

A LOCAL LAW
AMENDING THE TOWN OF NEWCOMB
ZONING AND SITE PLAN REVIEW LOCAL LAW 2007

Be it enacted by the Newcomb Town Board as follows:

The Town of Newcomb Zoning and Site Plan Review Local Law 2007 is hereby amended as set forth below.

Article 4 – entitled “Zoning Districts and Regulations. The schedules of regulations following Section 4.050, entitled “Zoning Schedule of Uses and Area and Bulk Controls”, are amended as follows:

Page 11 – Adding to the list of Permissible Uses Requiring Site Plan Review and Minimum Setbacks for the (R1) Residential 1 – zoning district, the use:

“Tourist Accommodations”	Front	Rear	Side	Height
	60’	30’	20’	40’

“Portable Sawmill”

“Shall not be operated within 100’ of any neighboring residential structure”

Page 11– Adding at the end of the list of Permissible Uses Requiring Site Plan Review:

“Tourist Accommodations: Includes Bed and Breakfast, Boarding House, Lodging House, etc.”

Page 13 – Adding to the list of Permissible Uses Requiring Site Plan Review and Minimum Setbacks for the (R1A) Residential 1A – zoning district, the use:

“Portable Sawmill”

“Shall not be operated within 100’ of any neighboring residential structure”

“Tourist Accommodations”	Front	Rear	Side	Height
	60’	30’	20’	40’

Page 13 – Adding at the end of the list of Permissible Uses Requiring Site Plan Review:

“Non-Listed commercial uses similar to those allowed in this Zone, as determined by the Planning Board”

“Tourist Accommodations: Includes Bed and Breakfast, Boarding House, Lodging House, etc.”

Page 15 - Adding to the list of Permissible Uses Requiring Site Plan Review and Minimum Setbacks for the (RC-1) Residential/Commercial 1 – zoning district, the uses:

“Homebased Manufacturing and Sales”	Front	Rear	Side	Height
	60’	30’	25’	40’

“Portable Sawmill”

“Shall not be operated within 100’ of any neighboring residential structure”

“Campground”	Front	Rear	Side	Height
	20’	15’	10’	20’

Page 15 - Adding at the end of the list of Permissible Uses Requiring Site Plan Review:

“Non-Listed commercial uses similar to those allowed in this Zone, as determined by the Planning Board”

“Tourist Accommodations: Includes Bed and Breakfast, Boarding House, Lodging House, etc.”

Page 18 - Adding to the list of Permissible Uses Requiring Site Plan Review and Minimum Setbacks for the (R1.3) Residential 1.3 – zoning district, the uses:

“Portable Sawmill”

“Shall not be operated within 100’ of any neighboring residential structure”

Page 18 - Adding at the end of the list of Permissible Uses Requiring Site Plan Review:

“Non-Listed commercial uses similar to those allowed in this Zone, as determined by the Planning Board”

“Tourist Accommodations: Includes Bed and Breakfast, Boarding House, Lodging House, etc.

Page 20 - Adding to the list of Permissible Uses Requiring Site Plan Review and Minimum Setbacks for the (R3.2) Residential 3.2 – zoning district, the uses:

“Homebased Manufacturing and Sales”	<u>Front</u>	<u>Rear</u>	<u>Side</u>	<u>Height</u>
	75’	50’	40’	40’

“Portable Sawmill”

“Shall not be operated within 100’ of any neighboring residential structure”

“Tourist Accommodations”	<u>Front</u>	<u>Rear</u>	<u>Side</u>	<u>Height</u>
	75’	50’	40’	40’

“Campground”	<u>Front</u>	<u>Rear</u>	<u>Side</u>	<u>Height</u>
	75’	50’	40’	20’

Page 20 - Adding at the end of the list of Permissible Uses Requiring Site Plan Review:

“Non-Listed commercial uses similar to those allowed in this Zone, as determined by the Planning Board”

“Tourist Accommodations: Includes Bed and Breakfast, Boarding House, Lodging House, etc.”

Page 22 - Adding to the list of Permissible Uses Requiring Site Plan Review and Minimum Setbacks for the (R8.5) Residential 8.5 – zoning district, the uses:

"Homebased Manufacturing and Sales"	Front	Rear	Side	Height
	100'	50'	50'	40'

"Portable Sawmill"

"Shall not be operated within 100' of any neighboring residential structure"

"Tourist Accommodations"	Front	Rear	Side	Height
	100'	50'	50'	40'

"Campground"	Front	Rear	Side	Height
	100'	50'	50'	20'

"Hunting and Fishing Cabins"	Front	Rear	Side	Height
	100'	50'	50'	40'

Page 22 - Adding at the end of the list of Permissible Uses Requiring Site Plan Review:

"Non-Listed commercial uses similar to those allowed in this Zone, as determined by the Planning Board"

"Tourist Accommodations: Includes Bed and Breakfast, Boarding House, Lodging House, etc."

Page 24 - Adding to the list of Permissible Uses Requiring Site Plan Review and Minimum Setbacks for the (LC) Land Conservation – zoning district, APA Classification (RC) Resource Management, the uses:

"Homebased Manufacturing and Sales"	Front	Rear	Side	Height
	100'	50'	50'	40'

"Portable Sawmill"

"Shall not be operated within 100' of any neighboring residential structure"

"Tourist Accommodations"	Front	Rear	Side	Height
	100'	50'	50'	40'
"Campground"	Front	Rear	Side	Height
	100'	50'	50'	20'
"Hunting and Fishing Cabins"	Front	Rear	Side	Height
	100'	50'	50'	40'

Page 24 - Adding at the end of the list of Permissible Uses Requiring Site Plan Review:

"Non-Listed commercial uses similar to those allowed in this Zone, as determined by the Planning Board"

"Tourist Accommodations: Includes Bed and Breakfast, Boarding House, Lodging House, etc."

Page 27 – Adding to the list of Permissible Uses Requiring Site Plan Review and Minimum Setbacks for the (I) Industrial – zoning district, the use:

"Portable Sawmill"

"Shall not be operated within 100' of any neighboring residential structure"

Page 27 – Adding at the end of the list of Permissible Uses Requiring Site Plan Review:

"Non-Listed commercial uses similar to those allowed in this Zone, as determined by the Planning Board"

ARTICLE 12 – entitled "Administrative Provisions" on page 87,

Section 12.081 (b) (3) (c) is amended to read as follows, "It is an accessory use to a use described in (a) or (b) above, including (i) a non-residential storage building (shed) greater than ~~400~~ 140 square feet, and (ii) a fence greater than 8 feet in height.

Appendix F – entitled DEFINITIONS - a new definition is added to Page 160, inserted after Private Stables, to read as follows:

“Portable Sawmill” means a motorized machine tool run by a gasoline motor, diesel motor, electric motor or chainsaw and is capable of being carried or moved about, and used by individuals, tradesmen or professionals in producing limited volumes of boards cut from logs for personal use or profit.

Furthermore:

- a. No portable sawmill shall be operated within 100 feet of any neighboring residential structure.
- b. No portable sawmill shall be operated between the hours of 6 p.m. and 9 a.m.
- c. Portable sawmills used on any one property for 31 or more days within any consecutive 12-month period shall require a land use and development permit.

Appendix F – entitled DEFINITIONS, “Sawmill/Wood Using Facility” on page 161 is amended by adding at the end of the definition:

“For the purpose of this local law, *Facility Sawmills* shall not include Portable Sawmills used for business and personal timber milling.

The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

All Local Laws or ordinances or parts of Local Laws or ordinances in conflict with any part of this Local law are hereby repealed.

This Local Law shall take effect upon filing in the office of the New York State Secretary of State pursuant to Section 27 of the New York Municipal Home Rule Law.