

Amendments to LUO

1-101.4.B Typographical correction

Section 3-101.2.F Table of Land Uses, Column 2 (Forest management activities except ~~fortimber~~ **for timber** harvesting) and Column 3 (Timber harvesting);

2-101.1 Typographical correction

It is the intent of this Chapter to promote land use conformities, except that nonconforming conditions that existed before the effective date of this Ordinance shall be allowed to continue subject to the requirements ~~of this~~ **of this** Chapter.

2-101.3.C.(i) Clarification of ambiguous ordinance

"(i) For structures located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,000 square feet. The maximum height of any structure may not be made greater than 20 feet or the height of the existing structure, whichever is greater."

"(i) For structures located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,000 square feet. The maximum height of any structure may not be made greater than 20 feet or the height of the existing structure, whichever is greater, **at the upland edge of the structure.**"

2-101.3.C.(ii) Clarification of ambiguous ordinance

"(ii) For structures located less than 100 feet from the normal high-water line of a great pond classified as GPA or a river flowing to a great pond classified as GPA, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,500 square feet. The maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater. Any portion of those structures located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland must meet the footprint and height limits in Section 2-101.3.A(b)(i) and Section 2-101.3.A(c)(i)."

"(ii) For structures located less than 100 feet from the normal high-water line of a great pond classified as GPA or a river flowing to a great pond classified as GPA, **from any portion of the structure**, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,500 square feet. The maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater. **If** any portion of a structure **is** located less than 75 feet from the normal high-water line of a water body, tributary stream, or upland edge of a wetland **the entire structure** must meet the footprint and height limits in Section 2-101.3.A(b)(i) and Section 2-101.3.A(c)(i)."

2-101.3.B Correction to citation.

"Whenever a new, enlarged, or replacement foundation is constructed under a non-conforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board or its designee, basing its decision on the criteria specified in Section ~~2-101.3.D~~ **2-101.3.C**, Relocation, below."

2-101.4.A.1 Typographical correction

1. The expansion of a nonconforming use will be in accordance with any ~~applicable Performance~~ **applicable Performance** Standards set forth in Chapters 3 and 6.

3-101.2.A Typographical correction

The areas to which these Standards are applicable are hereby divided into the following districts as shown on the Official Land Management District Map which is made a part of ~~this Ordinance~~ **this Ordinance**:

3-101.3 Typographical correction

Back lots may be developed for principal structures including lots in a subdivision if they are or can be provided with a right-of way that connects with a public street or a privately-owned street which privately- owned street meets the standards contained ~~m~~ **in** Chapter 5, Street Construction Standards, of this Ordinance and which complies with the following provisions:

3-101.21.D.6 Typographical correction

In order to prevent road and driveway surface drainage from directly entering water bodies, tributary streams or wetlands, roads and driveways shall be designed, constructed, and maintained to empty onto an unscarified buffer strip, at least (50) feet plus two times the average slope, in width between the outflow point of the ditch or culvert and the normal high-water line of a water body, tributary stream, or upland edge of a wetland. Surface drainage which is directed to an unscarified buffer strip shall ~~be~~ **be** diffused or spread out to promote infiltration of the runoff and to minimize channelized flow of the drainage through the buffer strip.

3-101.21.G Remove and Repeal - Timber Harvesting - DEP Requirement

3-101.21.H.2.c Remove citation to repealed section.

- a. "In order to protect water quality and wildlife habitat, existing vegetation under three (3) feet in height and other ground cover, including leaf litter-and the forest duff layer, shall not be cut, covered, or removed, except to provide for a footpath or other permitted uses as described in Section ~~3-101.21.G paragraphs (2) and~~ (2)(a) above."

3-101.21.T.2 Typographical correction

2. Campsite placement on any lot, including the area intended for a recreational vehicle or tent platform, shall be set back one hundred (100} feet, horizontal distance from the normal high-water line of a great ~~rend~~ **pond**, and seventy-five (75) feet, horizontal distance from the normal high-water line or other water bodies, tributary streams, or the upland edge of a wetland.

4-201.1 Add subsection to enhance enforcement capabilities.

E. **"Alternative Citation Procedure"**

1. **Citation.** Following the Notice of Violation procedure in 4-201.1.B, if corrective action has not occurred, the Code Enforcement Officer may, at his/her discretion, issue a citation to the violator.
2. **Content.** The citation shall be in writing, describe the nature of the violation(s) including the ordinance sections violated, the date by which the violations were to have been corrected, that a civil penalty has been imposed for the violation, the date by which the penalty must be paid and to whom, and the consequences of failure to pay within the period stated. Corrective action to be taken and the time period for such corrective action must occur. The citation shall also advise the violator of the right to request an extension of time to correct the violation. The citation shall state that additional civil penalties may be imposed and that further citations may issue if the violation has not been corrected within the time specified.
3. **Service of Citation.** Citations may be delivered in hand to the violator or left with a person of suitable age and discretion residing in the same household. If the violator is a corporation, the citation may be served upon any authorized official, or, if none is available, upon any employee of the corporation. Citations may be served by certified mail return receipt requested. If the return receipt is not signed, the citation shall be presumed to have been served, if also sent by ordinary mail which has not been returned by the post office as undeliverable.
4. **Penalties.** The penalties for violations shall be as follows:
1st citation - \$50.00
2nd citation - \$100.00
3rd citation - \$250.00
4th citation - \$500.00

Fines shall be cumulative.
5. **Extension of time to correct.** In any case in which the violator asserts there is good cause for extending the time period the violation can be corrected, the violator may request such an extension from the Code Enforcement Office in writing setting forth the reason for the request. The request shall not suspend the running of the time limit specified. The Code Enforcement Office shall reply to the request within 2 days of receipt. The decision of the Code Enforcement Office shall be final.
6. **Appeals.** Appeals to the violation may be taken to review with the Town of Greene Board of Appeals in accordance with the procedure set forth in 8-101.3"

5-201.1.K.1 Typographical correction

1. Sidewalks may be located adjacent to the curb or shoulder, but it is recommended that sidewalks be a minimum of ~~2472~~ 2 1/2 feet from the curb facing or edge of shoulder if the street is not curbed.

7-201.1 Typographical correction

To avoid unnecessary delays in processing applications the Planning Board shall prepare an agenda for each regularly scheduled meeting. Applicants shall request to be placed on the Planning Board's agenda ...

7-401.1.A Typographical correction

- A. The Preliminary Plan should approximate the layout shown on the Sketch Plan and recommendations made ~~l:ly~~ by the Planning Board. The Planning Board shall provide the subdivider with a dated receipt of a Preliminary Plan application at the Planning Board meeting where the Preliminary Plan application is first presented and heard by the Planning Board.

7-401.1.B Typographical correction

- A. All applications for preliminary ~~Qian~~ approval for a Major Subdivision shall be accompanied by an application fee as required in Chapter 10. The Planning Board may require the owner or his authorized agent to deposit in escrow with the town an amount of money sufficient to cover the costs for any professional review of the subdivision which the Planning Board may feel is reasonably necessary to Protect the general welfare of the town. This escrow payment shall be made before the Planning Board engages any outside party to undertake this review and to make recommendations to the--Planning Board. Any part of the escrow payment in excess of the final costs for the review shall be returned to the owner or his agent by certified mail within thirty (30) days of final plan approval.

7-401.1.D Typographical correction

“... Should the ~~mee1ing~~ meeting of the first consideration..”

7-401.1.F Typographical correction

“... first publication ~~le~~ to be at least...”

7-501.2.A Clarification

"Three (3) copies of all information accompanying the plan shall be submitted. In addition, one copy of the plans, which may be reduced to a size of 8.5-by-11 inches, and all accompanying information shall be ~~mailed~~ provided to each Planning Board member through the code enforcement office."