

**Attachment 1 to
Introductory Resolution 2024-05-01**

Town of Forestburgh

LOCAL LAW # __ OF 2024

A LOCAL LAW AMENDING THE TOWN OF FORESTBURGH ZONING CODE BULK TABLES

Be It Enacted by the Town Board of The Town of Forestburgh, New York, as follows:

Section 1. Title

This Local Law shall be referred to as the “Town of Forestburgh Zoning Code Bulk Table”.

Section 2. Authority

This local law is adopted pursuant to sections 10 and 22 of the Municipal Home Rule Law.

Section 3. Repeal, Replace, and Amend

- A. Town of Forestburgh Town Code Chapter 180 Table of Use and Bulk Requirements is hereby amended as set forth in *Attachment 1*.

Section 4. Severability

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section 5. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. SEQRA Determination

The Town Board determined that the adoption of this local law is an Unlisted action under NYS Environmental Quality Review Act (SEQRA), evaluated all relevant environmental impacts of the proposed local law and duly adopted a SEQRA determination of significance and [Negative Declaration / Positive Declaration] by resolution dated _____, 2024.

Section 7. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Supervisor Daniel S. Hogue, Jr.

Aye – Nay – Abstain

Proposed / Draft Local Law

Councilmember Steven Budofsky
Councilmember Karen Ellsweig
Councilmember John W. Galligan
Councilmember Susan Parks-Landis

Aye – Nay – Abstain
Aye – Nay – Abstain
Aye – Nay – Abstain
Aye – Nay – Abstain

Adopted this ___ day of _____ 2024.

**By Order of the Forestburgh Town Board
Teresa Collins, Town Clerk**

I, **TERESA COLLINS**, Town Clerk of the Town of Forestburgh, Sullivan County, New York, **DO HEREBY CERTIFY** that the foregoing local law was approved by the Town Board of the Town of Forestburgh on _____, **2024** and that the foregoing is a true and correct transcript of the original local law and of the whole thereof and that said original local law is on file in the Town Clerk’s office. **I DO FURTHER CERTIFY** that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Forestburgh this _____ day of _____ 2024.

Teresa Collins, Town Clerk

TOWN SEAL

PLEASE TAKE NOTICE TO THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APPLICABLE PORTIONS OF THE TOWN LAW OF THE STATE OF NEW YORK, IT IS THE STATED INTENTION OF THE TOWN TO EXERCISE ITS AUTHORITY TO SUPERSEDE AND AMEND TO THE FULLEST EXTENT ALLOWABLE AS GRANIED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTION 10 AND THE NEW YORK STATE CONSTITUTION.. THE TOWN HEREBY PROVIDES NOTICE THAT IT IS EXERCISING ITS AUTHORITY TO SUPERSEDE AND AMEND PURSUANT TO MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK SECTION 22.

Attachment 1

Town of Forestburgh Zoning Code - Table of Use and Bulk Requirements



ZONING

180 Attachment 1

180 Attachment 1 Table of Use and Bulk Requirements

Zone	Description of Permitted Uses	Minimum Requirements							Maximum Requirements	
		Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Waterfront Setback (feet)	Accessory Structure Setback (feet)	Maximum Height (feet)	Lot Coverage
RR	Residential Recreation District. The RR District is established to provide for residential development of low density which preserves the rural character of the Town. Design standards will promote residents' ability to enjoy the Town's natural environment and assure freedom from nuisance, harmful and unsightly uses. Comprehensive Plan guidelines and recommendations will be implemented in development of this district.									
Permitted Uses										
	Group care facility	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Single-family dwellings/two-family dwellings	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Timber harvesting *acreage must be contiguous	20								
Special Uses										
	Animal husbandry. See § 180-19.									
	Campground	20	500	200	200	200	100	200	30	20%
	Cemeteries	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	10%
	Clubhouses for social organizations with related recreational facilities	5	200	75	100	100	100	75 front road/25 from side/rear	30	30%
	Commercial nursery/greenhouse	10	200	75	200	200	100	75 front road/25 from side/rear	30	30%
	Day-care center	5	200	75	200	200	100	75 front road/25 from side/rear	30	20%
	Farm operation	5	200	75	150	150	100	75 front road/25 from side/rear	30	30%
	Fish hatchery	5	200	75	200	200	N/A	75 front road/25 from side/rear	30	20%
	Hotel/motel	10	200	75	200	200	100	75 front road/25 from side/rear	30	30%
	Kennel	10	200	500	500	500	500	500 front road/500	30	10%

FORESTBURGH CODE

Zone	Description of Permitted Uses	Minimum Requirements							Maximum Requirements	
		Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Waterfront Setback (feet)	Accessory Structure Setback (feet)	Maximum Height (feet)	Lot Coverage
RR	Residential Recreation District. The RR District is established to provide for residential development of low density which preserves the rural character of the Town. Design standards will promote residents' ability to enjoy the Town's natural environment and assure freedom from nuisance, harmful and unsightly uses. Comprehensive Plan guidelines and recommendations will be implemented in development of this district.									
								from side/rear		
	Large scale solar energy system. See Ch. 138.									
	Library/museum	5	200	75	50	100	100	75 front road/25 from side/rear	30	30%
	Mining or other quarrying operations	20	500	500	500	500	100	500 front road/500 from side/rear	30	10%
	Nursing homes	10	200	75	200	200	100	75 front road/25 from side/rear	30	20%
	Park	1	200	75	50	100	N/A	75 front road/25 from side/rear	N/A	N/A
	Place of worship	5	200	75	50	100	100	75 front road/25 from side/rear	30	30%
	Recreation, indoor commercial	15	200	200	200	200	100	200 front road/200 from side/rear	30	20%
	Recreation, outdoor commercial	15	200	200	300	300	100	200 front road/200 from side/rear	30	10%
	Schools and colleges	5	200	75	50	100	100	75 front road/25 from side/rear	30	30%
Site Plan Approval										
	Bed-and-breakfast	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Public utilities facility	1	200	75	50	100	100	75 front road/25 from side/rear	30	20%
Accessory Uses										
	Farm stands									
	Garden houses, tool sheds and swimming pools									
	Home-based occupation									
	Off-street parking for motor vehicles, snowmobiles, camping trailers, or boats belonging to resident									
	Portable storage unit									
	Signs									

ZONING

Notes: Properties located in Sullivan County Agricultural District 1 or 4 exempt from special use permit requirement for agricultural uses but remain subject to bulk area standards.

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FORESTBURGH CODE

Zone	Description of Permitted Uses	Minimum Requirements							Maximum Requirements	
		Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Waterfront Setback (feet)	Accessory Structure Setback (feet)	Maximum Height (feet)	Lot Coverage
RC	Rural Conservation District. The Rural Conservation District is intended to protect sensitive natural areas from overdevelopment, recognizing these lands cannot be used for certain activities without directly affecting the health and safety of neighboring property owners or the community as a whole.									
Permitted Uses										
	Group care facility	5	300	150	50	150	100	150 front road/50 from side/rear	30	20%
	Single-family dwellings/two-family dwellings	5	300	150	50	150	100	150 front road/50 from side/rear	30	20%
	Timber harvesting *acreage must be contiguous	20								
Special Uses										
	Agricultural processing facility	5	200	75	150	150	100	75 front road/25 from side/rear	30	20%
	Animal husbandry. See § 180-19									
	Campground	20	300	200	200	200	100	200	30	20%
	Cemeteries	2.3	300	150	50	150	100	75 front road/25 from side/rear	30	10%
	Clubhouses for social organizations with related recreational facilities	5	300	150	50	150	100	75 front road/25 from side/rear	30	30%
	Commercial nursery/greenhouse	10	200	75	200	200	100	75 front road/25 from side/rear	30	30%
	Day-care center	5	200	75	200	200	100	75 front road/25 from side/rear	30	20%
	Farm operation	5	200	75	150	150	100	75 front road/25 from side/rear	30	30%
	Fish hatchery	5	200	75	200	200	N/A	75 front road/25	30	20%

ZONING

Zone	Description of Permitted Uses	Minimum Requirements							Maximum Requirements	
		Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Waterfront Setback (feet)	Accessory Structure Setback (feet)	Maximum Height (feet)	Lot Coverage
RC	Rural Conservation District. The Rural Conservation District is intended to protect sensitive natural areas from overdevelopment, recognizing these lands cannot be used for certain activities without directly affecting the health and safety of neighboring property owners or the community as a whole.									
								from side/rear		
	Garage, public	5	200	100	100	100	100	100 front road/100 from side/rear	30	20%
	Hotel/motel	10	200	75	200	200	100	75 front road/25 from side/rear	30	30%
	Kennel	10	200	500	500	500	500	500 front road/500 from side/rear	30	10%
	Large scale solar energy system. See Ch. 138.									
	Library/museum	5	200	75	50	100	100	75 front road/25 from side/rear	30	30%
	Mining or other quarrying operations	20	500	500	500	500	100	500 front road/500 from side/rear	30	N/A
	Park	5	200	75	50	100	N/A	75 front road/25 from side/rear	N/A	N/A
	Place of worship	5	200	75	50	100	100	75 front road/25 from side/rear	30	30%
	Recreation, indoor commercial	15	200	200	200	200	100	200 front road/200 from side/rear	30	20%
	Recreation, outdoor commercial	15	200	200	300	300	100	200 front road/200 from side/rear	30	10%
	Schools and colleges	5	200	75	50	100	100	75 front road/25 from side/rear	30	30%
	Stable, commercial	20	300	200	200	200	100	200 front road/200 from side/rear	30	20%
Site Plan Approval										
	Bed-and-breakfast	5	300	150	50	100	100	150 front road/25 from side/rear	30	20%

FORESTBURGH CODE

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RC	Rural Conservation District. The Rural Conservation District is intended to protect sensitive natural areas from overdevelopment, recognizing these lands cannot be used for certain activities without directly affecting the health and safety of neighboring property owners or the community as a whole.									
	Public utilities facility	1	200	75	50	100	100	75 front road/25 from side/rear	30	20%
Accessory Uses										
	Farm stands									
	Garden houses, tool sheds and swimming pools									
	Home-based occupation									
	Off-street parking for motor vehicles, snowmobiles, camping trailers, or boats belonging to resident									
	Portable storage unit									
	Signs									

Notes: Properties located in Sullivan Count Agricultural District 1 or 4 exempt from special use permit requirement for agricultural uses but remain subject to bulk area standards.

ZONING

Zone	Description of Permitted Uses	Minimum Requirements							Maximum Requirements	
		Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Waterfront Setback (feet)	Accessory Structure Setback (feet)	Maximum Height (feet)	Lot Coverage
B1	Neighborhood Business District. The B1 District is established to provide for sufficient size and depth of property to meet business needs yet also maintain safe traffic B1 flow and compatibility with adjacent residential land uses. Design standards of this district are intended to minimize impacts on the environment and on surrounding properties while allowing for commercial development. Comprehensive Plan guidelines and recommendations will be implemented in development of this district.									
Permitted Uses										
	Group care facility	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Single-family dwellings/two-family dwellings	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
Special Uses										
	Brewery/brew pub	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Cannabis on-site consumption location	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Cidery	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Day-care center	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Gas station/automobile service station	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Hotel/motel	2.3	200	75	200	200	100	75 front road/25 from side/rear	30	40%
	Office (business/professional)	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	40%
	Office park	5	200	75	100	100	100	75 front road/200 from side/rear	30	40%
	Place of worship	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	40%
	Recreation, indoor commercial	4	150	25	75	75	100	50 front road/25 from side/rear	30	40%

FORESTBURGH CODE

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B1	Neighborhood Business District. The B1 District is established to provide for sufficient size and depth of property to meet business needs yet also maintain safe traffic B1 flow and compatibility with adjacent residential land uses. Design standards of this district are intended to minimize impacts on the environment and on surrounding properties while allowing for commercial development. Comprehensive Plan guidelines and recommendations will be implemented in development of this district.									
	Restaurant	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Retail store	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Service establishment	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Tavern	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Wine tasting room	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
Site Plan Approval										
	Bed-and-breakfast	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Public utilities facility	1	200	75	50	100	100	75 front road/25 from side/rear	30	20%
Accessory Uses										
	Garden houses, tool sheds and swimming pools									
	Home-based occupation									
	Off-street parking for motor vehicles, snowmobiles, camping trailers, or boats belonging to resident									
	Portable storage unit									
	Signs									

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B2	Gateway Business District. The B2 District is established to provide for small commercial use with the surrounding residential neighborhood. Compatibility with adjacent B2 residential properties will be facilitated through design standards and buffering. Comprehensive Plan guidelines and recommendations will be implemented in development of this district.									
Permitted Uses										
	Group care facility	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Single-family dwellings/two-family dwellings	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
Special Uses										
	Automobile, vehicle and equipment sales	3	200	75	100	100	100	200 front road/200 from side/rear	30	30%
	Day-care center	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Formula business	1.5	150	25	25	25	100	50 front road/25 from side/rear	30	20%
	Funeral home	1.5	150	25	25	25	100	50 front road/25 from side/rear	30	20%
	Garage, public	3	200	200	200	200	200	200 front road/200 from side/rear	30	20%
	Gas station/automobile service station	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Hotel/motel	2.3	200	75	200	200	100	75 front road/200 from side/rear	30	40%
	Light impact industrial	3	200	200	200	200	200	200 front road/200 from side/rear	30	30%

FORESTBURGH CODE

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		Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Waterfront Setback (feet)	Accessory Structure Setback (feet)	Maximum Height (feet)	Lot Coverage
B2	Gateway Business District. The B2 District is established to provide for small commercial use with the surrounding residential neighborhood. Compatibility with adjacent B2 residential properties will be facilitated through design standards and buffering. Comprehensive Plan guidelines and recommendations will be implemented in development of this district.									
	Office (business/professional)	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	40%
	Office park	5	200	75	100	100	100	75 front road/200 from side/rear	30	40%
	Place of worship	1.5	150	25	25	25	100	50 front road/25 from side/rear	30	40%
	Recreation, indoor commercial	4	150	25	75	75	100	50 front road/25 from side/rear	30	40%
	Restaurant	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Restaurant, drive-through	1.5	150	25	25	25	100	50 front road/25 from side/rear	30	30%
	Retail store	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Service establishment	1.5	150	25	50	50	100	50 front road/25 from side/rear	30	30%
	Warehouse	3	200	200	200	200	200	200 front road/200 from side/rear	30	30%
Site Plan Approval										
	Bed-and-breakfast	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Public utilities facility	1	200	75	50	100	100	75 front road/25 from side/rear	30	20%
Accessory Uses										
	Garden houses, tool sheds and swimming pools									
	Home-based occupation									
	Off-street parking for motor vehicles, snowmobiles, camping trailers, or boats belonging to resident									
	Portable storage unit									

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Zone	Description of Permitted Uses	Minimum Requirements							Maximum Requirements	
		Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Waterfront Setback (feet)	Accessory Structure Setback (feet)	Maximum Height (feet)	Lot Coverage
B2	Gateway Business District. The B2 District is established to provide for small commercial use with the surrounding residential neighborhood. Compatibility with adjacent B2 residential properties will be facilitated through design standards and buffering. Comprehensive Plan guidelines and recommendations will be implemented in development of this district.									
	Signs									

Notes: Properties located in Sullivan Count Agricultural District 1 or 4 exempt from special use permit requirement for agricultural uses but remain subject to bulk area standards.

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		Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Waterfront Setback (feet)	Accessory Structure Setback (feet)	Maximum Height (feet)	Lot Coverage
B3	Neighborhood Business District. The B3 District is established to promote businesses which shall serve the residential community in a central area and maintains the character of the Town. Compatibility with the surrounding residential neighborhoods will be facilitated through design standards. Comprehensive Plan guidelines and recommendations will be implemented in development of this district.									
Permitted Uses										
	Group care facility	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Single-family dwellings/two-family dwellings	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
Special Uses										
	Brewery/brew pub	1.5	150	25	25	25	100	75 front road/25 from side/rear	30	30%
	Cannabis on-site consumption location	1.5	150	25	50	50	100	75 front road/25 from side/rear	30	30%
	Cidery	1.5	150	25	25	25	100	75 front road/25 from side/rear	30	30%
	Day-care center	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Hotel/motel	2.3	200	75	200	200	100	75 front road/200 from side/rear	30	40%
	Office (business/professional)	1.5	150	25	25	25	100	75 front road/25 from side/rear	30	30%
	Place of worship	1.5	150	25	25	25	100	75 front road/25 from side/rear	30	40%
	Restaurant	1.5	150	25	25	25	100	75 front road/25 from side/rear	30	30%
	Retail store	1.5	150	25	25	25	100	75 front road/25 from side/rear	30	30%

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Zone	Description of Permitted Uses	Minimum Requirements							Maximum Requirements	
		Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Waterfront Setback (feet)	Accessory Structure Setback (feet)	Maximum Height (feet)	Lot Coverage
B3	Neighborhood Business District. The B3 District is established to promote businesses which shall serve the residential community in a central area and maintains the character of the Town. Compatibility with the surrounding residential neighborhoods will be facilitated through design standards. Comprehensive Plan guidelines and recommendations will be implemented in development of this district.									
	Service establishment	1.5	150	25	25	25	100	75 front road/25 from side/rear	30	30%
	Tavern	1.5	150	25	25	25	100	75 front road/25 from side/rear	30	30%
	Theater	1.5	150	25	25	25	100	75 front road/25 from side/rear	30	30%
	Wine tasting room	1.5	150	25	25	25	100	75 front road/25 from side/rear	30	30%
Site Plan Approval										
	Bed-and-breakfast	2.3	200	75	50	100	100	75 front road/25 from side/rear	30	20%
	Public utilities facility	1	200	75	50	100	100	75 front road/25 from side/rear	30	20%
Accessory Uses										
	Garden houses, tool sheds and swimming pools									
	Home-based occupation									
	Off-street parking for motor vehicles, snowmobiles, camping trailers, or boats belonging to resident									
	Portable storage unit									
	Signs									

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