
(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of Hillsdale
Town
Village

Local Law No. 10 of the year 2007

A local law A Local Law Requiring Logging Permits in the Town of Hillsdale, Columbia
County, New York
(Insert Title)

Be it enacted by the Town Board of the

County
City of Hillsdale as follows:
Town
Village

SECTION 1. FINDINGS

The Town Board finds that the environmental, economic, and aesthetic importance of maintaining healthy and productive forest lands requires the periodic commercial harvesting of standing timber. The Board further recognizes the importance that timber harvesting practices be conducted in accordance with professionally developed, sustainable forest management plans, following the guidelines of the New York State Forestry Best Management Practices (BMP) field guide. The Board further recognizes that timber harvesting and land clearing also occurs in connection with and/or as a precursor to the use of land for development purposes, which land development is subject to the use regulations of the Town of Hillsdale Zoning and Land Use Control Law, including the regulations of the Town of Hillsdale Ridgeline Overlay District (Local Law #6, 2007)

SECTION 2. PURPOSE

The purpose of this Local Law is to require the issuance of a permit by the Town of Hillsdale prior to the commencement of any timber harvesting or land clearing activities in the Town.

SECTION 3. PROHIBITION

It shall be unlawful for any person or entity to engage in logging, timber harvesting, or land clearing activity in the Town of Hillsdale without a permit for the same having been issued in accordance with the provisions of this Local Law, or the provisions of the Town of Hillsdale Zoning and Land Use Control Law.

SECTION 4. PERMITS REQUIRED

Any person or entity proposing to engage in commercial logging or forestry harvesting operations as part of a sustainable forest management plan within the Town of Hillsdale shall first obtain a permit for the same from the town Code Enforcement Officer, or such other individual designated for such purpose by the Town Board. Such permit shall be for a twelve-month period, and may be extended for an additional six-month period, provided that the operations continue to comply with the provisions of this local law and the application for the property for which the permit was issued.

The permit application shall be made on an official form entitled "Application for Logging Permit" and shall be accompanied by an application fee in an amount determined from time to time by resolution of the Town Board. The application shall include the following:

1. The property owner's name, address, and telephone number.

The property location, including street address, approximate acreage, and tax map parcel identification number.

A forest management plan prepared by a natural resource professional (qualified forester) which shall include:

- a. A map of the harvest site.
- b. The estimated harvest volume.

A topographic map showing the property and sale area boundaries, haul and a skid-road layout, Planned Best Management Practices identified, landings located, and public road access identified.

- d. Anticipated dates of harvest.
- e. Silvicultural objectives.
- f. Copies of any required permits from the New York State Department of Environmental Conservation.

4. The plan preparer's qualifications.
5. The name, address, and telephone number of the individual or company performing the timber harvest.
6. A curb-cut permit from the Town Highway Superintendent, Columbia County Director of Public Works, or New York State Department of Transportation.
7. A written representation from the property owner that the application for the permit is made for forestry management purposes only, is not made for subdivision and/or development purposes, and that the applicant understands that by reason of the applicant's representation, the Town of Hillsdale will not subsequently approve any application for the subdivision or change of use of the property which is the subject of the logging permit for a period of five years from the date of the permit.

Any person or entity proposing to engage in logging, timber harvesting, or land clearing operations other than for purposes of maintaining a sustainable forest management plan as provided for under subparagraphs A and B above, shall be subject to and shall proceed under the provisions of the Town of Hillsdale Zoning and Land Use Control Law, including the Ridgeline Overlay District Regulations (Local Law #6, 2007), and shall obtain all necessary approvals and permits required thereunder prior to commencing timber harvesting and/or land clearing activities.

SECTION 5. AGRICULTURAL EXCEPTION

Nothing contained in this Local Law shall be deemed applicable to the harvesting of timber or the clearing of land by individuals or entities actively engaged in existing agricultural operations for the sole purpose of developing agricultural land for crops or the pasturing of animals in an agricultural district. Notwithstanding the foregoing exception, individuals or entities, actively engaged in agricultural operations and wishing to harvest timber or clear land within the Ridgeline Overlay District shall file a written representation with the town that such timber harvesting and/or land clearing is not made for subdivision and/or development purposes, and that the property owner understands that by reason of the applicant's representation, the town of Hillsdale will not subsequently approve any application for the subdivision or change of use of the property for a period of five (5) years from the date of such written representation.

SECTION 6. TOWN ROAD AND PUBLIC HIGHWAYS

All logging/pulp wood loading operations shall be conducted at a loading site off of the Town right-of-way and beyond the established ditch line of public roads. Ditches shall be kept clear of all debris and residue.

