

## **Section 5: Local Environmental Laws**

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### **5.0 INTRODUCTION**

As indicated in Section 4, “Comprehensive Plan and Zoning,” the Town has updated its *Comprehensive Plan* to be consistent with watershed planning efforts.

Included in the recommendations are proposed changes to zoning that will change residential density in large portions of the Town, adjust allowed uses within commercial districts to minimize the impact from intensive commercial development, and protect natural features during the development review process. The Town’s Zoning Code already has a number of provisions that offer protection to steep slopes, wetlands, streams, and vegetation. These provisions are proposed to be updated to be consistent with water quality protection efforts.

### **5.1 STEEP SLOPES**

The Town intends to amend its Resource Protection Plan provision (§138-21) of the Zoning Code and provisions regarding site plan review criteria (§138-46) to indicate that resource protection areas, such as steep slopes and wetlands, can not be built upon. The Resource Protection Plan already includes provisions for adjusting development density based on presence of natural features on a site.

### **5.2 WETLANDS**

The Town has already drafted a revised wetlands protection law to make identification and protection of wetlands consistent with the evolving Federal regulations and with New York State regulations. This draft law was compared with several model regulations for wetland protection and found to be consistent with model provisions. The Town intends to pursue adoption of the wetlands protection law as an implementation action of its *Comprehensive Plan*.

In addition, the Town intends to establish a zoning overlay district to provide additional protection to the Great Swamp Critical Environmental Area. The overlay district would, for example, require decreased allowable development coverage (impervious surfaces) and on-site stormwater management.

### **5.3 LOCAL ENVIRONMENTAL LAWS**

The Town’s Subdivision Regulations provide a comprehensive set of requirements that include erosion and sediment control, stormwater drainage, and preservation of natural features. These provisions, in conjunction with the NYCDEP review of subdivision applications, ensure that new residential subdivisions are constructed in an environmentally-sensitive fashion and are in accordance with watershed protection efforts.

The Town does intend to strengthen existing subdivision provisions to enhance open-space protection set-asides within conservation design subdivisions. ❖