

**RESOLUTION - 2022**  
**TOWN OF RIPLEY**  
**LOCAL LAW**  
**AMENDING TOWN OF RIPLEY LOCAL LAW 1992-2 SECTION 638**  
**INTERSTATE DEVELOPMENT IN THE C-2 DISTRICT**

Moved the following Resolution:

**RESOLVED**, that the Town Board hereby introduces a Local Law to provide for an **AMENDMENT OF THE TOWN OF RIPLEY ZONING LAW 1992-2. THE AMENDMENT CONSISTS OF AN ADDED SECTION 638 WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.**

**BE IT FURTHER RESOLVED, THAT THE TOWN BOARD WILL HOLD A PUBLIC HEARING ON THE PROPOSED LOCAL LAW ON MAY\_\_\_\_\_, 2022 AT THE TOWN OFFICE 14N. STATE ST. RIPLEY N.Y. THE BOARD WILL CONSIDER THE COMMENTS OF THE PUBLIC AND PROSPECTIVELY TAKE ACTION ON THE PROPOSED LOCAL LAW.**

This was seconded by Councilman

ROLL CALL VOTE:

## **SECTION III –LANGUAGE OF THE LAW**

### **Section 638 Interstate Development in the C-2 District**

A. Purpose – Parcels in the C-2 district that are adjacent to the New York State Thruway have for years been targeted for commercial development, and substantial work has been done to prepare them for development. The location of the parcels near a Thruway exit, combined with available utilities, makes them uniquely attractive for a variety of commercial uses. In order to facilitate the development of these parcels while limiting potential impacts in other parts of the Town, the following shall apply:

- a. No zoning approval shall be granted for wholesale business-warehouse, storage of materials/fuel warehouse, manufacturing - general, manufacturing of food products, industrial park, or business park uses in the C-2 district unless the applicant's project meets the following requirements:
  - i. The project parcel(s) must be adjacent to the New York State Thruway
  - ii. The project parcel(s) must be over 40 acres in size. Contiguous parcels developed as part of the same project may be considered together for the purposes of meeting this requirement.
  - iii. The project must be served by adequate utilities, including sewer service
  - iv. All project parcels must be outside of the Local Waterfront Revitalization Boundary, as defined in Section 2.5 of the 2015 Northern Chautauqua County Intermunicipal Local Waterfront Revitalization Program document

#### **B. Definitions**

**BUSINESS PARK** - A development on a tract of land that contains a number of separate businesses, offices, light manufacturing facilities, accessory and supporting uses, and common open space designed, planned, and constructed on an integrated and coordinated basis.

**INDUSTRIAL PARK** - A development of land, used primarily for industrial and related uses, that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open space, and other site features and improvements.

**MANUFACTURING** - The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials including but not limited to oils, plastics, resins, etc.

WAREHOUSE - Facilities characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or nuisances such as dust, noise, and odors, but not involved in manufacturing or production.

<u>District</u>	
R-1	Residential or Hamlet
R-2	Residential/Lakefront
RURA	Rural & Agricultural Areas
CON	Recreation/Conservation
C-1	Commercial – Hamlet
C-2	Commercial – Other
M/I	Manufacturing and Industry

Action Choices:  
 N Yes, allowed abide by rules  
 R Zoning Permit Required, allowed by  
 S Special Permit Required/Public  
 Any use or activity omitted is not allowed.

USE TYPE	Refer to SECT #	R-1	R-2	RURA	CON	C-1	C-2	M / I
<b>WHOLESALE</b>								
Wholesale business – warehouse	638			S		S	R	
Storage of materials/fuel warehouse	638			S		S	R	
<b>MANUFACTURING &amp; INDUSTRY</b>								
Electronics & small parts mfg.				S			S	S
Lab & research (commercial)				S			S	S
Gravel and sand operation of over 1,000 yards/year				S				
Gravel and sand operation under 1,000 yards/year				N				
Gas/oil well		S	S	R		S	S	S
Gas compressor				S				S
Manufacturing – general	638			S			R	S
Manufacturing of food products	638			S			R	S
Vehicle dismantling yard				S				S
Machine shop (small)				R				R
Machine shop (large)				S				S
Mill structure				S				S
Industrial park	638						R	
Business park	638						R	



Town of Ripley - ZONING DISTRICTS AREA STANDARDS SUMMARY TABLE								
District / Type of Use	Minimum Lot Size* (sq. feet)	Max. Lot Cover	Minimum Lot Width (feet)	Setbacks			Structure	
				Front yard (feet)	Side Yards (feet)	Rear Yard (feet)	Min. Floor Space (sq.ft.)	Max. Bldg. Height (stories)

C-2	Commercial - Other	(S) = Sewer (NS) = No Sewer							
	Single-Family (Primary Use)	12,000 (S) 20,000 (NS)	30%	90 (S) 120 (NS)	40(S) 50 (NS)	10	25	900	2.5
	Single-Family (Accessory Use)	-----	5%	-----	45	10	5	-----	1.5
	Multi-Family (Primary Use)	13,000 + 5,000/unit (S) 22,000 + 7,000/unit (NS)	40% (S) 30% (NS)	110 + 8/unit (S) 140 + 12/unit (NS)	50		50	800	2.5
	Multi-Family (Accessory Use)	-----	-----	-----	55		10	-----	2
	Non-residential (Primary Use)	-----	60% (S) 25% (NS)	-----	50	20	50	150	3
	Non-residential (Accessory Use)	-----		-----				150	3

**NOTES:**

- (1) \* Minimum lot size is equivalent to lot size excluding any street and highway right-of-ways.
- (2) Lake Erie Shore Setback - For all parcel boundaries that are adjacent to the Lake Erie shoreline, there shall be a minimum setback distance of 100 feet from the shoreline. Current district areas that border the Lake Erie shoreline are R-1, R-2, RURA, and C-2.
- (3) \*\* Meet or improve on the conditions of adjacent properties (Refer to C-1 table).
- (4) The Recreation / Conservation district (CON) shall have a minimum setback as determined by the code enforcement officer as that point which is the most forward buildable location as allowable under the town's current zoning law (Refer to CON table).

**SECTION IV.**

Any determination of any invalidity by a court of competent jurisdiction of any provision herein shall not invalidate any other provision.

**SECTION V. EFFECTIVE DATE**

This Local Law shall take effect upon passage and filing with the Secretary of State in the manner provided by law.

**TOWN OF RIPLEY  
RESOLUTION \_\_\_\_-2022**

**A RESOLUTION RELATING TO THE INITIAL REVIEW, UNDER THE  
STATE ENVIRONMENTAL QUALITY REVIEW LAW, OF THE LOCAL LAW  
AMENDING THE TOWN OF RIPLEY ZONING LAW**

The Following Resolution was introduced by \_\_\_\_\_, seconded by \_\_\_\_\_.  
ROLL CALL VOTE:

The Town Board of the Town of Ripley, duly convened in regular session, does hereby resolve as follows:

Section 1. Pursuant to, and in accordance with, the provisions of Section 617.6 of the New York State Environmental Quality Review Regulations (6 NYCRR Part 617) the Town Board of the Town of Ripley hereby makes the following determinations and classifications with respect to the review of the proposed Local Law amending the Town of Ripley Zoning Law for the Town of Ripley.

A. The Town Board of the Town of Ripley hereby determines that the action is subject to SEQR as, it affects Town wide development.

B. The Town Board hereby determines that the action does not involve a federal agency, and does not involve other agencies.

C. The Town Board hereby makes a preliminary classification of the action as an unlisted action.

D. The Town Board hereby determines that it is, and will be, the lead agency with respect to said Project.

E. The Town Board hereby approves the Short EAF attached here to.

Section 2. A public hearing on the Proposed Local Law will be held on, May \_\_\_\_ at 7:00 p.m. in the Ripley Town Hall, 14 N. State Street. The Town Clerk is hereby authorized to publish notice of the said public hearing in the Jamestown Post Journal, the official newspaper of the Town, and to give notice thereof to the Chautauqua County Department of Planning and to other municipalities, boards and agencies entitled to notice thereof.

Section 3. A copy of this resolution shall be sent by the Town Clerk to the Town of Ripley Planning Board, the Town of Ripley Zoning Board of Appeals, the Building and Code Inspector of the Town and the Commissioner of Environmental Conservation of the State of New York.

Section 4. This Resolution shall take effect immediately.

Roll Call Vote:

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>									
Town of Ripley									
Name of Action or Project: Amendment of Town of Ripley Local Law 1992-2 Town of Ripley Zoning Law									
Project Location (describe, and attach a location map): Town Wide									
Brief Description of Proposed Action: The Town Board has proposed to amend it's zoning law by adding section 638, Interstate Development in the C-2 District									
Name of Applicant or Sponsor:  Town of Ripley		Telephone: 716-736-6881							
		E-Mail:							
Address: 14 North State Street									
City/PO: Ripley		State: N.Y.	Zip Code: 14775						
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
NO	YES								
<input type="checkbox"/>	<input checked="" type="checkbox"/>								
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
NO	YES								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			<table style="width: 100%;"> <tr> <td style="text-align: right;">Town Wide acres</td> <td style="border-bottom: 1px solid black; width: 100px;"></td> </tr> <tr> <td style="text-align: right;">0 acres</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="text-align: right;">0 acres</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	Town Wide acres		0 acres		0 acres	
Town Wide acres									
0 acres									
0 acres									
4. Check all land uses that occur on, are adjoining or near the proposed action: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> Urban    <input checked="" type="checkbox"/> Rural (non-agriculture)         </div> <div style="width: 50%;"> <input type="checkbox"/> Industrial    <input checked="" type="checkbox"/> Commercial    <input type="checkbox"/> Residential (suburban)         </div> <div style="width: 50%;"> <input type="checkbox"/> Forest    <input type="checkbox"/> Agriculture         </div> <div style="width: 50%;"> <input type="checkbox"/> Aquatic    <input checked="" type="checkbox"/> Other(Specify): C-2 District         </div> <div style="width: 50%;"> <input type="checkbox"/> Parkland         </div> </div>									



5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 40px;">           a. Will storm water discharges flow to adjacent properties?             b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?            If Yes, briefly describe:           <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> </div>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____  Signature: _____ Title: _____		



**RESOLUTION      2022**  
**PROVIDING FOR ADOPTION THE AMENDMENT TO**  
**THE TOWN OF RIPLEY ZONING LAW**  
**MOVE TO THE TABLE**

The following resolution was moved by:

RESOLVED, that the proposed Local Law “Amending Town of Ripley Zoning Law Section 638” is hereby moved to the table.

Seconded by: