

**TOWN OF WINFIELD  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, pursuant to Section 20 of the Municipal Home Rule Law of the State of New York, of a Public Hearing to be held Wednesday April 13, 2011 at 6:00 p.m. for the purposes of discussing the proposed adoption of a local law as follows:

TOWN OF WINFIELD

Local Law No. 2 of the  
Year 2011

Entitled

AMENDMENTS TO ZONING REGULATIONS

Town of Winfield

Dated March 28, 1974

Amended April 1, 1985, September 13, 1989,  
October 30, 1996 and November 19, 1997

Section 1. Title

This Local Law shall be known as Local Law No. 2 for the year 2011, and will provide for Amendments to "Zoning Regulations for the Town of Winfield, dated March 28, 1974 and as amended April 1, 1985, September 13, 1989, October 30, 1996 and November 19, 1997.

Section 2. Amendments to Zoning Regulations:

**ARTICLE IV ESTABLISHMENT OF DISTRICTS,**

**A. Designation of Districts: ADD THE FOLLOWING GENERAL RULES TO SECTION A.:**

**The following general rules apply to all the above listed districts:**

1. There is a limit of one residential building per building parcel unless the Zoning Board of Appeals has granted a variance after due process.
2. A building permit is required for all construction including new construction, additions to existing buildings, removal/demolition of buildings or for any change in use of existing buildings. Application for building permits will include plans of the proposed construction, information on location/sitting on the property. A complete site plan review may be required.
3. All construction shall comply with Federal Law, the New York State Uniform Fire Prevention and Building Code, including the State

Environmental Quality Review Act (SEQR) and the Town of Winfield Zoning Regulations. All public buildings must comply with the Americans with Disabilities Act.

4. All properties will be maintained in good repair. No owner or person with an interest in real property shall permit property to fall into a serious state of disrepair and/or clutter that becomes an annoyance and/or affects the health, sanitation, structural integrity, general safety of the property.

It is unlawful for any person to store, deposit, place, maintain or cause or permit to be stored, deposited, placed or maintained outdoors any junk, clutter, litter and debris upon private property with the Town of Winfield without the necessary permit and in compliance of the Zoning Regulation herein.

## **ARTICLE VII ADMINISTRATION AND ENFORCEMENT**

- A. **Building/Use Permit**, REMOVE SECTION A. **Building/Use Permit** IN ITS ENTIRETY AND **REPLACE** WITH THE FOLLOWING.

- A. **Building/Use Permit Form 1**

### **1. Purpose & Procedure**

For a person (applicant) wishing to erect, move, structurally alter, add on-to, enlarge or change a building, building use, or change the use of property, the applicant must obtain a Building/Use Application, Form 1 from the Town Clerk. There is no fee at this time. The applicant shall be offered to chance to review the most current Zoning Regulations or to purchase a copy of such.

The applicant must complete all questions on the application in its entirety, also complete a site plan showing the dimensions of the lot and the building, and dimensions of required and proposed yards. The Zoning Officer/Planning Board may require additional information, other than that called for on the application form, as may reasonably be needed to determine if the proposed building or its use of the land are in conformity with provisions of these Zoning Regulations.

Upon completion of the Building/Use Permit Application Form 1, the applicant shall return the application to the Town Clerk at which time the Clerk shall assign an application number and date to the form and deliver the application to the Zoning Officer with three business days. The application shall be reviewed and approved or rejected within twenty workdays by the Zoning Officer. The Zoning Officer will then send a letter to the applicant informing them of that decision. If the

application is rejected, reasons for the rejection will be given in the letter as well as a course of action that may be taken to possibly correct the cause of rejection and obtain an approval. If the application is rejected, a copy of the letter to the applicant will also be sent to the Chairperson of the Zoning Board of Appeals.

Upon the approval of the Building/Use Permit Application Form 1 by the Zoning Officer, the applicant may submit a Building Permit Application to the Town Clerk to obtain a Building Permit.

**Section 3. Effective Date**

This Local Law shall take effect upon the expiration of Forty-Five (45) days after its adoption and shall be filed pursuant to law within the office of the Secretary of State and in the office of the State Comptroller.

Dated: West Winfield, New York  
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Debrah B. Jones, Town Clerk  
Town of Winfield