

TOWN OF WALES

LOCAL LAW INTRO NO. ____-2011

LOCAL LAW NO. 4-2011

A LOCAL LAW, TO AMEND LOCAL LAW 1-1993 KNOWN AS “ADOPTION OF CODE”, ADOPTED BY THE TOWN BOARD OF THE TOWN OF WALES ON MAY 11, 1993, BY AMENDING CHAPTER 200 OF THE ZONING CODE.

BE IT ENACTED BY THE TOWN BOARD AS FOLLOWS:

1. SECTION LEGISLATIVE INTENT

This Local Law amends a prior Local Law known as “Adoption of Code” adopted by the Town of Wales on May 11, 1993, as amended, relating to the administrative, legislative and general legislation of Codes within the Town of Wales as therein set forth.

SECTION 2. SECTION 200-6. ZONING MAP

The following property previously identified on the Zoning Map as A-Agricultural District shall be amended to be identified as R-Residential District:

ALL THAT TRACT AND PARCEL OF LAND, situate in the Town of Wales, County of Erie and State of New York, being located on Route 20A commencing at a point identified on the north side by property of Peltier recorded in Liber 11074 of Deeds at page 9164 and on the south side by property of Birchgrove recorded in Liber 11116 of Deeds at page 2611, commencing to the north side by property of Newell recorded in Liber 07594 of

Deeds at page 00047 and the south side by Hunters Creek Road center line, being an area of 1.2 miles.

SECTION 3. SECTION 200-6. ZONING MAP

The following property previously identified on the Zoning Map as A-Agricultural

District shall be amended to be identified as B-Business District:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, with the buildings and improvements thereon erected, situate, lying and being Part of Lot No. 22, Township 9, Range 5, Town of Wales, County of Erie and State of New York, bounded as follows:

BEGINNING at the intersection of Schang Road and Strykersville Road (also known as Route 78): thence running along the centerline of said Strykersville Road a distance of 392.43 feet to a point; thence running northerly at an interior angle of $117^{\circ} 44'$, a distance of 376.22 feet to a point; thence running southeasterly at an interior angle $62^{\circ} 16'$, a distance of 392.43 feet to a point on the centerline of said Schang Road; thence running at an interior angle of $117^{\circ} 44'$ along the centerline of Schang Road a distance 376.22 feet to the point of beginning which forms an angle with the first boundary line above described of $62^{\circ} 16'$ at the intersection of Strykersville Road and Schang Road. Containing therein 3.00 acres more or less.

SECTION 4. SECTION 120-20, NOTICE; TIME PERIOD AND COSTS FOR REMOVAL

Section 120-20(A) is amended to read as follows:

- A. The notice referred to in Section 120-3, when sent to the owner of the property, may advise the owner that if the junk vehicles or the litter or waste materials are not removed with said thirty-day (vehicles) or five-day (litter or waste material) period, as the case may be, the Town may proceed with the removal and disposition thereof and shall cause the costs of such removal and disposition to be charged against the premises. The notice may also advise the owner that he may be made personally liable for such costs in an action against him; collection thereof shall be by the Town.

SECTION 5. SECTION 195-7, NONCOMMERCIAL WIND ENERGY CONVERSION SYSTEMS

Section 195-7(A) is amended to read as follows:

- A. Noncommercial wind energy conversion system. A wind energy conversion system consisting of one wind turbine, one tower and associated control or conversion electronics, which has a rated capacity of not more than 250 kilowatts and a total height of not more than 150 feet including blades, and is intended to solely supply electrical power for the use on the subject property.

SECTION 6. SECTION 195-7, NONCOMMERCIAL WIND ENERGY CONVERSION SYSTEMS

Section 195-7(C)(2) is amended to read as follows:

- (2) A minimum of two times the total height including blades from any dwelling or boundary line.

shall be erected, moved or altered except in conformity with the regulations herein specified for the district in which it is located. No use, occupation, erection, movement, alteration or site development of such building and/or land shall be permitted or commenced until all permits required by this Code are approved and issued, including any special use and building permits.

SECTION 13. EFFECTIVE DATE

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