

Local Law Filing

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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.

Town of Hillsdale

Local Law No. 2 of the year 2022

A local law amending the Code of the Town of Hillsdale, Chapter 245 (Zoning), Article VIII (Supplementary Regulations) to add a new Section 245-60 (Natural Resource Inventory).

**Be it enacted by the Town Board of the
Town of Hillsdale as follows:**

Section 1. Intent and Purpose.

This local law amends the Code of the Town of Hillsdale, Chapter 245 (Zoning), Article VIII (Supplementary Regulations) to add a new Section 245-60 (Natural Resource Inventory). The intent of this local law is to adopt the Hillsdale Natural Resource Inventory (February, 2020) (“the NRI”) as an official document of the Town for use in connection with land use decision-making by the Town, specifically including the Town Board, Planning Board, and Zoning Board of Appeals. The purpose of this law is to further the goal of the Town’s Comprehensive Plan to identify and preserve important environmental resources within the Town, including high quality agricultural land, scenic roads, ridgelines, wetlands, stream corridors, aquifers, mature forests, and wildlife habitats. The NRI identifies these and other important environmental resources and this law encourages consideration of the NRI in municipal decision-making to promote the protection and sustainable use of these resources for the citizens of Hillsdale.

Section 2. Findings.

The Hillsdale Comprehensive Plan found that Hillsdale’s environmental resources, its “water resources, natural habitats of forests, ponds, streams, and wetlands, wildlife, hunting and fishing opportunities, and its rolling landscape of scenic hills and valleys” are “its most precious economic asset.” Comprehensive Plan, Ch. 2, sec. C. These resources also have important social value for Hillsdale, for they “are attributes most often mentioned as attractive qualities valued by local residents and visitors.” Ibid. The Comprehensive Plan recognizes that “[t]hese resources can be threatened when development occurs” and that accordingly protection is necessary for these

resources and others such as “stream corridors, floodplains, farmland, and aquifer, scenic, [and] ridgeline” areas, as well as “steep slopes, wetlands and watercourses.” Ibid. These findings are further echoed by the many provisions of the Town Code that give protections to such areas.

The NRI identifies and describes important natural resources and explains their value to the community. The NRI includes descriptions of Hillsdale’s physical setting and geology, air, water and mineral resources, soils and climate, and scenic and public recreation resources. It devotes particular attention to the Town’s biological and water resources—its forests, crests and ledges, meadows, wetlands, and streams—and notes areas of special importance for biodiversity, such as the Taconic Mountains, trout streams, and floodplain forests. The NRI shows the locations of significant resources in a series of 19 maps, describes some of the threats to those resources, and outlines conservation principles and measures that can help to protect resources of conservation concern.

The NRI and this amendment help to fulfill the Comprehensive Plan’s goals to identify and preserve the most important environmental resources in the Town. Integrating the natural resource information and conservation principles set forth in the NRI into the Town’s land-use decision-making processes helps to protect natural resources, including significant habitats, surface and groundwater resources, good farmland soils, biodiversity, and scenic areas, and protects and enhances the economic well-being of the town. Routinely incorporating the NRI information into the reviews of land development projects under the State Environmental Quality Review Act will also assist the reviewing agencies in fulfilling their responsibility to identify and review relevant areas of environmental concern prior to taking municipal action. Consulting the NRI in the earliest stage of planning a new project affecting the uses of lands and waters is especially important, since protection of these resources is more cost-effective than restoring them once they have been damaged.

Section 3. Enactment.

The Code of the Town of Hillsdale, Chapter 245 (Zoning), Article VIII (Supplementary Regulations), is hereby amended to add a new Section 245-60 (Natural Resource Inventory) as follows:

§ 245-60. Natural Resource Inventory.

A. Adoption of the Natural Resource Inventory In Connection With Land-Use Decisions.

1. The Town of Hillsdale hereby adopts the Hillsdale Natural Resource Inventory, as it may be amended from time to time, as an official document of the Town for use in connection with land-use decisions made by the Town.
2. The descriptions, maps, conservation principles, and recommendations contained in the Hillsdale Natural Resource Inventory may be considered by any town body or official making, or participating in, a decision concerning the uses of the lands or waters of the Town pursuant to this Chapter.
3. The Town of Hillsdale encourages the use of the Hillsdale Natural Resource Inventory in connection with all decisions made pursuant to this Chapter,

including, but not limited to, decisions under Article V (Special Permits), Article VII (Site Plan Approval), and Article XI (Appeals and Variances).

4. Applicants seeking Special Permit, Site Plan, or Variance approval may be required to demonstrate consideration of relevant portions of the NRI as part of the application process.

Section 4. Supersession.

To the extent that this Local Law is inconsistent with any State statute or regulation, it is the intent of this Law to supersede any such statute or regulation.

Section 5. Severability.

Should any section or provision of this Local Law be declared null, void, voidable, or invalid, such binding shall not affect the validity of the remaining provisions of this Local Law.

Section 6. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.