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Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

1 of the year 20 26

Local Law Title: A LOCAL LAW TO AMEND CHAPTER 107 ("LAND DISTURBANCES") OF THE CODE OF
THE TOWN OF CAZENOVIA WITH RESPECT TO LAKEFRONT PROPERTIES

Be it enacted by the _____ **Town Board** _____ of the
(Name of Legislative Body)

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**
(Select one:)

of _____ **Cazenovia** _____ as follows on the attached pages:
(Name of Local Government)

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Department of State Local Law Index Number: _____ of the year 20 _____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

SECTION 1. AUTHORITY

This local law is enacted pursuant to the New York State Constitution, New York Municipal Home Rule Law §10 and Town Law §263.

SECTION 2. PURPOSE & INTENT.

The Town of Cazenovia acknowledges that Cazenovia Lake represents one of the Town's most valuable and most vulnerable assets. The Town of Cazenovia's current and proposed Comprehensive Plans have recognized the sensitivity of development in, on and around the Lakefront and the need for a balance in the protection of Cazenovia Lake (including its aesthetic benefits as part of the built landscape as viewed from the Lake) with the ability of residents to fully enjoy their properties. In that regard, the Town Board of the Town of Cazenovia finds that amending its current Code regarding lakefront properties will assist in meeting this balance and is therefore reasonable and appropriate.

Members of the Cazenovia Advisory Conservation Commission ("CACC"), as well as representatives from the Town's Planning Board, have studied the existing land area watershed surrounding the Lake. The Town has utilized the assistance of Madison County mapping to examine the proportionate size of lots contained within the Lake Watershed system. The mapping and data provided demonstrate that diversity of large and small lots adjoining the Lake's edge, as well as throughout the Lake Watershed system. It is recognized that many of the smaller lots located adjacent to the Lake's edge should be regulated within the context of their size and limitations that are provided to those owners. Many owners are constrained by those existing sized lots and there are limited opportunities to expand same. The importance of protecting the Critical Environmental Area zone of the Lake is paramount and it is believed that a graduated system for allowable percentages in surface impervious coverage would provide a fair opportunity for property owners to enjoy their property, while at the same time preserving the integrity of the Watershed and the Lake itself.

There are a total of 258 lots between the main roads surrounding Cazenovia Lake and the Lake itself. At the time of this Law's passage there are currently 206 lots which are 2 acres or less (≤ 2) in size and 52 lots which are greater than 2 acres (>2). Approximately 75% of the lots on the west side of the Lake and approximately 89% of the lots on the east side of the Lake are 2 acres or less (≤ 2) in size. It is believed that these figures justify treating lots of 2 acres or less (≤ 2) through an adjusted schedule of allowable development versus the larger lots.

SECTION 3. AMENDING §107-7.1 ("WATERSHED IMPERVIOUS SURFACE REQUIREMENTS; RIPARIAN BUFFERS") OF CHAPTER 107 ("LAND DISTURBANCES")

Section 107-7.1 ("Watershed impervious surface requirements; riparian buffers") of Chapter 107 ("Land Disturbances") of the Code of the Town of Cazenovia is hereby amended by deleting Subsection C ("Impervious surface regulations in the Lake Watershed and Riparian Corridor Zone") in its entirety and replacing said Subsection C with the following:

"C. Impervious surface regulations in the Lake Watershed and Riparian Corridor Zone.

- (1) Purpose. To limit and regulate future development of the amount of allowable impervious surface in the Lake Watershed and Riparian Corridor Zone. In the Lake Watershed and Riparian Corridor, the maximum impervious surface allowable shall be as set forth herein. Two separate impervious regulations shall apply, one for existing lakefront lots of equal to or less than 2 acres and one for lakefront lots of greater than 2 acres.

- (2) Graduated system of allowable percentages of impervious surfaces in the watershed. The following zones within the Cazenovia Lake Watershed and Riparian Corridor shall have the stated maximum allowable percentage of impervious surfaces:
- (a) All lots *equal to or less than 2 acres* (≤ 2) in area shall be divided into two zones for coverage:
- i. In the zone from the first 20 feet inland¹ from the lake edge (being the area designated as the Critical Environmental Area (“CEA”) adjacent to Cazenovia Lake), the maximum impervious surface permitted shall be 5%. Such coverage of 5% shall be strictly limited to impervious paths and/or walkways for access to the lake (ingress/egress) only.
 - ii. In the zone making up the remainder of the watershed, the maximum allowable impervious surface shall be up to a total of 15%. (See Appendix “—”).
- (b) All lots *greater than 2 acres* (> 2) in area:
- i. In the zone from the first 20 feet inland from the mean high watermark of Cazenovia Lake¹ (being the area designated as the CEA), the maximum impervious surface permitted shall be 5%. Such coverage of 5% shall be strictly limited to impervious paths and/or walkways for access to the lake (ingress/egress) only.
 - ii. In the zone from 20 to 100 feet from the mean high watermark of Cazenovia Lake,¹ the maximum impervious surface permitted shall be up to 10%.
 - iii. In the zone from 100 to 500 feet from the mean high watermark of Cazenovia Lake,¹ the maximum impervious surface permitted shall be up to 15%.
 - iv. In the zone making up the remainder of the watershed, the maximum allowable impervious surface shall be up to 20%. (See Appendix “—”).
- (3) Percentages shall be calculated within each zone. An aggregate amount or average shall not be permitted.
- (4) In the zone comprised of the area of 25 feet on both sides of the center line of Cazenovia lake tributaries, only riparian vegetation shall be permitted. The only impervious surface permitted in this zone is that which is necessary to cross the tributary. The maximum impervious surface permitted in this zone shall be 5%.”

¹ Historically defined as the established mean high watermark of Cazenovia Lake at an elevation of 1,193.1’ and which shall be set forth on any required survey and/or plan drawings for reference.

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SECTION 4. AMENDING §107-7.1 (“WATERSHED IMPERVIOUS SURFACE REQUIREMENTS; RIPARIAN BUFFERS”) OF CHAPTER 107 (“LAND DISTURBANCES”)

Section 107-7.1 (“Watershed impervious surface requirements; riparian buffers”) of Chapter 107 (“Land Disturbances”) of the Code of the Town of Cazenovia is hereby amended to include a new Subsection E, titled “As-built surveys required,” to read in its entirety as follows:

- “E. As-built surveys required. Proposed projects submitted for review and approval by an applicant shall include an up-to-date survey depicting all existing structures with impervious surface calculations noted thereon. Upon completion of any approved work, an as-built survey shall be submitted for review and approval to the Town of Cazenovia Code Enforcement Office before any Certificate of Occupancy or other required Certificate is issued.”

SECTION 5. CONFLICT WITH STATE LAWS.

To the extent that any provisions of this Chapter are inconsistent with any New York State law or provision, including but not limited to the New York State Town Law Executive Law, or similar provisions relating to lakefront property development, the Town Board of the Town of Cazenovia hereby declares its intent to supersede those sections of the Town Law pursuant to its home rule powers under Municipal Home Rule Law, Article 2, §10 et seq.

SECTION 6. VALIDITY & SEVERABILITY.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 7. EFFECTIVE DATE.

This Local Law shall be effective upon its filing with the New York Secretary of State.