

Town of Danby Local Law No. 3 of 2009
“A LOCAL LAW AMENDING THE
SUBDIVISION AND LAND DIVISION REGULATIONS OF THE TOWN OF DANBY
RELATED TO THE CLASSIFICATION OF LAND DIVISIONS”

SECTION 1.

The “Subdivision and Land Division Regulations of the Town of Danby, New York”, as amended through August 13, 2007, are hereby further amended as described in this local law.

SECTION 2.

Article II, Section 201, “Classification of Land Divisions” Subsection B. is hereby amended to read as follows:

“B. LAND DIVISION BY PERMIT – A division of land in which all criteria are met for one of the following options:

1. Option #1 – A large-lot land division is permitted, provided the following criteria are met:
 - a. All lots resulting from the land division are eight (8) acres or more, each with frontage on a public road maintained year-round;
 - b. All lots resulting from the land division meet all other pertinent zoning requirements; and
 - c. No extension or improvement of an existing, or creation of a new public road, public utility, or other public facility or area is involved.

2. Option #2 – A small-lot land division is permitted, where the division results in a lot or lots of less than 8 acres, provided that the following criteria are met:
 - a. No other division(s) or subdivisions(s) involving the parcel being divided except for Land Annexation have taken place within the previous three (3) consecutive years;
 - b. The division results in no more than two lots, including the parcel being divided;
 - c. All lots resulting from the land division have frontage on a public road maintained year-round;
 - d. All lots resulting from the land division meet all other pertinent zoning requirements; and
 - e. No extension or improvement of an existing, or creation of a new public road, public utility, or public facility or area is involved.”

SECTION 3. Severability.

If any provision of this local law is found to be invalid by any court of competent jurisdiction, such invalidity shall not affect any other provisions of this local law.

SECTION 4. Effective Date

This local law shall take effect 10 days after its publication in the official newspaper of the Town or on the date it is filed in the Office of the Secretary of State of the State of New York, whichever is later.

Adopted by Danby Town Board on September 29, 2009