



Town of Islip

TOWN CLERK

PUBLIC HEARING
Town Hall /Board Room
655 Main Street
Islip, NY 11751

November 19, 2019
5:30 p.m.

.....
To consider amending Chapter 68 of the Islip Town Code entitled "Zoning", relating to regulations governing residential day-cares.

Anyone wishing to address the Board at the conclusion of these hearings may do so. Please clearly print your full name and address by registering with the Aide in the lobby. Any disabled person who needs a sign language interpreter or special accommodations to attend this meeting, is asked to please contact Constituent Services at 631-224-5380 as early as possible in order for the Town to accommodate.

Dated at Islip, NY
TOWN OF ISLIP
November 7, 2019
Published
OHM/tb

TOWN BOARD,

By: OLGA H. MURRAY
TOWN CLERK

November 19, 2019

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

WHEREAS, on the basis of said review, certain modifications to update portions of the Code relating to residential day-cares are deemed appropriate in order to ensure compliance with state law and regulations set forth in Social Services Law §390; and

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

WHEREAS, a public hearing was held on November 19, 2019.

NOW, THEREFORE, on motion of Councilperson _____,
seconded by Councilperson _____, be it

RESOLVED, the Town Board of the Town of Islip hereby amends Islip Town Code, Chapter 68 of the Islip Town Code, relating to regulations governing residential day-cares, as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING

DELETIONS are indicated by STRIKEOUTS

Upon a vote being taken, the result was:

Article I General Provisions

§68-3 – Word usage and definitions

B. Definitions.

CHILD DAY-CARE CENTER

- * Any premises that provides care for six or more children during the day or evening hours and where tuition, fees or other forms of compensation are charged regardless of whether or not the facility is licensed by any state or other governmental agency. A minimum lot area of one acre shall be required in connection with any day-care center operated within a residential zone. This definition does not include day camps, registered nursery schools, kindergartens, after-school religious instruction programs or ~~home day-care~~ residential day-care licensed by New York State.

~~HOME DAY CARE~~

~~An accessory use within a single family dwelling where care is provided for not more than five children, with a maximum of two children under the age of two. Children living within the residence shall be included when determining the number of children cared for. Home day care facilities shall be prohibited from basements and cellars.~~

RESIDENTIAL DAY-CARE: shall be defined to include either of the following:

- A. “Family Day Care Home”, shall mean a program caring for children for more than three (3) hours per day and from three (3) to six (6) children in a single family residence. A family day care provider may, however, care for seven (7) or eight children (8) at any one time if no more than six (6) of the children are less than school age and school aged children care is primarily before or after the period such children are ordinarily in school, during school, during school lunch periods, on school lunch periods, on school holidays, or during those periods of the year in which school is not in session in accordance with the regulations of the New York State Social Services Department and the New York State Social Services Department inspects such home to determine whether the provider can care adequately for seven (7) or eight (8) children.
- B. “Group Family Day Care Home”, shall mean a program caring for children for more than three (3) hours per day per child in which child day care is provided in a single family home residence for seven (7) to ten (10) children of all ages, or up to twelve (12) children where all of such children are over two (2) years of age, except for those programs operating as a “Family Day Care Home” (see definition for “Family Day Care Home above). A “Group Family Day Care Home” provider may provide child day care services to two (2) additional children if such children receive services only before or after the period such children are ordinarily in school or during school lunch periods, or school holidays, or during those periods of the year in which school is not in session. There shall be one (1) care giver for every two (2) children under two (2)

years of age in the "Group Family Day Care Home". A group family day care home must have at least one (1) assistant to the operator present when child day care is being provided to seven (7) or more children. This assistant shall be selected by the "Group Family Day Care Home" operator and shall meet the qualifications established for such position by the regulations of the New York State Social Services Department.

Article V Use District Regulations: Residence AAA District

§ 68-48 Accessory uses.

A. Permitted accessory uses.

(1) The following accessory uses shall be permitted when located on the same lot with the authorized use:

(1) ~~Home-day-care.~~ Residential Day-Care

The following regulations shall apply to Residential Day-Cares, as defined in §68-3 of this Ordinance:

[1] Must be Licensed and Registered by the Long Island regional headquarters of the New York State Office of Children and Family Services (NYS OCFS), who are responsible for registration, licensing and enforcement of Residential Day-Cares in Suffolk County.

[2] A Residential Day-Care provider must meet all New York State Building Codes, New York State Health Department Codes, and all "New York State Office of Children and Family Services requirements for Residential Day-Cares.