

TOWN OF PULTENEY • STEUBEN COUNTY

LOCAL LAWS REVIEWED:

- Local Law No. 1 of the year 2003. A local law amending Local Law No. 1 of the Year 1996 entitled “Land Use and Zoning Regulations.”
- Local law No. 2 of the year 1996. A local law to amend Local Law No. 2 of 1991 entitled “Town of Pulteney Subdivision Regulations.”
- L.L. No. 1-1992, Town of Pulteney Watershed Law (repealed by L.L. No. 7-1992)
- L.L. No. 3-1992, Amending Dog Control Law (L.L. No. 1-1979)
- L.L. No. 4-1992, Governing the Mooring of Vessels within 500 feet from shore
- L.L. No. 6-1992, Wastewater Management
- L.L. No. 2-1993, “Right to Farm”
- L.L. No. 3-1993, Dump and Disposal Law
- L.L. No. 1-2006, Highway Construction and Dedication
- L.L. No. 3-2006, Amend L.L. No. 3-1992 – Dealing with Enforcement Procedure and Penalties of Dog Law
- L.L. No. 4-2006, Providing for the Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code
- L.L. No. 5-2006, Limiting the Public Use of Certain Areas
- L.L. No. 1-2007, Outdoor Woodburning Furnace Moratorium
- L.L. No. 6-2006, Keuka Lake Uniform Docking and Mooring Law

TOWN OF PULTENEY LOCAL LAND USE ASSESSMENT			
Issues to Consider	Law Citation	Summary	<i>Notes</i>
Adult Entertainment Uses			
Aesthetic and Scenic Resources	L.L. No. 1-2003, Land Use and Zoning Regulations, Article IV, District Regulations, § 410.A. District #1.	Creates a zoning district intended to “encourage the preservation of natural resources, scenic and recreational values, and wildlife resources.”	

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	L.L. No. 1-2003, Land Use and Zoning Regulations, Article IV, District Regulations, § 718: Planning Board A. Special Permits – Site Plan Review.	2. Before any permit shall be issued for a special use, a site plan for said use shall have been reviewed and approved by the Planning Boards. In conducting such review the Planning Boards shall require that all provisions of these Regulations are complied with and that satisfactory provision has been made for: (g) Adequate yards and open space; (i) harmony of proposed structures, activities and uses with the intended character of the area with due regard for potential problems of noise, vibration, odor, traffic congestion, air pollution, drainage, aesthetics and other environmental effects; and (j) Potential damage or loss of natural, scenic, or historic features of importance	
Affordable Housing			
Agricultural Practices	L.L. No 2-1993. Right to Farm	General purpose and intent of the law is to maintain and preserve the rural tradition and character of the Town, to permit the continuation of agricultural practices, to protect the existence and operation of farms, and to encourage the initiation and expansion of farms and agricultural businesses.	
	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V, Supplemental Regulations, §509. Animals and Poultry.	In District #1, #2 and #4, no housing of poultry or livestock, no placement of feeding equipment or structures therefore and no outdoor storage of odor or dust producing materials shall be permitted within 200 feet of a lot line or 300 feet of an existing dwelling on an adjoining lot.	
Alternative Energy			
Brownfields			
Critical Habitat and Species Protection	L.L. No. 1-2003 Land Use and Zoning Regulations Article IV, District Regulations, § 410.A. District #1.	Creates a zoning district intended to “encourage the preservation of natural resources, scenic and recreational values, and wildlife resources.”	
	L.L. No. 2-1996 Subdivision Regulations, Article IV. General Requirements and Design Standards, Parks, Open Space, and Natural Features. § 7.F. Preservation of Natural Features.	Wherever possible, all natural features that add value to residential developments and community shall be preserved, “such as large trees or groves, watercourses or falls, beaches, historic spots, vistas, and similar irreplaceable assets.”	

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Commercial Dog Breeding Operations	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V, Supplemental Regulations, §509. Animals and Poultry.	In District #1, #2 and #4, no housing of poultry or <i>livestock</i> , no placement of feeding equipment or structures therefore and no outdoor storage of odor or dust producing materials shall be permitted within 200 feet of a lot line or 300 feet of an existing dwelling on an adjoining lot.	Note: it is assumed that this local law could potentially apply to commercial dog breeding operations IF dog breeding operations fall within Ag&Mkts jurisdiction
Commercial Wind Energy			
Docking and Mooring	LL No 4-1992 Governing the Mooring of Vessels within 500 feet from shore	"...in order to protect and secure navigation, bathing, fishing, and other recreational uses, and the natural beauty and healthful, safe, full and proper enjoyment of the waters bounding the Town of Pulteney by the inhabitants of the Town and the community, to secure safety from flood, fire, explosions and other dangers, to protect the inhabitants of the Town from unreasonable odors, smoke ,vapors, gas, dust, noise and vibrations, to promote and protect the good order, peace, health, safety, morals, and general welfare of the inhabitants of the Town and the community to protect and secure the property of the same, the Town does hereby enact [this law]. Regulates anchoring and mooring of vessels within 500 feet of shore.	
	L.L. No. 1-2003 Land Use and Zoning Regulations, Article IV, District Regulations, District #1. § 410.A.1.e. Lake Access.	"No dock, mooring, boat slip . . . shall be constructed or erected on or intend to serve any lot measuring less than fifty feet at the low water mark or Keuka Lake." Any structure beyond the mean high water line shall not exceed fifteen feet in height. "Any boathouse/boat hoist erected on a dock beyond the mean high water line must remain open sided."	
	L.L. No. 6-2006 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	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V, Supplemental Regulations, §505. Highway Access.	Regulates driveways' sight distance; provides separate regulations for residential and commercial driveways including: driveway pipes, size, angle of entry, grades and number. Driveways on state highways shall be subject to regulations of NYS DOT and driveways on county highways shall be subject to the regulations of the Steuben County DPW.	
Erosion and Sediment Control			
Farmland Preservation	Steuben County, New York Agricultural Expansion and Development Plan	Sets forth general policies and goals for the preservation and enhancement of farmland within Yates County	
	L.L. No. 1-2003 Land Use and Zoning Regulations, Article IV, District Regulations, § 410.C. District #3.	Creates a zoning district intended to "preserve agriculture lands" and "encourage agricultural uses." Permitted, accessory, and special permit uses are listed under this section.	

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Filling and Grading			
Flag Lots	L.L. No. 1-2003 Land Use and Zoning Regulations Article IV, District Regulations, § 410.E. Keuka Lake Access.	(ii) No easement, right of way, right of access or right of use of property adjacent to Keuka Lake shall be granted to more than one person nor be allowed to serve more than a single dwelling except for the purpose of drawing water. Each lakeside lot shall be limited to one easement, right-of-way, right of access or right of use. Such easement or right shall be personal to the grantee and shall not run with either the grantee or grantor's land.	
Flood Prevention	L.L. No. 2-1996 Subdivision Regulations, Article IV. General Requirements and Design Standards, Drainage Improvements. § 6.D. Land Subject to Flooding.	Land subject to flooding shall not be platted for residential occupancy nor any other use that may endanger health, life or property, or aggravate the flood hazard.	
Flood Plain Management			
Forest Management			
Green Infrastructure			
Growth Management	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V, Supplemental Regulations, § 514. Residential Cluster Development.	Allows exemptions to the density schedule provided that the overall number of dwellings does not exceed the number which could be permitted under the normal minimum lot sizes.	
Harbor Management			
Historic Preservation			
Impervious Surfaces	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V, Supplemental Regulations, § 519. Parking and Storage Space.	Sets minimum dimensions for parking spaces.	Note: these sections should not be construed as Best Management Practices. Such regulations may, in fact, result in excessive parking and unnecessary impervious surface area.

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	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V, Supplemental Regulations, § 520. Off-street Parking Schedule	Creates minimum number of off-street parking spaces dependent on use.	
Intermunicipal Cooperation	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.	
Junkyards	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V, Supplemental Regulations, § 502. Parking and Storage of Unlicensed Automobiles.	“Where permitted by these Regulations, automobile junkyards shall be governed by General Municipal Law Section 136.”	
Lake Access	L.L. No. 1-2003 Land Use and Zoning Regulations, Article IV, District Regulations, District #1, § 410.A.1.e. Keuka Lake Access.	“Recreational and related use of the shore of Keuka Lake in District #1 shall be limited . . .” Regulates easements, rights of way, and rights of access to the shoreline.	
Mining	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V, Supplemental Regulations, § 511. Commercial Excavation Operations.	Where permitted as a special use, excavation operations shall comply with the NYS Mined Land Reclamation Law and the Town Board may require the posting of a bond to cover rehabilitation costs.	
Mobile Homes & Mobile Home Parks	L.L. No. 1-2003 Land Use and Zoning Regulations, Article IV, District Regulations, District #1, § 410.A.1.a. Permitted Principal Uses.	Permitted uses include “single-family dwellings, but not including manufactured homes.”	
	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V, Supplemental Regulations, § 517. Manufactured Homes.	Sets forth regulations regarding the placement of manufactured homes including stands, clearance and skirting.	
Nonpoint Source Pollution			

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Onsite Wastewater	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...	
	Town of Pulteney Watershed Law of 1992	Disallows the storage of manure within 100 feet of a watercourse; regulates the disposal methods of human excreta; placement of receptacles and holding tanks; disposal of sewage for existing structures and new construction; and outlines penalties and procedures as necessary.	
	Town of Pulteney Wastewater Management Law of 1992	Creates several regulations for the disposal of wastewater including, but not limited to: rules and regulations for the disposal of human excreta; standards for wastewater systems for new construction; standards for replacement wastewater systems; inspections and surveys; holding tanks; and aerobic tanks. Establishes two water quality protection zones: Zone 1 or the "critical water protection zone" includes all lands within 200 feet of a lake and/or watercourse. All other lands within the town are considered Zone 2. Systems in Zone 1 are required to have an inspection every three to five years.	
Open Space Preservation	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V. Supplemental Regulations, Residential Cluster Development, § 514.B.3. Open Space.	Open space resulted from a cluster development shall be deeded to the town or held in corporate ownership by the lot owners within the development.	
Purchase of Development Rights			
Recreation	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V. Supplemental Regulations, § 515. Recreational Developments (Major)	Sets forth regulations for recreational developments, i.e. campgrounds. "Any recreational development shall contain at least fifty acres. . ." Further regulations include plan requirements, structural layout, permitted occupancy, and street maintenance. "Minor recreational developments are covered by special use permits only."	
	L.L. No. 2-1996 Subdivision Regulations, Article IV. General Requirements and Design Standards § 7. Parks, Open Space, and Natural Features.	Requires any proposed park, playground or open space be shown on the plat. Also sets number and area requirements for recreation areas. Part D requires as a condition to approval of the Plat a payment to the Town of \$500 per acre in instances where recreation areas cannot be properly located therein.	
Riparian Buffers			
Road Layout & Design	L.L. No 1-2006 Highway Construction and Dedication	Purpose is to regulate the laying out and construction of highways prior to their dedication to the Town of Pulteney as public highways.	

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	L.L. No. 2-1996 Subdivision Regulations, Article IV. General Requirements and Design Standards § 2. Street Layout.	Includes regulations related to streets regarding: width and location; arrangement; minor streets; major arterial streets; future resubdivisions; dead-end streets; intersections; and topography.	
	L.L. No. 2-1996 Subdivision Regulations, Article IV. General Requirements and Design Standards § 3. Street Design.	Regulates street design including: width; improvements; utilities; grades; curves; dead-end streets; watercourses; service streets; and commercial developments.	
Road Ditching			
Senior Housing			
Sewer and Water Infrastructure	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V. Supplemental Regulations, § 512. Water Supply and Sewage Disposal.	“Water supply facilities shall be provided in accordance with the standards set forth in the publication ‘Rural Water Supply’ as published by the NYS DOH.” “Any new structure containing bathroom facilities shall be equipped” with a waste disposal system in accordance with the NYS DOH.	
Sign Control	L.L. No. 1-2003 Land Use and Zoning Regulations, Article V. Supplemental Regulations, § 513. Signs and Billboards.	Sets forth limits on the number, size, projection, and illumination of signs.	
Sourcewater Protection (or wellhead protection)			
Steep Slopes			
Streambank Protection and Restoration			
Stormwater Management and Drainage	L.L. No. 2-1996 Subdivision Regulations, Article IV. General Requirements and Design Standards. § 6. Drainage Improvements.	The subdivider may be required to carry away any spring or surface water. A drainage facility shall be large enough to accommodate run-off from the entire upstream drainage area. When a development’s runoff is anticipated to overload existing downstream facilities, the subdivision shall not be approved until provision is made for improvement of the downstream facility.	

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Traditional Neighborhood Development			
Transfer of Development Rights			
Transit Supportive Development			
Vegetation Retention			
Waste Storage	L.L. No 2-1993 Dump and Disposal Law	No person shall suffer or permit garbage, rubbish, solid waste or abandoned vehicles or parts thereof to collect and remain for a period in excess of fourteen days upon any premises owned or occupied by said person, except where such collection is in such receptacle as to prevent it being visible from any public highway or neighboring residence.	
	L.L. No. 1-2003 Land Use and Zoning Regulations Article V, Supplemental Regulation, 500: Prohibited Uses.	The provisions of the District Regulations shall be supplemented by the following: (B) In any district, the following standards for activities shall apply: (3) There shall be no storage of any material either indoors or outdoors in such a manner to facilitate the breeding of vermin or endangering health in any way.	
Watercourses, Permitted Uses of			
Waterfront Development and Management	L.L. No. 1-2003 Land Use and Zoning Regulations Article IV, District Regulations, § 410.A. District #1.	Creates a zoning district intended to “encourage the preservation of natural resources, scenic and recreational values, and wildlife resources.”	
Wells			
Wetlands			