

**TOWN OF BARRINGTON • YATES COUNTY**

**LOCAL LAWS REVIEWED:**

- Town of Barrington Draft Comprehensive Plan, 7/18/2007 (*not yet passed; review items are therefore printed in italics*)
- L.L. No. 2-1980, Zoning Code, last amended by L.L. No. 1-1996
- L.L. No. 1-1987, Enforcement of NYS Uniform Fire Prevention and Building Code
- L.L. No 2-1987, Flood Damage Prevention Ordinance
- L.L. No 2-1989, Amendments to Flood Damage Prevention Ordinance
- L.L. No 2-1990, Dog Control
- L.L. No. 2-1992, Regulating Junk Storage in Junk Yards
- L.L. No. 1-1993, Wastewater Management
- L.L. No 1-1996, Amendments and Additions to L.L. No. 2-1980
- L.L. No. 1-1998, Coordinated Assessment Program w/Town of Starkey
- L.L. No. 2-1998, Amendment to Zoning, re: Dundee Wellhead Protection District
- L.L. No. 1 of 2003, Providing for Additions to the Town of Barrington Zoning Laws in regard to Intensive Livestock Operation Farms
- Keuka Lake Uniform Docking and Mooring Law

<b>TOWN OF BARRINGTON LOCAL LAND USE ASSESSMENT</b>			
<b>Issues to Consider</b>	<b>Law Citation</b>	<b>Summary</b>	<b>Notes</b>
<b>Adult Entertainment Uses</b>	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Economic Development Policies. Policy 5.6.D. Page 55.</i>	<i>“The Town will regulate the location of adult-oriented businesses.”</i>	
<b>Aesthetic and Scenic Resources</b>	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation. Policy 5.2.E. Page 38.</i>	<i>“The Town will preserve and protect scenic vistas through zoning regulations.”</i>	

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	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Community Governance Policies, Policy 5.8.G. Page 60.</i>	<i>“The Town will support and encourage “beautification” efforts by private citizens aimed at improving the appearance of the Town.”</i>	
<b>Affordable Housing</b>			
<b>Agricultural Practices</b>	L.L. No. 1 of 2003, Providing for Additions to the Town of Barrington Zoning Laws in regard to Intensive Livestock Operation Farms	The law begins by describing NYSDEC General Permit 99-01 which defines what constitutes a Concentrated Animal Feeding Operation and stipulates regulations therein. This local law stipulates that new or expanding operations are required to obtain a construction/expansion permit from the Town Zoning Enforcement Officer and must provide proof of GP 99-01 compliance for approval to be granted (§IV). Further setback requirements and land application buffers (vegetative buffer of a width of at least 50 feet around application area) are set forth under §X of the law. Other stipulations pertain to the disposal of dead animals and locating storage facilities outside of the 100 year floodplain. The location of wells located on the farm property and parcels of land contiguous to the farm must be documented and tested in order to establish a baseline of existing water quality prior to construction/expansion of a manure storage facility (at the Town’s expense).	
<b>Alternative Energy</b>			
<b>Brownfields</b>			
<b>Critical Habitat and Species Protection</b>	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policy. Policy 5.2.G. Page 39.</i>	<i>“The Town will preserve and protect glens, gullies, freshwater wetlands, and other sensitive environmental areas through zoning regulations.”</i>	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policy. Policy 5.2.H. Page 40.</i>	<i>“The Town will preserve and protect wildlife habitats.”</i>	
<b>Commercial Dog Breeding Operations</b>			

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Commercial Wind Energy			
Docking and Mooring	Keuka Lake Uniform Docking and Mooring Law.	Regulates “lakeshore docks, moorings and other structures in or on the waters of Keuka Lake” including regulating placement and configuration of mooring and berthing facilities and dock configuration. Additional requirements are based on the use of each lakefront property.	
Driveways			
Erosion and Sediment Control			
Farmland Preservation	Yates County, New York Agricultural Development and Farmland Enhancement Plan (2004)	Sets forth general policies and goals for the preservation and enhancement of farmland within Yates County	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, General Land Use Policies. Policy 5.1.C. Page 34.</i>	<i>“The Town will support the preservation of working agricultural land in the face of development pressures.”</i>	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policies. Policy 5.3.B. Page 42.</i>	<i>“The Town will develop a subdivision law . . . which is aimed at preserving working agricultural land . . .”</i>	
Filling and Grading			
Flag Lots	L.L. No. 2-1980. Zoning Code, § 4.22. Lake Residential District.	Creates minimum lake frontage (60 feet) for each dwelling unit served.	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policies. Policy 5.2.C. Action 3. Page 37.</i>	<i>“The Town will revise and update its Planned Development District regulations to ensure that “keyhole development” (flag lots) proposals will not be permitted along the lakeshore.”</i>	

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Flood Prevention			
Flood Plain Management	L.L. No. 2-1980. Zoning Code, § 4.25. Special Flood Hazard District. (Added 5-11-1987 by L.L. No. 2-1987)	Chapter applies to all areas of special flood hazards within the jurisdiction of the Town of Barrington; adopted in response to revisions to the National Flood Insurance Program. Any construction or development requires within areas of special flood hazard, as shown on the Flood Insurance Rate Map, a floodplain development permit. Certain design requirements regarding utilities, anchoring, construction materials/methods, and drainage must be met as conditions for permit approval. The Enforcement Officer is appointed local flood plain administrator. This administrator is in charge of reviewing all floodplain development permits for development to be undertaken in areas of special flood hazard within the town.	
Forest Management			
Green Infrastructure			
Growth Management	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Economic Development Policies, Policy 5.6.A. Page 52.</i>	<i>“The Town will regulate the location of new commercial/industrial development to preserve the rural/agrarian character of the Town.”</i>	
	L.L. No. 2-1980. Zoning Code, § 7.11. Planned unit development districts.	Allows for the creation of planned development districts, subject to the Town Board’s approval. General standards for PDDs include: minimum size and maximum density, open space, nonresidential uses, utilities, and stormwater drainage.	
Harbor Management			
Historic Preservation	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Historic Preservation Policies, Policy 5.4.A. Page 44.</i>	<i>“The Town will appoint a Town Historian.”</i>	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Historic Preservation Policies, Policy 5.4.B. Page 44.</i>	<i>“The Town will form and support a ‘Historic Preservation Commission.’”</i>	

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	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Historic Preservation Policies. Policy 5.4.C. Page 45.</i>	<i>“The Town Historian will prepare and maintain an inventory of the Town’s historic buildings, structures, and sites.”</i>	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Historic Preservation Policies. Policy 5.4.D. Page 46.</i>	<i>“The Town will maintain all cemeteries that can no longer be maintained by private citizens.”</i>	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Historic Preservation Policies. Policy 5.4.E. Page 47.</i>	<i>“Where feasible, the Town will supports the preservation of the remnants of the Corning, Bath, and Sodus Bay Railroad bed.”</i>	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Historic Preservation Policies. Policy 5.4.F. Page 48.</i>	<i>“The Town will support programs aimed at raising public awareness of historic preservation issues, specifically the benefits of historic preservation activities.”</i>	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Historic Preservation Policies. Policy 5.4.G. Page 49.</i>	<i>“The Town will support homeowners’ efforts to renovate and update their homes in such a way as to preserve the historic appearance and materials of the house.”</i>	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Historic Preservation Policies. Policy 5.4.H. Page 50.</i>	<i>“The Town will support private landowners’ efforts to maintain and preserve their historic barns are in poor and deteriorating condition.”</i>	

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<b>Impervious Surfaces</b>	L.L. No. 2-1980. Zoning Code, § 4.7. Off-road parking.	Creates minimum number and dimension requirements for off-street parking based on use.	Note: these sections should not be construed as a Best Management Practices. Such regulations may, in fact, result in excessive parking and unnecessary impervious surface area.
<b>Intermunicipal Cooperation</b>	Keuka Watershed Improvement Cooperative (KWIC) of 1993	As stated within the law, the purpose of the KWIC is to protect and improve the purity of waters in the Keuka Lake watershed by certain named activities, including: uniform management of septic systems; management of other additional threats to Keuka Lake; drafting of model ordinances; and meeting Part 157.1 of Title 10 of the New York Code of Rules and Regulations, as promulgated by the Dept. of Health under authority of section 1100 of the Public Health Law.	
	Keuka Lake Uniform Dockings and Moorings Law	Represents a cooperative agreement of the Villages and Towns surrounding Keuka Lake regarding docking and mooring on the Keuka lakefront.	
	L.L. No. 1-1998. Coordinated Assessment Program w/Town of Starkey	Enters into a municipal cooperative agreement with the Town of Starkey to creating a coordinated assessment program.	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Economic Development Policies. Policy 5.6.C. Page 55.</i>	<i>“The Town will work with neighboring municipalities . . . to investigate the potential for establishing alternative energy sources for the Town’s businesses and inhabitants.”</i>	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Community Governance Policies. Policy 5.7.E. Page 59.</i>	<i>“The Town will continue to explore options for municipal cooperation/coordination.”</i>	
<b>Junkyards</b>	L.L. No. 2-1980. Zoning Code, § 4.13. Junkyards.	Regulates junkyards within the town including setbacks, screening, site plan, and inspections. Includes guidelines for granting or denying a permit, including both aesthetic and location-based considerations.	
<b>Lake Access</b>	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policies. Policy 5.2.K. Page 41.</i>	<i>“The Town will support the provisions of public access to the lake.”</i>	

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<b>Mining</b>	L.L. No. 2-1980. Zoning Code, § 4.5. Excavations and soil mining.	Regulates any excavations that might adversely affect natural drainage or the structural integrity of any neighboring lands or structures. Requires a special permit for any commercial excavation or mining.	
<b>Mobile Homes &amp; Mobile Home Parks</b>	L.L. No. 2-1980. Zoning Code, § 4.8. Mobile Homes.	Creates regulations for mobile homes and mobile home parks. For mobile homes not in a mobile home park, these include mobile home design standards, requirements for anchoring/tie-downs and skirting, and prohibition of mobile homes from the Flood Hazard District. For mobile home parks these regulations cover: density, road layout, parking, sales area, open space, patios, unit installation, water/sewer, utilities and some aspects of operations and maintenance.	
<b>Nonpoint Source Pollution</b>	L.L. No. 1-1993. Wastewater Management	Establishes guidelines for types and installation of private wastewater treatment systems and provides for inspections of private wastewater systems. Section V establishes "Water Quality Protection Zones" (Zones 1 & 2) for the protection of water, public health and safety. Zone 1 is referred to as the "critical water protection zone" which includes the land within 200 feet of a lake and/or watercourse. Zone 2 includes all other land within the Town. Systems within Zone 1 are to be inspected every 5 years (Section IX). Inspections will also occur at time of property transfer and refinancing (Section X).	
<b>Onsite Wastewater</b>	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Public Service Policies, Policy 5.7.C. Page 56.</i>	<i>"The Town will enhance the routine enforcement of septic systems serving lakefront properties."</i>	
	Keuka Watershed Improvement Cooperative (KWIC) of 1993	As stated within the law, the purpose of the KWIC is to protect and improve the purity of waters in the Keuka Lake watershed by certain named activities, including: uniform management of septic systems...	
	L.L. No. 1-1993. Wastewater Management	Establishes guidelines for types and installation of private wastewater treatment systems and provides for inspections of private wastewater systems. Section V establishes "Water Quality Protection Zones" (Zones 1 & 2) for the protection of water, public health and safety. Zone 1 is referred to as the "critical water protection zone" which includes the land within 200 feet of a lake and/or watercourse. Zone 2 includes all other land within the Town. Systems within Zone 1 are to be inspected every 5 years (Section IX). Inspections will also occur at time of property transfer and refinancing (Section X).	
<b>Open Space Preservation</b>	L.L. No. 2-1980. Zoning Code, Development guidelines for planned development districts. § 7.2(B)	Requires that at least 30% of the gross area of a proposed PDD be devoted to open space and recreation areas.	

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	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policies. Policy 5.3.B. Page 42.</i>	<i>“The Town will develop a subdivision law . . . which is aimed at preserving . . . open space.”</i>	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policies. Policy 5.2.B. Page 35.</i>	<i>“The Town will support private landowners’ efforts to protect natural resources on their properties through the use of Conservation Easements and other available land conservation techniques and programs.”</i>	
<b>Purchase of Development Rights</b>			
<b>Recreation</b>	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policies. Policy 5.2.A. Page 35.</i>	<i>“The Town will promote balanced land uses between the protection and preservation of natural resources and the demand for recreational opportunities.”</i>	
<b>Riparian Buffers</b>			
<b>Road Layout &amp; Design</b>	L.L. No. 2-1980. Zoning Code, Mobile Homes. § 4.8. C(2)(d)	Establishes basic design criteria for road layout and design in mobile home parks.	
<b>Road Ditching</b>			
<b>Senior Housing</b>			
<b>Sewer and Water Infrastructure</b>	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Public Service Policies, Policy 5.7.A. Page 56.</i>	<i>“The Town . . . will generally oppose the construction of public water and/or sewer infrastructure within the Town.”</i>	

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	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Public Service Policies, Policy 5.7.B. Page 56.</i>	<i>“The Town will support the installation of public sewer infrastructure in the Lakefront Residential District.”</i>	
<b>Sign Control</b>	L.L. No. 2-1980. Zoning Code, § 4.6. Signs.	Regulates size and appearance of permanent outdoor advertising signs and time limits for temporary signs.	
<b>Sourcewater Protection (or wellhead protection)</b>	L.L. No. 2-1980. Zoning Code, § 7.26. Dundee Wellhead District.	Creates a special overlay district for the area surrounding the wells that supply the majority of the drinking water for the Village of Dundee. Requires a development permit for any excavation, construction or any other development within the DWD.	
<b>Steep Slopes</b>	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policies. Policy 5.2.D. Page 37.</i>	<i>“The Town will preserve and protect steep slopes (all slopes 15% or greater) through zoning regulations.”</i>	
<b>Streambank Protection and Restoration</b>	L.L. No. 2-1980. Zoning Code, § 4.23. Highway Residential District.	Any new construction within the HRD must be reviewed by Yates County Soil and Water Conservation District personnel regarding the impact of development on the natural drainage course of the area.	
<b>Stormwater Management and Drainage</b>	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policies. Policy 5.2.J. Page 41.</i>	<i>“The Town will include stormwater management regulations within its revised Zoning Law.”</i>	
<b>Traditional Neighborhood Development</b>			
<b>Transfer of Development Rights</b>			
<b>Transit Supportive Development</b>			

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<b>Vegetation Retention</b>	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policies. Policy 5.2.F. Page. 39</i>	<i>“The Town will preserve and protect woodlands through zoning regulations.”</i>	
<b>Waste Storage</b>			
<b>Watercourses, Permitted Uses of</b>			
<b>Waterfront Development and Management</b>	L.L. No. 2-1980. Zoning Code, § 4.10. Landings, decks, and patios.	Limits size, certain design characteristics, and proximity of landings, decks, and patios to the lakefront of Keuka Lake within the LRD.	
	<i>Draft Comprehensive Plan, Community Vision and Recommendations, Natural Resources and Recreation Policies. Policy 5.2.C. Page 37.</i>	<i>“The Town will protect the Keuka Lake waterfront from development that is inconsistent with the lakefront’s current residential character.”</i>	
<b>Wells</b>			
<b>Wetlands</b>			