

LOCAL LAW \_\_ OF THE YEAR 2021 OF THE TOWN OF PUTNAM VALLEY

BE IT ENACTED THAT Town Code Chapter 165-26 through 165-26.6 be amended in its entirety to state as follows:

Town of Putnam Valley, NY / Part III, Land Use Legislation / Zoning  
**Article VIIA Special Provisions for County  
Agricultural District Properties**

§ 165-26.1 Purpose.

§ 165-26.2 Definitions

§ 165-26.3 Regulations

§ 165-26.4 Exemptions

§ 165-26.5 Future Subdivisions

**165-26.6 Withdrawal or Removal from County Agricultural District**

**§ 165-26.1: Purpose**

The purpose of this Article VIIA is to provide special regulations with respect to the approval of farm operations and Agricultural Buildings on properties located in agricultural districts created under Article 25-AA of the New York

State Agriculture and Markets Law and § 283-a of the New York State Town Law, in recognition of § 305-a(1) of the Agriculture and Markets Law.

## § 165-26.2: Definitions

**A. County Agricultural District Properties:** shall be those properties designated by the County of Putnam as included within the Putnam County Agricultural District under Article 25-AA of the New York State Agriculture and Markets Law for so long as such properties remain within the Agricultural District.

**B. Farm Operations:** shall be farm operations (including farm buildings and structures) as defined in NYS Agriculture and Markets Law Section 301 (11) as same may be amended from time to time.

## § 165-26.3 Regulations.

**A. Farm Operations on County Agricultural District Properties located in the Town of Putnam Valley shall comply with the following setback and bulk requirements:**

**(1)** All farm buildings other than fences and walls shall be no closer than 50 feet to any lot line; all structures designed for the housing, care and/or feeding of livestock shall be no closer than 100 feet to any lot line; and no structure (except for silos) shall exceed 35 feet in height. The applicant may appeal to the Zoning Board of Appeals from the above setback and bulk requirements. If the appeal is denied, the applicant may seek an AML 305a review from the Department of Agriculture.

**B.**

Site development plan review: Farm Operations on County Agricultural District Properties located in the

Town of Putnam Valley shall be subject to the site development plan approval procedures outlined in this Subsections **C and D**, rather than § **165-16** or **165-21** of this Code. A proposal for a new structure with a footprint of less than 800 square feet or for an addition that expands the existing footprint

by no more than 800 square feet and is used for farm operations shall be exempt from this section in its entirety.

**C.**

Site development plan submission requirements:

**[1]**

Application form with required reasonable fees and escrow.

**[2]**

A sketch plan drawing of the site and location map showing boundaries and dimensions and identifying contiguous properties and any recorded easements and roadways.

**[3]**

Existing contours showing elevations at ten-foot intervals; a United States Geologic Survey (USGS) topographic quadrangle map is acceptable.

**[4]** Illustration of regulated wetlands, wetland buffers, water bodies and/or watercourses and buffers associated with the water bodies and/or watercourses.

**[5]**

A description and illustration of existing and proposed water supply and sewage disposal systems and their location on the property.

**[6]**

Existing and proposed location and arrangement of buildings and structures on site, including means of ingress and egress, parking, circulation of traffic, and signage, exterior dimensions of buildings and structures along with any available blueprints, plans or drawings.

**[7]**

A description of the farm operation and its location on the property, including the particular crops, livestock and livestock products to be produced on the property, the intended use of the land and proposed buildings, structures, signs and any anticipated changes in the existing topography and natural features of the site to accommodate the changes.

**[8]**

A soil erosion and sediment control plan shall be prepared in conformance with state permit thresholds and requirements.

**[9]**

A stormwater pollution prevention plan and wetlands plan shall be prepared in conformance with state permit thresholds and requirements.

**[10]**

Additional information as required by the Planning Board.

**(D)**

Procedure:

**[1]**

Application shall be submitted to the Planning Board and shall be placed on the next available agenda.

**[2]**

An application will be deemed complete when all the information and documentation required under Subsection C above has been received and reviewed by the Planning Board.

**[3]**

The Planning Board may require a public hearing for applications in which there is substantial public interest. The public hearing shall be conducted at the Planning Board's next regular meeting following the day it deems the application complete. The Planning Board shall mail a notice of said hearing to the applicant, all abutting property owners, and those property owners within 200 feet of the subject site at least 10 days prior to said hearing and shall give public notice of said hearing in a newspaper of general circulation in the Town at least five days prior to the date thereof.

**[4]**

The Planning Board shall approve the proposed farm operation and/or farm buildings and structures upon the applicant's demonstrating that:

**[a]**

The property and proposed farming operation has been admitted into the Putnam County Agricultural District, which shall be substantiated by producing a copy of the application for admission into the Agricultural District and the County Approval for same.

**[b]**

The proposed project use and structures that shall constitute farm operation(s) as authorized by the Agricultural District;

**[c]** The proposed project does not pose a threat to public health or safety, or unnecessary degradation to streams, wetlands, water bodies, and/or groundwater, or other environmental impacts in violation of applicable State standards.

**[d]** The requirements set forth above have been met to the satisfaction of the Planning Board.

**[e]** The Planning Board shall issue its decision at its next meeting after it deems an application complete. If the Planning Board requires a public hearing under this section, it shall issue its decision no later than 30 days after such public hearing.

**[f]**

The Planning Board may impose reasonable conditions upon the approval specified in Subsection C above.

**E** All other uses and structures located in the Putnam County Agricultural District, that do not constitute Farm Operations, shall comply with the requirements of the Zoning District in which such properties are located, and approval process otherwise applicable to the proposed use .

**§ 165-26.4 Exemptions.**

This article shall not apply to excavation or removal of material in connection with farm operations on County Agricultural District Properties located in the Town of Putnam Valley to the extent that the excavation and/or removal of material is exempt from permitting requirements of the New York State Department of Environmental Conservation ("DEC") under 6 NYCRR § 420.1(K).

**§ 165-26.5 Future subdivisions.**

Future subdivisions of all lots now or hereafter included within the Putnam County Agricultural District shall be subject to the following criteria and shall require Planning Board approval under the procedures applicable to lots not located in the Putnam County Agricultural District:

**A.**

The maximum number of lots into which any property, located or formerly located in the Putnam County Agricultural District, may not be subdivided in a manner that exceeds that number of lots into which the lot could have been subdivided prior to that lot's inclusion in the Putnam County Agricultural District.

**165-26.6: Withdrawal or Removal from County Agricultural District**

**A:** Properties that have withdrawn or been removed from the Putnam County Agricultural District are required to comply with the zoning uses, and town code requirements in which the parcel is located at the time of withdrawal/removal.