

TOWN OF NORTH CASTLE

Local Law No. 8 For The Year 2010

Adopted October 27, 2010

A local law to Amend Chapter 209 (Wetlands and Drainage) to expand the definition of a "Minor Project"

Section 1. Amend the Definition of MAJOR AND MINOR PROJECTS in Section 209-5 of the Town Code as follows:

MINOR AND MAJOR PROJECTS

- (1) MINOR PROJECT(S) -- Any activity requiring a wetlands permit where the approval authority is the Building Inspector in consultation with the Town Engineer and where this activity is to be performed on an individual residential single-family or two family building lot, for which the use of mechanical earthmoving equipment may be permitted.
- (2) MAJOR PROJECT(S) -- Any activity that does not qualify as a minor project or which requires a wetlands permit where the approval authority is either the Planning Board or the Town Board. Where multiple applications for a specific project are involved, if at least one activity constitutes a major project as defined herein, each proposed activity shall be treated as a major project, notwithstanding anything contained herein to the contrary.

Section 2. Amend the Definition of MINOR PROJECT in Section 209-20 of the Town Code as follows:

MINOR PROJECT -- Any activity requiring a wetlands permit where the approval authority is the Building Inspector in consultation with the Town Engineer and where this activity is to be performed on an individual residential single-family or two family building lot, for which the use of mechanical earthmoving equipment may be permitted.

Section 3. Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 4. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 5. Effective Date.

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

Dated: October 27, 2010