the effective date of this Law or the date upon which such sign has been fully depreciated for income tax purposes of such owner following the effective date of this Law, which shall not in any case be more than five years from the date such sign was first erected or substantially altered; whichever date shall last occur. No such sign owner may alter his depreciation basis following the effective date of this Law so as to increase the permitted period of use of a non-conforming sign. Sign owners claiming the right to maintain a sign beyond twelve months from the effective date of this Law shall file with the Code Enforcement Officer appropriate proof of their depreciation basis for income tax purposes on or before said date. Failure to so file shall be deemed a waiver of such sign owner's right to maintain the sign beyond said date. In no event may any non-conforming sign be maintained more than five years from the effective date of this Law.

Section 5.86 Abandoned or Illegal Signs

In the event that a business, company or advertiser who has erected or maintained a sign under the rules and regulations of this Law, shall, for a period of one year become inactive, void, out of business, bankrupt or for any reason making it no longer useful and advantageous to continue to gain benefits from the existence of said advertising sign, then such sign shall be removed. Prior to removal of such sign, the owner thereof shall be given a thirty (30) day written notice at his last known address in which to remove the sign, thereby protecting the value of the sign for the owners benefit. If, at the end of the thirty (30) day notice period, the sign is not removed by the owner, it may be removed by the Town and discarded without liability being placed upon the municipality and/or its agents. The Town may, upon similar notice, also remove and discard without liability all signs erected or maintained in violation of this Law.

Section 5.87 Requirements for Signs over 8 Square Feet

Any application for a building permit for a sign in excess of eight (8) square feet required to be made pursuant to Article 11 shall be submitted to the Planning Board for its review pursuant to the standards in above Sections 6.80 through 6.86 and the following additional standards:

1. For signs located near traffic intersections the applicant must demonstrate that adequate sightlines are being maintained and that the view of public traffic signs is not obscured.
2. Signs shall not be located within 50 feet of a residential structure.
3. In no case shall a sign over 8 square feet in area the minimum setbacks shall be 20 feet from a public highway right of way line, or 30 feet from the edge of pavement or gravel of a private road, except in zoning districts GB, HC-1, HC-2, and M, the minimum setbacks shall be 5 feet from a public highway right of way line, or 10 feet from the edge of pavement or gravel of a private road.
4. Signs shall be designed to withstand inclement weather, and wind conditions up to 60 miles per hour. Such signs shall not be permitted as swinging or pendant units or panels.
5. Sign materials and support shall be constructed of wood, brick, stone or other natural materials, or otherwise employ earth tones and textures.

Section 5.90 Parking

Section 5.91 General

For any permitted use of premises hereinafter established, parking spaces shall be provided and maintained off the street in accordance with the standards as specified herein.

Sufficient parking space shall be provided in connection with any use so as to maintain the purposes and intent of this Law.

Section 5.92 Combined Parking Lots

Each use requiring parking must have the required total number of parking spaces for that use. Where separate parts of a building or structure are used for the purposes requiring different amounts of parking space, the number of required spaces shall be determined by adding the number of required spaces required for each type of use. Parking lots may be shared for various uses, provided that the total number of parking spaces in any such combined parking lot shall be equal to the total required parking spaces for all uses so combined.

Section 5.93 Joint Use of Parking Areas

The owners of two or more separate premises may establish a joint parking area to provide the total number of required parking spaces.

Section 5.94 Parking Space Requirements Exceptions

Upon application for a special permit the Board of Appeals may allow different uses to combine their required parking spaces if it is shown to the satisfaction of the Board of Appeals that there will not normally be a conflict of times between the combining uses as to need for parking space. All other requirements as to parking space required shall be adhered to, and only the combining of the number of parking spaces shall be provided.

Section 5.95 Maintenance

Off-street parking areas shall be suitably improved (drained and graded) and maintained, so as not to cause any nuisance from excessive storm water, dust or erosion.

Section 5.96 Separation from a Public Street

Parking lots shall be separated from any public street by a curb, only on the same lot as the principal use.

Section 5.97 Parking in Residential District

Required parking space in residential districts shall be located only on the same lot as a principal use.

Section 5.98 Loading Spaces

For the nonresidential uses with a floor space of 2,500 square feet, to and including 25,000 square feet, one loading space shall be required. For each additional 25,000 square feet or fraction thereof, one additional space shall be required.

Section 5.99 Parking Area Requirements for Abutting Residential Zones

Where off-street parking or loading space is provided in accordance with the requirements of this Law or otherwise, and such parking and loading space abuts or adjoins a residential zone, or is separated from a residential zone only by a street or alley or easement, and abuts, adjoins or is directly across the street from a residential district, said parking or loading space shall be effectively screened from the aforementioned residential zone by means of screen planting and/or fence. No parking shall be allowed within six feet of such screening. The screening shall be such as to effectively reduce the noise, light, dust or any nuisance incidental to such parking or loading use, consistent with the interest of safety and preservation of character of the residential neighborhoods. Such screening shall be at least four (4) feet high and not higher than six (6) feet. The parking areas shall be developed so that neither fixed lighting nor vehicular lights shine into adjacent residential or highway zones. Entrances and exits for off-street parking areas in zones other than residential or off-street parking accessory to other than residential uses, shall be located on or as close as possible to the streets in the district of which the parking is accessory, and in all cases so as to avoid putting traffic onto residential streets. The following are the off- street parking and loading standards and are applicable in all zoning districts.

Section 5.990 Schedule for Parking Area Requirements

1. Public or Semi-Public Buildings - one (1) for each four (4) seats.
2. One-family, two-families, detached and multiple dwellings. Two (2) for each dwelling unit.
3. Schools and colleges. Three (3) per classroom in a college or other educational facility of higher learning; one (1) per classroom in an elementary and junior high school; and two (2) per classroom in a senior high school, plus spaces needed for auditorium or gymnasium (whichever has the larger capacity).
4. Nursing homes - two (2) for each three (3) beds plus one (1) for each employee.
5. Tourist accommodations in motel and hotel - one (1) for each accommodation unit plus one (1) for each employee.
6. Restaurants - two (2) for each six (6) seats plus one (1) for each employee.
7. Offices - Business and Professional - one (1) for each 500 sq. feet of gross floor plus one (1) for each employee.
8. Retail stores and shops - one (1) for each 200 sq. feet of ground floor space of building and one (1) for each 400 sq. feet of upper floor space of building minimum of ten (10) spaces.
9. Auto Sales, Service, and Repair Facilities, and Filling Stations - one (1) for each employee plus space for all vehicles used directly in the conduct of such business.
10. Membership Clubs and permanent meeting places of veterans, business civic, fraternal, labor, and other similar organizations -one (1) for each one-hundred square feet (100) of gross floor space.
11. Group Camps – two (2) for each three (3) beds plus one (1) for each employee.
12. Wholesale establishments - one (1) for each 300 square feet of gross floor space.
13. Industries - one (1) for each employee plus space for visitor parking.

Section 5.100 Additional Standards for Certain Uses

A special use shall conform in all respects to all the regulations of this Law and, particularly, to those regulations on the Schedule of Regulations for the Zoning District in which the special use is located, except that the following regulations shall apply to the following classes of uses:

Section 5.101 Filling Stations

1. The following minimum distance requirements shall be adhered to:
   a. 12 feet from pump island to any lot line; 20 feet from building to each side lot line;
   b. At least 1,000 feet distance shall be maintained between filling stations (this distance shall be measured along or across the street frontage unless intersected by a street; distance to be measured from lot lines);
   c. Minimum distance 500 feet in any direction from place of public assembly (including schools, churches, parks, theaters, etc.);
   d. Access drives from the street frontage shall not be less than 20 feet from any property corner, and not wider than 50feet;
   e. No access drive shall be closer than 10 feet to any lot line;
   f. A minimum of 300feet distance to a residential district where the residential district fronts on the same street as the filling station or faces the filling station, and in any other case, such distance shall not be less than 200 feet from the nearest lot line of the filling station.
2. A suitable fence or screen planting at least six (6) feet in height shall be provided where a filling station abuts a residential district.

3. Driveways and service areas shall be surfaced with a non-dust-producing surface. Lights shall be directed onto the lot of the filling station in such a manner that no direct beam of light or unnecessary glare shines into other properties or the highways.

Section 5.102 Membership Clubs

1. Minimum lot area of five acres;
2. Minimum distance from any lot line to principal building, one hundred (100) feet;
3. No off-street parking in required front yard.

Section 5.103 Multiple Family Dwelling

Lot area shall contain 7,000 square feet minimum per dwelling unit. Each side yard shall be 30 feet minimum, or the height of the buildings, whichever is greater. If such multiple dwellings are to be located outside the 'Hamlet' area on the APA Map, lot area and dimensional requirements shall be subject to Article 4, Schedule of Use and Area Regulations. Approval of water supply and sewage disposal by the New York State Department of Health and/or the New York state department of Environmental Conservation shall be mandatory, as well as conformance to the Multiple Residence Law, New York State.

Section 5.104 Commercial Sand, Gravel, or Topsoil Extraction

The excavation and sale of sand gravel, clay, shale, rock, topsoil, or other natural mineral deposits shall be subject to the following conditions:

1. Any proposed excavation adversely affecting natural drainage or structural safety or adjoining buildings or lands shall be prohibited.
2. The top of any slope shall not be closer than 100 feet to a property line (200 feet where the adjoining property is used for residential purposes) nor within 300 feet of any public street or highway.
3. Land having an area of more than one acre from which topsoil has been removed or covered over by fill shall be seeded to provide an effective cover crop within the first growing season following the start of said operation.
4. At least 100 feet of natural vegetation shall be left undisturbed adjoining any public street or highway or any property used for residential purposes and the Planning Board may require additional measures to provide suitable screening of the Commercial Sand, Gravel, or Topsoil Extraction use, such as planting or fencing.
5. Application for a Commercial Sand, Gravel, or Topsoil Extraction special permit shall be accompanied by a plan for the reasonable rehabilitation of land involved, after cessation of removal operations. The Planning Board may also require the posting of a performance bond, executed by a surety company authorized in this state, guaranteeing the compliance hereof and to be released only upon certification by the Code Enforcement Officer or a duly designated town engineer that all the requirements have been complied with.

Section 5.105 Auto Sales, Service, Repair, or Rental

No damaged or dismantled vehicles or vehicular parts shall be stored externally except in conformity with the provisions of Article 9 – Junk Yard Regulations.

Section 5.106 Public Stables

1. Minimum land area shall be two (2) acres.
2. Minimum distance from street line to any non-residential building shall be 125 feet.
3. Minimum distance from any side or rear lot line to any non-residential building shall be 100 feet.
4. Minimum distance to any dwelling shall be 100 feet.
5. No storage of manure or odor or dust producing substance or any use producing odor or dust shall be permitted within 100 feet of any property line.
6. Adequate off-street parking shall be provided.
7. Minimum distance to any lake, pond, river or stream shall be 250 feet.

Section 5.107 Group Camps

1. Group Camps where permitted in this Law shall conform to the following requirements:
2. The minimum land area shall be one hundred (100) acres. In addition, there shall be four thousand (4,000) square feet per bungalow or other detached rental unit for the accommodation of guests.
3. The minimum dimensions of any property utilized for Group Camp shall be eight hundred (800) feet.
4. No stable shall be placed closer than two hundred (200) feet to any property line or two hundred fifty (250) feet from the shore of a lake, pond, river or stream. No dwelling unit shall be placed closer than one hundred twenty-five (125) feet from the shore of any lake or pond.
5. Maximum dwelling coverage of a lot shall be 5 percent. Dwelling units shall be separated by a minimum distance of fifty (50) feet in any direction except that no structure housing horses shall be placed nearer to living or dining accommodations than one hundred (100) feet.
6. Water and sewage facilities shall meet approval of the New York State Department of Health, and/or the New York State Department of environmental Conservation.

Section 5.108 Tourist Accommodations

Motels, hotels, and Tourist Accommodations including Bed and Breakfasts that do not conform to Section 5.116, shall conform to the following requirements:

1. Minimum floor space for each attached unit of a motel, hotel or tourist accommodation use shall be not less than 200 square feet.
2. Minimum land area per each attached unit shall be not less than 3,000 square feet, unless serviced by public water and sewer, in which event 2,250 square feet shall be required for each unit.

3. Where detached units for motels and tourist accommodations are involved the minimum floor space per unit shall be not less than 300 square feet and the minimum land area per unit shall be 4,000 square feet, unless serviced by public water and sewer, in which event, 3,000 square feet shall be required for each unit.
4. Off-street parking shall be provided in accordance with Section 5.90 of this Law.
5. No portion of a motel, hotel or tourist accommodation shall be placed closer than fifty (50) feet to any property line or closer than one hundred twenty-five (125) feet from the shore of a lake or pond.
6. Water and sewage facilities shall meet the approval of the New York State Department of Health, and/or the New York State Department of Environmental Conservation and this Law.
7. Where lake or pond front properties are involved the following minimum frontages shall be required per motel or hotel room, overnight cabin or other accommodation unit:
    a. 1 to 10 accommodation units - 150 feet
    b. each additional accommodation unit up to 20 units - 10 feet
    c. each accommodation unit over 20 - 5 feet per unit

Section 5.111 Marinas

Where permitted in this Law, marinas shall conform to the following requirements:

1. Site
    a. minimum frontage:
        (1) for marinas with berthing facilities for up to 50 boats, 300 feet.
        (2) each additional berth in excess of 50, 4 feet per berth.
2. Sanitary Facilities:
    b. Toilet and other necessary facilities for males and females shall be provided in permanent structures. Such facilities shall be housed in either separate buildings or in the same building; in the latter case, such facilities shall be separated by soundproof walls. The male and female facilities shall be marked with appropriate signs and have separate entrances for each.
    c. Such toilet and other sanitary facilities shall be provided in the following manner:
        (1) Male facilities shall consist of not less than one flush toilet for every fifteen berths; one lavatory for every ten berths.
        (2) Female facilities shall consist of not less than one flush toilet for every ten berths; one lavatory for every ten berths.
    d. Lavatory facilities shall be supplied with hot and cold running water.
    e. The buildings housing such toilet and sanitary facilities shall be well-lighted at all times of the day and night; shall be well ventilated with screened openings; shall be constructed of moisture proof material; shall be clean and sanitarily maintained at all times. The floors of such buildings shall be of water impervious material.
    f. Such buildings shall be located at least 100 feet from the mean high water mark.
    g. Such sanitary facilities shall dispose of sewage by a suitable septic tank and drainage field or seepage pit meeting New York State Department of Health and/or New York State Department of Environmental Conservation regulations, and the provisions of this Law.
3. Sewage Pump-Out Facilities

Appropriate facilities shall be provided for the pump out and disposal to a septic tank and drainage field or seepage pit conforming to the provisions of paragraph 2 (f) above of holding tanks on boats using the

marinas facilities. The marina operator shall make and enforce rules to ensure that no on-board toilet or waste disposal facilities are employed while boats are docked at the marina.

4. Garbage Disposal

Metal or plastic garbage cans with tight fitting covers shall be used in quantities adequate to permit the disposal of all garbage and rubbish. The cans shall be kept in sanitary conditions at all times. The cans shall not be located within one hundred (100) feet of the mean high water mark. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary by the marina owner or manager to ensure that such cans shall not overflow.

5. Mooring and Repair Work

No boats using the marinas' facilities shall be moored except off shore from the lands owned by the marina. No repairs on boats, other than emergency repairs, or testing of motors or engines shall be conducted by the marina or person using its facilities between the hours of 9:00 p.m. and 7:00 a.m.

Section 5.112 Primary Forest Industries

Primary forest industries where permitted under this Law shall conform to the following requirements:

1. Minimum lot size ten acres (unless greater minimum is required under applicable regulations of this Law).
2. Minimum dimensions of any property five hundred (500) ft.
3. No building used for forest industry purposes nor any sawdust, slab or other waste pile shall be placed closer than two hundred fifty feet to any property line, any public street or highway or any lake, pond, river or stream.
4. At least 100 feet of natural vegetation shall be left undisturbed adjoining any public street or highway or any property used for residential purposes and the Planning Board may require additional measures to provide suitable screening of the forest industry operations such as planting and fencing.

Section 5.113 Public Utility Use

Where permitted under this Law, Public Utility Uses shall meet the following requirements:

1. No public utility substations shall be located within 500 feet of a residential building or on a residential street, unless no reasonable alternative is available.
2. Reasonable measures shall be taken to screen public utility substations from view from a public highway or neighboring residential properties, such as screen planting, retention of a buffer strip of undisturbed vegetation or appropriate fencing, or location in a manner which will maximize the screening potential of the natural topography.

Section 5.114 Fish Shanties

Fish shanties may be stored when not in use in any zoning district so long as such shanties are located so far as practicable to the rear of the dwelling and out of sight as viewed from the street or highway.

Section 5.115 Tarp Structures

1. Tarp structures shall be considered accessory structures in all zoning districts.
2. Tarp structures shall not be allowed within the front yard setback on any lot.
3. Tarp structures shall comply with all setback requirements for accessory structures.
4. Tarp structures shall not be attached to any other structure.
5. Factory made tarp structures shall not be modified in any way from their originally manufactured condition.
6. No more than (2) tarp structures shall be allowed per parcel.

Section 5.116 Bed and Breakfast

A bed and breakfast shall be considered an Accessory Use and not a Tourist Accommodation if the following criteria are met:

1. The guest rooms are located within a structure that has been used as a single family dwelling for a period of five years or more prior to conversion to a Bed and Breakfast;
2. The single family dwelling is the owner’s primary residence and at least one bedroom is reserved for the owner’s exclusive personal use;
3. No meals (except breakfast) are served to paying guests and no meals are served to the general public;
4. In a structure containing more than three existing bedrooms, no more than 50 percent of the bedrooms and no more than five bedrooms total are available for paying lodgers;
5. The use also meets all the criteria of Accessory Use as defined herein, except that no Accessory Structure or Guest Cottage shall be used as a Bed and Breakfast;
6. The sewage treatment system complies with all applicable New York State Department of Health and local standards; and
7. At least one off-street parking space is provided on premises for each room for rent.

Section 5.117 Fences and Hedges

1. Fences and hedges shall not be installed so as to constitute a traffic hazard, and shall not obscure the line of sight for traffic.
2. This section shall not apply to Agricultural Uses as defined herein.
3. This section shall apply to any fence regardless of construction material such that it might obstruct one's vision. That portion of a fence that is constructed forward of the minimum front building setback from the highway right-of-way, shall be no higher than 4 feet in height.
4. Fences are structures subject to setback requirements included in this Law and require approval from the Codes Enforcement Officer.
5. Fences must be constructed entirely on the fence owners' property. The fence facing the adjacent property must be of equal construction and maintenance as that facing the owner's property.
6. Solid fences and other fences that require regular maintenance should be setback from property lines by 3 feet to allow access for maintenance.
7. Maximum height of fences shall be 6 feet from the ground, except in front yards, where they shall be a maximum of 4 feet in height from the ground.
8. Hedges and tree lines are not to be considered fences.
9. Fences shall be constructed of wood, chain link, woven wire, and/or other standard fencing material. Fences must be maintained so as not to present an unsightly appearance.

ARTICLE 6 – LAKEFRONT, SHORELINE, AND WETLANDS PROTECTION

Section 6.10 Lakefront and Shoreline Protection

Section 6.11 Application of Regulations

For the purpose of protecting the shorelines of the lakes and ponds and in order to maintain safe, healthful conditions, to prevent and control water pollution, and to avoid the risks of flooding, to control placement of structures and preserve shore cover and natural beauty, these regulations shall apply to all lake front properties. For the purposes of this Article, a lake or pond shall consist of any natural or man-made body of water in excess of one acre in size. Lakes and ponds currently meeting this definition are: Lake Champlain, Long Pond and Highlands Forge Lake (Warm Pond). The use of land and water, the size, type and location of structures on lots, the installation of waste disposal facilities, the filling, grading, lagooning and dredging of any land, the cutting of shoreline vegetation, the subdivision of lots, shall be in full compliance with the regulations of this and the following sections of Law relating thereto, other provisions of this Law and any other applicable laws and regulations. The provisions of these regulations shall apply to the Bouquet River including its North and South Branches only as specified below.

Section 6.12 Setback from the Shoreline , Lot Width and Side Yards

1. Setback from the shoreline. All principal buildings and structures in excess of 100 square feet in size, except docks, or boathouses which require lesser setback, shall be set back from the mean high water mark of any lake or pond and from the shoreline of the North and South Branches of, and main stream of, the Bouquet River as specified in the following table. These setback requirements shall be in lieu of the normal yard requirements otherwise applicable.

Land Use District	Minimum Shoreline Requirements	Lake Champlain	Long Pond	Warm Pond (a/k/a Highlands Forge Pond)	Bouquet River and North and South Branches
LC-W	Lot Width	600		300	
	Building Set Back	100		100	
LC-A	Lot Width			600	
	Building Set Back			150	
LC-R	Lot Width	600			600
	Building Set Back	100			400
RR	Lot Width		400		400
	Building Set Back		100		150
RL-5	Lot Width	350			

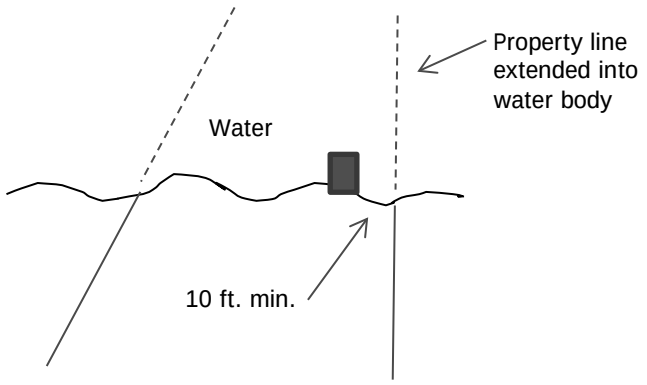
Land Use District	Minimum Shoreline Requirements	Lake Champlain	Long Pond	Warm Pond (a/k/a Highlands Forge Pond)	Bouquet River and North and South Branches
	Building Set Back	75			
RL-3	Lot Width	200	400		
	Building Set Back	75	75		
RL-1	Lot Width	100	100		
	Building Set Back	50	50		
RM-1, 2, 3	Lot Width				50
	Building Set Back				50
HC-1,2	Lot Width		100		
	Building Set Back		50		
GB	Lot Width				50
	Building Set Back				50
I-C	Lot Width	300			
	Building Set Back	100			

2. Lot Width and side Yards. The minimum lot width at the shoreline of any lake or pond or lots along the Bouquet River and the minimum side yards shall be as specified in the following table.

For All Shoreline Properties:

Frontage (ft.)	Side yards (ft.)
Less than 90	10
90 to 124	20
125 to 149	25
150 to 199	40
Over 200	50

3. Boathouses, docks, or similar waterfront structures must be no less than 10 feet from the side yard property line extended into the water.



Section 6.13 Special Lakefront and Shoreline Regulations

The following minimum shoreline frontage shall be required for deeded or contractual access to all lakes, ponds and the Bouquet River:

1. Where one (1) to twenty (20) lots or multiple family dwelling units are involved, a total of not less than one hundred (100) feet.
2. Where more than twenty (20) but not more than one hundred (100) lots or multiple dwelling units are involved, a minimum of one hundred (100) feet plus an additional three (3) feet for each additional lot or multiple dwelling unit over twenty (20).
3. Where more than one hundred (100) lots or multiple dwelling units are involved, a minimum of one hundred feet plus an additional two (2) feet for each additional lot or multiple dwelling over one hundred (100).

The following requirements shall also apply to shoreline lots:

4. To avoid unusually long, narrow lots, the depth of a shoreline lot shall be no greater than 4 times the width of the lot.
5. Within the shoreline setback area, impermeable surfaces such as buildings, structures, the top face of retaining walls, paved areas, etc., shall not exceed 15% coverage of the shoreline setback area.
6. The maximum number of structures allowed with the shoreline setback area shall be three (3).

Section 6.14 Lakefront and Shoreline, Tree Cutting Restrictions

In the case of the shorelines of all lakes and ponds, the shoreline of the North Branch of the Bouquet River, and the shoreline of the Main Stream and South Branch of the Bouquet River (other than those portions of such shoreline within the LC-R, LC-A and RR Districts) the removal of vegetation, including trees, shall be permitted on shorefront lots provided the following standards are met:

1. Within thirty-five (35) feet of the mean high water mark no vegetation may be removed, except that up to a maximum of thirty percent (30%) of the trees in excess of six (6) inches diameter at the breast height existing at any time over any given 300 feet of shoreline may be cut over any ten-year period.
2. Within six (6) feet of the mean high water mark no vegetation may be removed, except that up to a maximum of thirty percent of the shorefront may be cleared of vegetation on any individual lot up to a maximum of 300 feet per lot. This provision shall be adhered to in addition to (1) above.
3. The above cutting standards shall not be deemed to prevent the removal of diseased vegetation or of rotten or damaged trees or of other vegetation that present safety or health hazards [but only when not removing said vegetation, shrubbery or trees would imperil any structures on the property or said diseased vegetation has been determined by a qualified expert acceptable to the Code Enforcement Officer, to be such that non-removal would cause other vegetation to become diseased]. Tree cutting in these portions of the shoreline of the main stream and South (main) Branch of the Bouquet River (and the North Branch if ever formally designated as a Recreational River in accordance with the Environmental Conservation Law) within the LC-R, LC-A and RR Districts shall be subject to restrictions set forth above and shall, in addition, be subject to the restrictions and standards of or the conditions on permit issued by the Agency relating to designated Recreational Rivers existing pursuant to the Environmental Conservation Law or the Rules and Regulations issued there under.

Section 6.20 Wetlands

In order to preserve the fish and wildlife, water quality and hydrological values of wetlands within the town there shall be no filling, dredging, excavation, cutting (except in relation to forestry uses) or other material disturbance of the natural topography of, or any construction to any permanent building other than docks, pump houses or boathouses, in any wetlands provided however that these restrictions shall not apply to:

1. any wetland less than one acre in size which does not have a free interchange of water with a lake, pond, river or permanent stream;
2. agricultural uses or forestry uses not involving the construction of any permanent building.

ARTICLE 7 – RIDGE LINE AREAS AND CLEAR CUTTING PROTECTION

Section 7.10 Purpose

The purpose of this section is to help protect the town from adverse environmental impacts caused by excessive stormwater runoff, erosion, night sky pollution, destruction of view sheds, and other adverse impacts that result from ridge line development and clear cutting.

Section 7.20 Ridge Lines

1. All land use and development within the Ridge Line Area requires Site Plan Review by the Planning Board. (See Article II for definition of Ridge Line Area).
2. The highest point of a structure shall be located at least 50 vertical feet below the Ridge Line.
3. 100 Foot Buffer Area. Within the Ridge Line Area, vegetation may only be removed within 30 feet of structures and sewage systems, and within 20 feet of driveways and parking areas, and within 10 feet of stormwater treatment areas. All other tree removal within 100 feet (measured horizontally) from the edge of the development area (that area used for buildings, driveways, parking areas, water supply, sewage treatment systems, and stormwater management areas) shall be limited to no more than thirty percent 30% of the trees greater than six inches diameter at breast height.

ARTICLE 8 - OPTIONAL CLUSTER DEVELOPMENT

Section 8.10 Authorization

The Town Board hereby authorizes the Planning Board, simultaneously with the approval of a plat or plats pursuant to this Article, to modify provisions of Article 4 of the Zoning Law, including a lot area and lot width (overall densities and shoreline lot width shall not be varied) subject to the conditions hereinafter set forth and such other reasonable conditions as the Town Board may in its discretion add thereto.

Section 8.11 Purpose

The purpose of the cluster provisions is to encourage flexibility in the design and development of land in order to promote its most environmentally sensitive use; to facilitate the adequate and economical provisions of streets and utilities; to preserve the natural and scenic qualities of open space; and to encourage compatibility with the goals and objectives of the Comprehensive Land Use Plan.

Section 8.12 Objectives

In order to realize the purpose of this Section, a cluster design shall achieve the following objectives:

1. A development pattern, which preserves outstanding natural topography and geological features, scenic vistas and trees, and prevents the disruption of natural drainage patterns.
2. An efficient use of land resulting in smaller networks of utilities and streets.
3. A development pattern in harmony with the land use intensity, transportation facilities, and community facilities objectives of the Comprehensive Land Use Plan.

Section 8.13 Application

If the owner makes written application for the use of this procedure, then this procedure may be followed at the discretion of the Planning Board if, in said Board's judgment, its application would benefit the Town.

Section 8.15 Zoning Districts

Must be Zoned Residential Only: This procedure shall be applicable only to lands zoned for residential purposes and its application shall result in a permitted number of dwelling units which shall in no case exceed the number which would be permitted, in the Planning Board's judgment, if the land were subdivided into lots conforming to the minimum lot size or lot width and density requirements of the Zoning Law applicable to the district or districts in which such land is situated and confirming to all other applicable requirements.

Section 8.15 Conditions

This authorization is subject to conditions hereinafter set forth and such other reasonable conditions as the Town Board may in its discretion from time to time add thereof:

1. This authorization applies to all lands within the LC-W, LC-R, LC-A, RR, RL-5, RL- 3, RL-2 and RM-3 Districts.
2. The minimum acreage to which this procedure shall be applicable shall be two (2) times the minimum lot size for the land use district involved.
3. The Planning Board action shall modify, change or supplement the provisions of this Law and change the official zoning map for the land shown on the said plat, provided that such land so shown there shall not be greater average intensity of land use and development or lot coverage than is permitted in the land use district wherein such land lie, as shown on the official zoning map and provided further that:
   a) cases involving shoreline properties the lot width, side yard, building set back and shoreline vegetation cutting standards and other regulations applying to shoreline lots are complied with as a minimum, as are all applicable set back, design and installation requirements for on-site sewage disposal systems or pit privies in this Law or any Sanitary Code hereafter enacted by the Town.
   b) cases involving lands in the RL-5, RR, LC-W, LC-R and LC-A districts, the minimum lot size and dimensional requirements which would be applicable if the land use and development or subdivision of land were located in the RL-3 district are complied with as a minimum.
4. Such modification shall reasonably safeguard the appropriate use of adjoining land and be consistent with the purposes and intent of this Law.

5. The Planning Board shall hold a public hearing before making any such change in this Law, preceded by notice in a newspaper of general circulation in the Town at least ten (10) days before such hearing.
6. Upon filing of such plat with the County Clerk of such change in this Law, a copy shall be filed with the Town Clerk and shall thereupon become part of this Law, and shall be enforced in the same manner.
7. In the case of residential plat or plats, the dwelling units permitted may be, at the discretion of the Planning Board in detached, semi-detached, attached, or multistory structures.
8. The provisions of this section shall not be deemed to authorize a change in the permissible use of such lands as provided in this Law.

Section 8.16 Preservation of Land for Park, Recreational and Open Space

In the event that the application of this procedure results in a plat showing lands available for park, recreation, open space, or other municipal purposes directly related to the plat, then the Planning Board, as a condition of plat approval, may establish such conditions on the ownership, use, and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purposes.

Section 8.17 Preservation of Required Open Space or Restricted Intensity Development

In the event the application of this procedure results in a plat showing lands to be retained in open space or developed at a lower order of intensity in order to comply with the average intensity of development or lot coverage provision in the land use district involved, the Planning Board shall, as a condition of plat approval, require that such lands be restricted by deed restriction, restriction covenant, conveyance of a scenic easement or conservation restriction to the Town or the State of New York, agreement with the Town or other appropriate means against any other development inconsistent with their retention in open space or with their restricted intensity of development.

ARTICLE 9 - JUNKYARD REGULATIONS

Section 9.10 Purposes

The purposes of this Article are to prohibit the unrestrained accumulation of junk, automobiles, and motor vehicles within the Town of Willsboro and to provide, under proper regulation and control, for the establishment and maintenance of junkyards within the Town. The Town Board hereby declares that a clean wholesome, attractive environment is important to the health and safety of the inhabitants and the safeguarding of their material rights against unwarrantable invasion and, in addition, such an environment is deemed essential to the maintenance and continued development of the economy of the Town of Willsboro and the general welfare of its citizens. It is further declared that the unrestrained accumulation of junk, motor vehicles is a hazard to such health, safety and welfare of citizens of the town necessitating the regulation, restraint and elimination thereof. At the same time, it is recognized that the maintenance of junkyards as herein defined, is a useful and necessary business and ought to be encouraged when not in conflict with the express purposes of this law.

Section 9.11 License Required

No person shall operate, establish or maintain a junkyard until s/he:

1. has obtained certification in writing from the Planning Board, that all applicable provisions of this Law have been complied with by the applicant, and
2. has obtained a license from the Town Board to operate a junkyard business.

Section 9.12 Application for License

Application for the license shall be made in writing to the Town Board of the Town of Willsboro. The application shall contain a map and description of the land to be included within the junkyard and certification, in writing, from the Planning Board that all applicable provisions of this Law have been complied with.

Section 9.13 Location Requirements

Junkyards are allowed under this Law by Special Use Permit in the HC-1 District and by Special Use Permit in the M District. Applications for Special Use Permits shall be filed with the Code Enforcement Officer who shall forward the application to the Planning Board for decision. A Special Permit may only be issued by the Code Enforcement Officer upon the order of the Planning Board and after notice, hearing and findings by the Planning Board as required by law and the provisions of this Law.

Section 9.14 The License

The fee for the license, as fixed from time to time by the Town Board, and after authorization from the Code Enforcement Officer shall be payable to the Town Clerk upon issuance and shall cover not only the cost of issuing the license but also the cost of making the necessary inspection of the premises to ascertain compliance with the specific regulations hereinafter prescribed. Such license shall be placed and at all times displayed in a conspicuous place at the licensees place of activity or business for which it is issued. Such license is personal with the licensee. It does not go with the title of the land nor may it be sold, assigned, transferred or disposed of.

Such license may be revoked by the Code Enforcement Officer or by the direction of the Town Board on its own motion after a public hearing thereon at which the licensee shall have an opportunity to be heard. Upon revocation of a license, the Code Enforcement Officer or the Town Board may require the removal of junk autos, parts and other remaining materials, within a reasonable period of time not to exceed six months, failing which the Town may, without further notice, enter upon the property and remove such autos, parts and other remaining materials without liability being on the Town or its Agents.

Section 9.15 Specific Regulations

1. The minimum land area for any junkyard shall be 40,000 square feet.
2. No junkyard shall be located within 500 feet of any residential building, or residential subdivision, public park, church, educational facility, nursing home or public building, lake, pond, marsh, swamp or other body of water.

3. The licensee must personally manage or be responsible for the management of the activity or business for which the license is granted
4. The licensee must erect and maintain an eight (8) foot high fence adequate to prohibit the entrance of children and others into the area of the activity or business and to contain within such fence the materials dealt with by the licensee. Such fence shall be erected not nearer than fifty feet from a public highway. All junk, motor vehicles and parts thereof stored or deposited by the applicant shall be kept within the enclosure of the junkyard except as removal shall be necessary for the transportation of same in reasonable course of the business. All wrecking or other work on such motor vehicles and parts and all other activity of same within the vicinity of the junkyard shall be accomplished within the enclosure. Where a junkyard is or would be visible from a public highway or from neighboring properties the fence shall be of wood or other materials sufficient to totally screen the junkyard from view. As an alternative the Planning Board may permit such screening by adequate planting of evergreen trees or shrubbery. The Planning Board may also waive the requirement of fencing where topography or other natural conditions effectively prohibit the entrance of children and others.
5. There shall be maintained by each such place adequate means of fire protection.
6. The licensee shall maintain at all times adequate facilities to prevent any pollution of surface waters from runoff or seepage.
7. During any time when the area is not supervised by the licensee or his employees, the fence shall be locked at a secure gate or any other entrance in a secure manner.
8. The area of the licensee's activity or business shall not be used as a dump area by the public except in connection with the periodic crushing and removal of autos or other materials from such yards in compliance with applicable New York State law regarding outdoor burning.
9. The Code Enforcement Officer shall be granted access to the area of the activity or business of the licensee at all reasonable hours to inspect the same for compliance herewith.

Section 9.16 Duration of License

The licensing period shall be annual and shall run from July 1 through June 30 of the year following the issuance of the license. If the Code Enforcement Officer deems the junkyard in compliance with this law said license shall be renewable annually upon payment of the annual licensing fee and without hearing on or before July 1 of each succeeding year.

Section 9.17 Existing Junkyards

1. License and Temporary License

A person presently engaged in or conducting an activity or business constituting junkyard as herein defined must apply for a license within ninety (90) days of the effective date of this Law. If the place where s/he conducts such activity or business presently complies with the requirements of this Article and is permitted by Special Use in the HC- 1 and in the M District of this Law, and the Planning Board so certified in writing to the Code Enforcement Officer, the Code Enforcement Officer shall authorize the issuance of a license by the Town Clerk for such junkyard in accordance with the normal procedures as set forth above. If the place where s/he conducts such activity or business does not comply with the specific regulations of Section 9.15, the applicant may nevertheless be granted a temporary license for the same fee which shall expire twelve months following the effective date of this Law, if s/he otherwise complies with the provisions of this Article IX. During the period of time between the issuance of a temporary license and the end of such twelve- month period the temporary licensee shall cause his/her premises to comply with the specific regulations of Section 9.15 but s/he need not comply with the

buildings, public parks, etc. as required by Section 9.15 (1) and (2) if it would not be reasonably feasible for him/her to do so. No permanent license shall be issued by the Code Enforcement Officer after the end of such twelve-month period to any holder of a temporary license unless the Code Enforcement Officer has certified in writing that the requirements of this Section have been complied with.

2. Effect of Temporary License or Licensee on Non-Conformity
The fact that an existing junkyard is granted a temporary license or a regular license under this Article shall not be deemed to make such a land use a Special Use in any land use District unless a junkyard is already a special use, under the schedules pertaining to such land use District, and the provisions of this Law relating to non-conforming uses. (Sections 4.40 through 4.46 shall otherwise apply to such junkyard, save that the temporary license or regular license shall be deemed the equivalent of Certificate of Occupancy-Non-Conforming Use.)

3. Violation of this Article and Offense: Penalties Therefore.
In addition, in the case of a landowner who, following the effective date of this Law engages in or conducts any activity creating an junkyard, where no auto junkyard existed on the effective date of this Law, the Town may, after thirty (30) days written notice, enter upon this property and remove the junk or other materials constituting such junkyard without liability being placed on the Town or its agents.

a) The owner or licensee of any such junkyard who commits or permits any acts in violation of any of the provisions of this law shall be deemed to have committed an offense against such law, and also shall be liable for any such violation or the penalty therefore. Each day such violation shall continue or be permitted to exist shall constitute a separate violation.
b) For every violation of any provision of this law the person violating the same shall be subject to a fine of not less than ($100) one-hundred dollars, and not more than $1,000 (one-thousand dollars) or imprisonment, not exceeding thirty days or by both such fine and imprisonment.
c) Any person violating this Article shall be subject to a penalty enforceable and collectable by the Town in the amount of not less than ($100) one-hundred dollars, and not more than ($1,000) one-thousand dollars for each such offense. Such penalty shall be collectable by and in the name of the Town of Willsboro, by the Town Clerk for each day that such violation shall continue.
d) In addition to the above-provided penalties and punishment, 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 to restrain by injunction the violation of such law**.**

ARTICLE 10 - FLOOD HAZARD AREA DISTRICT DESIGNATION

Section 10.10 Boundaries and Purposes

There is hereby created a special Flood Hazard Area District, which shall include the special flood hazard areas delineated as Zone A on the latest Flood Insurance Rate Maps (FIRM) for the Town prepared by the Federal Emergency Management Administration (FEMA). The FIRM's shall be deemed incorporated into and made a part of the Zoning Map. The Flood Hazard District shall also include any lands lying along Lake Champlain, which fall below 103 feet above mean sea level whether or not shown on the (FIRMS). The purpose of the Flood Hazard Area District shall be to protect the health, safety and welfare of the

inhabitants of the Town of Willsboro from hazards due to periodic flooding, involving the protection of property and persons, the preservation of water quality, the avoidance of erosion and siltation, and the preservation of fish and wildlife habitat. The Flood Hazard Area District shall be in addition, not in derogation from the provisions of the Stream Conservation District and Section 6.20 regarding wetlands protection and in case of conflict among these provisions the more restrictive shall apply.

Section 10.11 Definitions Applicable to this Article

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of streams, river, lakes or other inland waters beyond their normal banks whether due to precipitation, hurricanes, storms or other factors beyond human control, including without limitation, inundation resulting from seasonal high waters.

"Flood proofing" means any combination of structural and non-structural additions, changes or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, buildings and structures and the contents thereof.

"Flood protection elevation" means any elevation of one (1) foot higher than the one hundred year flood elevation.

Section 10.12 Flood Hazard Map

Flood Insurance Rate Map (FIRM) means the latest flood hazard area map for the town prepared by the Federal Emergency Management Administration (FEMA) and any successor map thereto, as from time to time approved by the Town Board and said Administration.

Section 10.13 Special Provisions outside GB & M and Downstream Portion of RM Districts

Special regulations applicable for those portions of the Flood Hazard District lying outside the GB and M Land Use Districts, and the downstream portion of the RM District:

No building or structures of any kind other than docks, boathouses, or pump houses shall be allowed to be constructed within these portions of the Flood Hazard District lying outside the GB and M land use Districts and outside the portion of the RM District downstream from the Route 22 bridge over the Bouquet River. Except for the construction of permitted buildings or structures there shall be no filling, dredging, excavation or other material disturbance of the natural topography.

Section 10.14 Special Provisions within GB, M & RM Districts

Special provisions for those portions of the Flood Hazard District lying within the GB and M Land Use Districts and the downstream portion of the RM Districts.

Within those portions of the Flood Hazard District lying within the GB and M Districts and the portion of the RM District downstream from the Route 22 bridge along the Bouquet River in the center of the hamlet of Willsboro any construction of (a) any residential building of whatsoever character, whether permanent or seasonal; (b) any other type of building irrespective of size containing indoor plumbing and/or sleeping facilities or (c) any other building or structure in excess of two hundred fifty (250)

square feet in floor space (or such lesser size as may be specified by the Town Board to comply with Federal Insurance Administration requirements) including improvements to pre-existing such buildings or structures constituting more than 50% of the equalized assessed value, or any subdivision shall be subject to the following standards:

1. Sites must be reasonably safe from flooding.
2. Buildings or Structures shall be anchored to prevent floatation, collapse, or lateral movement.
3. Construction materials and utility equipment shall be used that are resistant to flood damage.
4. Construction methods and practices shall be used that will minimize flood damage.
5. New or replacement water supply systems and sewage disposal systems shall be designed and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
6. On-lot sewage disposal systems shall be located so to avoid impairment of them or contamination from them during flooding.
7. Subdivisions must be consistent with the need to minimize flood damage.
8. Public utilities and facilities installed for subdivisions such as sewer, gas, electrical, and water systems, must be located and constructed to minimize or eliminate flood damage.
9. Adequate drainage must be provided for subdivisions so as to reduce exposure to flood hazards.
10. All residential buildings or structures shall have the lowest floor (including basements, unless otherwise excepted by variance) elevated to or above the flood protection elevation. Basements excepted by variance shall be flood proofed to or above the flood protection elevation in accordance with the standards specified in clause (12) below.
11. Non-residential buildings and structures shall have the lowest floor (including basement) elevated to or above the floor protection elevation, together with attendant utility and sanitary facilities, or shall be flood proofed to or above the flood protection elevation in accordance with the standards for completely flood proofed structure contained within Sections 210.2.1 FP1 or 210.2.2 FP2 of the U.S. Army Corps of Engineers Publication "Flood-Proofing Regulations," June 1972,GPO: 19730-505-026 Edition or any subsequent edition thereof.
12. Where flood-proofing is utilized for basements below the flood protection elevation of residential structures or for non-residential structures below the flood protection elevation, a registered professional engineer or architect shall certify that the flood proofing measures are reasonably adequate to withstand the flood depths, pressures, velocities, impact and uplift forces associated with the 100-year flood. The Code Enforcement Officer shall keep and record such certificates.

Section 10.15 Special Flood Hazard District Permits

A special Flood Hazard District permit shall be required from the Code Enforcement Officer with respect to the construction of any building or structures or the improvement to pre-existing such buildings or structures to the extent of more than 50% of the equalized assessed value which is:

1. a residential building or structure, of whatsoever character whether a seasonal or permanent, or sleeping facilities;
2. any other type of building irrespective of size, containing indoor plumbing and/or sleeping facilities;
3. a non-residential building or structure in excess of 250 square feet in floor space (or such lesser size as may be specified by the Town Board as provided above). Such a permit shall also be required for any subdivision of land within the Flood Hazard District. Such special permit shall not be issued until the Code Enforcement Officer is satisfied that the provisions of this Article have been complied with and that an engineer's or architect's certificate as herein

required has, where necessary, been obtained to the effect that the flood proofing measures to be employed for any buildings or structures are reasonably adequate to withstand the flood depths, pressures, velocities, impact and forces associated with the 100-year flood and otherwise comply with this Article.

Section 10.16 Additional Information, Recording of Data

The Code Enforcement Officer may request the submission of such additional information as may be reasonably appropriate to permit him to determine whether or not the provisions of this Article can be complied with. In connection with any permit issued for a new building or structure or substantial improvement to an existing building or structure within the Flood Hazard district, the Code Enforcement Officer shall note and record the elevation (in relation to mean sea level) of the structure and, where the lowest floor is below grade on one or more sides, the elevations of the floor immediately above.

Section 10.17 Variance

The Zoning Board of Appeals may grant a Variance from the strict application of the provisions of this Article in accordance with provisions of Article 16 hereof, provided that the following special criteria are also met:

1. Variances may be permitted for new structures to be erected on a lot of one-half acre or less in size, contiguous structures constructed below the flood protection elevation; or for a structure listed on the National Register of Historic Places or on a state inventory of historic places to be restored or reconstructed.
2. In all circumstances, variances may only be issued upon: a showing of good and sufficient cause; a determination that failure to grant the variance would result in exceptional hardship to the applicant; a determination that the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or laws.
3. As a condition of the granting of a variance from the provisions of this Article, the applicant shall execute and record in the County Clerk's office a declaration that the property in question is located in a flood-prone area. Such declaration shall state the number of feet that the lowest non-flood proofed floor of the proposed structure is below the 100-year flood level and that actuarial flood insurance rates increase as the first floor elevation decreases.
4. Upon the granting by the Zoning Board of Appeals of a variance from the provisions of this Article, the Code Enforcement Officer shall notify the Federal Insurance Administrator and the New York State Department of Environmental Conservation.

ARTICLE 11 – ADMINISTRATION, ENFORCEMENT AND AMENDMENTS

Section 11.10 General Procedures for the Town Board, Code Enforcement Officer, Planning Board, and Zoning Board of Appeals

The Code Enforcement Officer, who shall be appointed by the Town Board, shall have the power and duty to administer and enforce the provisions of this Law. The Town Board may by resolution provide

that some of the duties of the Code Enforcement Officer may be filled by a duly appointed town engineer or other appropriately qualified person.

Section 11.11 General Information, Building Permit, and Application

Regional Project.

1. No building, sign, or structure shall be erected, altered, or its use changed until a Permit has been issued by the Code Enforcement Officer.
2. An Application for a Building Permit or Variance must be filled out and submitted to the Code Enforcement Officer on the appropriate Application form and accompanied with the required fee.
3. A Permit for excavation, structure erection, alteration, or change of use of any building, sign, or other structure shall be not issued until the appropriate Application and required fee has been submitted to the Code Enforcement Officer.
4. A Certificate of Occupancy shall be applied for simultaneously with the Building Permit application.
5. No Permit shall be required for:
    a. a sign otherwise in conformity with this Law having an area of two (2) square feet or less;
    b. Accessory Structures not intended for use as a dwelling and not containing any interior plumbing, and containing less than one hundred (100) square feet of floor space.

    Although a Permit is not required for the above structures, all structures must comply with all area, bulk, height and coverage requirements of this Law, and all lakefront protection requirements of this Law.
6. Nothing stated in this Article shall authorize the enlargement, extension, or expansion of any Non-conforming Use or Structure.
7. Excepted as stated in number 5. above, Building Permits are required for:
    a. any new construction of any building, sign, structure, or structural alteration;
    b. any changes in the existing use of a building, sign, structure, lot, or parcel of land;
    c. any new land use or development;
    d. uses requiring Site Plan Review;
    e. uses requiring a Special Use Permit;
    f. uses resulting from the issuance of a Variance by the Zoning Board of Appeals;
    g. the installation of fuel burning, mechanical, or electrical appliances or fixtures where required by the New York State Building Code;
    h. onsite wastewater systems installations or repairs;
    i. demolition or partial demolition of an existing structure;
    j. repairs or alterations to any structural, electrical, or plumbing system.

Section 11.12 Building Permit Types and Referrals

Under the terms of this Law, and upon application for a Building Permit, the Code Enforcement Officer shall either issue, deny, or refer to the Planning Board or Zoning Board of Appeals the following:

1. A Building Permit for a Principal Permitted Use or Accessory Use which he may issue on his own authority except;

a. signs in excess of eight (8) square feet which in accordance with this Law require referral and approval by the Planning Board before the Building Permit can be issued;
b. those uses requiring certain landscaping which in accordance with Article 5 of this Law require referral and approval by the Planning Board before the Building Permit can be issued;
c. those uses requiring Site Plan Review which in accordance with Article 4 of this Law require referral and approval by the Planning Board before the Building Permit can be issued;
d. those uses requiring a Special Use Permit which in accordance with Article 4 of this Law require referral, a public hearing, and approval by the Planning Board before the Building Permit can be issued;
e. Uses requiring an Appeal or Variance from the Zoning Board of Appeals.

2. Uses which constitute an Adirondack Park Agency Class A or Class B Regional Project must comply with the requirements of Article 17 of this Law.

Section 11.13 Sewage Disposal, Water Supply, and Drainage

1. No Building Permit, Certificate of Occupancy, or Certificate of Compliance with On-Site Sewage Disposal Requirements shall be issued by the Code Enforcement Officer until all the provisions of this Law have been complied with.
2. For on-lot sewage disposal systems, a Certificate of Conformity with the provisions of this Law, or any equivalent certificate issued under a Sanitary Code hereafter enacted by the Town, is also required prior to covering with earth or fill.
3. All Sewage Disposal installations shall conform with the New York State Department of Health and/or the New York State Department of Environmental Conservation regulations as applicable; and with this Ordinance. Where applicable, compliance with the Water Supply Regulations of the Town of Willsboro, the Department of Health, and the New York State Department of Environmental Conservation is required. No application shall be approved by the Code Enforcement Officer in any land use district unless such compliance is certified on the plans. Drainage affecting the adjacent properties shall be considered by the Code Enforcement Officer before issuing a Building Permit, including run-off effects to adjacent properties and waterways / water bodies. No application shall be approved where the proposed construction is likely to have an undue adverse impact resulting from drainage. No on-site sewage disposal system shall be covered over with earth or other fill until the Code Enforcement Officer shall have issued a Certificate of Compliance that the system fully complies with the provisions of this Ordinance.

Section 11.14 Fees

1. Fees for the issuance of Building Permits, Special Use Permits, Variances, Appeals, Junkyard Licenses and other zoning actions shall be paid to the Town at the office of the Code Enforcement Officer or of the Town Clerk, as the Town Board may specify, upon the filing of an application and in accordance with the schedule of fees established from time to time by the Town Board.

2. In addition to the other fees addition to the other fees addition to the other fees addition to the other fees ad