

TOWN BOARD RESOLUTION

March 9, 2021

WHEREAS, a review of the Islip Town Code has been conducted by the Department of Planning and Development and the Office of the Town Attorney; and

WHEREAS, on the basis of said review, certain modifications are deemed appropriate in order to clarify, modernize, and streamline portions of the Code that are either ambiguous, lacking clarity, or are insufficient in addressing current trends; and

WHEREAS, pursuant to New York State General Municipal Law, the proposed code changes have been referred to the Suffolk County Planning Commission, and

WHEREAS, a review of the environmental impacts of these proposed regulations indicates that no significant environmental impact will occur; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code changes; and

WHEREAS, on March 9, 2021, a public hearing was held at 2:00PM VIA ZOOM.

NOW THEREFORE, on motion of Councilperson James P. O'Connor, seconded by Councilperson Trish Bergin, be it,

RESOLVED, that the Town Board hereby amends the Islip Town Code Chapter 68 has been amended.

SEE ATTACHED

Additions are indicated by UNDERLINING

Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken the result was: carried 5-0

Chapter 68 Zoning

Article I General Provisions

§68-3 Word usage and definitions

HEIGHT, BUILDING

The vertical distance from grade plane to the average height of the highest roof surface, not including chimneys, spires and similar permitted projections. For any single family residential and any structure(s) accessory thereto, within an area of special flood hazard pursuant to Article XL of this chapter, building height shall be measured from the grade plane or the minimum elevation necessary to meet the prerequisites for federal flood insurance as determined by the National Flood Insurance Program/FEMA shown on an applicable Flood Insurance Rate Map. The Commissioner of Planning or the Commissioner's designee, shall be responsible for any interpretations concerning grade plane and/or flood elevation.

Article IV Administration; Permits and Fees; Standards and Requirements

§68-28 Fees.

F. Incentive Fees for redevelopment, remediation and reuse of contaminated properties known as brownfields, as designated by the United States Environmental Protection Agency or the New York State Department of Environmental Conservation.

(1) Waiver of Fees for sites fully remediated upon permit filing.

- a. Upon the filing of a building permit application, property owners who demonstrate that the subject site was contaminated and has been certified as remediated by the United States Environmental Protection Agency, the New York State Department of Environmental Conservation or by any authorized agency having jurisdiction over the subject property, shall receive a waiver for the subject site's building permit fees. This waiver shall also apply to a public improvement fee, recreation fee, mitigation fee, or similar type impact fee(s) associated with redevelopment of the subject property.
- b. The waiver set forth above does not apply to any Town application fees including but not limited to those for Town Board, Planning Board, or Zoning Board of Appeals applications, nor does it apply to inspection fees, site plan review fees, site plan and building permit revision fees, or any other similar fees incurred after the filing of the initial building permit application.

Article VA Use District Regulations: Ocean Front Dune District AAAB

§ 68-59.6 Height.

A. In a Residence AAAB District, no building or structure shall be erected to a height in excess of 28 feet ~~as measured from the elevation at the center of an established walkway or from the average grade of the lot, whichever is less, to the ridge or peak of the roof or structure.~~ In no case shall a building or structure exceed two stories in height.

Article XI Use District Regulations: Residence BAA District

§ 68-136 Permitted uses.

A. In a Residence BAA District, no building, structure or premises shall be used or occupied and no building or part thereof or other structure shall be so erected or altered except for one of the following purposes:

(4) Aquaculture.

§ 68-139 Height.

A. In a Residence BAA District, no building or structure shall be erected to a height in excess of 28 feet ~~as measured from the elevation at the center of an established walkway or from the average grade of the lot, whichever is less, to the ridge or peak of the roof or structure.~~ In no case shall a building or structure exceed two stories in height.

Article XX Use District Regulations: Business 1 District

§ 68-271 Permitted uses.

O. ~~(Reserved)~~ Public school, public library or municipal facility.

Article XXIX Signs

§ 68-400 Miscellaneous provisions.

D. For fast-food restaurants, a single preview board, a maximum of 25 square feet in sign area and seven feet in height; and a single menu board per order lane, a maximum of 50 square feet in sign area and 10 feet in height, shall be permitted. These shall be in addition to other

permitted signage and shall otherwise comply with all other provisions of the Sign Ordinance, including the requirement to obtain permits.

Article XXXIII Board of Appeals

§ 68-415 Matters of original jurisdiction; special exceptions.

Whenever a use or the location thereof is permitted only upon approval by the Board of Appeals as a special exception, the Board of Appeals may authorize such use in a specific case and after notice and public hearing. In addition, the Board of Appeals shall have authority to hear and decide applications filed for the following, as special exceptions:

~~K. Permit greater height of fences and any different proportion of open spaces and solid material of fences than permitted by this ordinance.~~

Article XLIII Use District Regulations: Industrial Corridor District

§ 68-465 Permitted uses.

A. In an Industrial Corridor District, no building, structure or premises shall be used or occupied and no building or part thereof or other structure shall be so erected or altered, except for one or more of the following purposes:

~~(8) Nursing home.~~

Article XLVII Accessory Apartments

§68-602 Permit and certificate of occupancy required.

No person shall create, construct, alter or occupy an accessory apartment or allow or maintain an accessory apartment without obtaining an accessory apartment permit from the Zoning Board of Zoning Appeals and a certificate of occupancy for said use from the Department of Building. ~~Floor area located more than 50% below grade shall satisfy all applicable requirements of the New York State Uniform Fire Prevention and Building Code prior to being occupied by an accessory apartment.~~

§ 68-615 Permit applications.

D. A public hearing before the Town of Islip Zoning Board of Appeals shall be required for all applications for an accessory apartment permit, ~~including transfers of said permits~~, except for renewals by the same owner and transfers of said permit.

NOTICE

The resolution, a summary of which is published herewith, has been adopted on March 9, 2021 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Islip, in the County of Suffolk, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

DATED: March 9, 2021
 Islip, New York

Olga H. Murray
Town Clerk

REFUNDING BOND RESOLUTION OF THE TOWN OF ISLIP, NEW YORK, ADOPTED MARCH 9, 2021, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING BONDS OF SAID TOWN, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$14,000,000 FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF REFUNDING BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$14,000,000 TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS RELATIVE THERETO

The object or purpose is to refund all or a portion of certain outstanding bonds of the Town issued in 2012 for various purposes.

The periods of probable usefulness of the objects or purposes for which the bonds to be refunded were issued consist of various periods ranging from 3 years to 40 years, commencing on the date of original issuance of the first bonds or bond anticipation notes issued for the respective objects or purposes for which the outstanding bonds were issued.

The maximum amount of obligations authorized to be issued is \$14,000,000.

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 655 Main Street , Islip, New York.

(NOTICE AND SUMMARY OF BOND RESOLUTION FOR PUBLICATION)

LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on March 9, 2021, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Islip, in the County of Suffolk, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF ISLIP

OLGA H. MURRAY
Town Clerk

DATED: March 9, 2021
Islip, New York

BOND RESOLUTION OF THE TOWN OF ISLIP, NEW YORK, ADOPTED MARCH 9, 2021, AUTHORIZING VARIOUS PROJECTS IN AND FOR THE TOWN, STATING THE ESTIMATED TOTAL COST THEREOF IS \$515,000, APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$515,000 TO FINANCE SAID APPROPRIATION

The objects or purposes for which the bond are authorized, the estimated maximum cost, the amount of bonds authorized and the periods of probable usefulness for each object or purpose, are as follows:

<u>Project Description</u>	<u>Estimated Maximum Cost</u>	<u>Amount of Bonds Authorized</u>	<u>Period of Probable Usefulness</u>	<u>PPU Section 11.00 a. Reference</u>
Community improvements	\$100,000	\$100,000	5	89
Acquisition of light vehicles and equipment	45,000	45,000	3	77
Acquisition of equipment	10,000	10,000	5	32
Acquisition of radios	20,000	20,000	5	32
Acquisition of furniture and equipment	25,000	25,000	5	32
Installation of fencing	25,000	25,000	5	32
Acquisition of furniture and equipment	50,000	50,000	5	32
Installation of guide rails	25,000	25,000	5	32
Acquisition of vehicles	40,000	40,000	3	77
Acquisition of equipment	65,000	65,000	5	32
Acquisition of a generator	25,000	25,000	5	32
Acquisition of security cameras	50,000	50,000	5	32
Acquisition of vehicles	35,000	35,000	3	77

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 655 Main Street, Islip, New York.

The bond resolution was adopted on March 9, 2021.