



**AGENDA  
TOWN OF LEWISBORO  
TOWN BOARD MEETING  
TOWN HOUSE  
MARCH 23, 2015  
7:30 P.M.**

**I. PUBLIC COMMENT PERIOD**

**II. CONSENT AGENDA**

1. **Approval of Minutes March 9, 2015**

**III. NEW BUSINESS**

1. **Resolution to Approve Eagle Scout Project at Town Park as Proposed by Vista Troop 101 Boy Scout Donald Moore**
2. **Resolution to Approve OSPAC's Proposed Work at Leon Levy Preserve**
3. **Discussion of Impact of Weather on Highway Budget**
4. **Resolution for BAN to Finance Highway Paving Needs**
5. **Resolution to Approve Use of Lewisboro Town Park by SEPTA on May 30, 2015, for a Fundraiser**

**IV. OLD BUSINESS**

1. **Resolution to Participate in a Community Choice Aggregation Pilot Program to Allow Residents to Purchase Electricity From Energy Service Companies**
2. **Discussion of Draft of Bed & Breakfast Zoning Change Prior to Asking for Comment from Other Boards and County**

**3. Discussion of Draft of Hotel Zoning Change, Including Possibility of  
Separate Inn and/or Hotel Ordinance**

**V. APPROVAL OF CLAIMS**

**VI. POLLING OF BOARD**

**VII. ANNOUNCEMENTS**

**Town Board Meeting on Monday, April 6, 2015 at 7:30 p.m. at the Town House, 11  
Main Street, South Salem.**

**VIII. MOTION TO GO INTO EXECUTIVE SESSION**

**Items submitted for inclusion on the agenda for regular Town Board Meetings must be received by the Supervisor's Office by noon on the Thursday preceding the meeting. Items of significant importance may be added if deemed necessary by the Town Board or Supervisor.**

**Town Board Meetings Accessibility: The Town of Lewisboro is committed to providing equal access to all its facilities, services and activities to the fullest extent possible. The Town House, Cyrus Russell Community House, Onatru Farmhouse, and the Town Offices at Orchard Square are accessible to persons with physical handicaps. If anyone who wishes to attend any meeting of the Town Board has special needs, please contact the Supervisor's Office (763-3151) at least one week before any scheduled meeting, and we will try to accommodate whenever possible.**

MINUTES OF TOWN BOARD MEETING HELD ON MARCH 9, 2015

1

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, March 9, 2015, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

PRESENT: Supervisor - Peter H. Parsons  
Councilmen - Peter DeLucia, Frank Kelly, John Pappalardo, Daniel Welsh  
Town Clerk - Janet Donohue  
Absent - None

Also attending was the Attorney for the Town Anthony Mole', Facilities Maintenance Manager Joel Smith, Police Chief Frank Secret, Comptroller Leo Masterson and Confidential Secretary/Benefits Coordinator Mary Hafter.

Mr. Parsons called the meeting to order at 7:33 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

COMMUNICATIONS

JUSTICE COURT - Accept Audit Report

FINANCE – Accept Justice Court Audit Report

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted as follows:

THE VOTE:	Yes	- DeLucia, Kelly, Pappalardo, Parsons, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, the Town Board does hereby accept the 2014 Town Justice Court Audit.

EAST OF HUDSON WATERSHED CORPORATION – Accept Financial and Auditor's Report for years 2012 and 2013

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted as follows:

THE VOTE:	Yes	- DeLucia, Kelly, Pappalardo, Parsons, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, the Town Board does hereby accept the East of Hudson Watershed Corporation Financial Statements and Auditor’s Reports for 2012 and 2013.

CONSENT AGENDA

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to approve meeting minutes and to receive and file departmental reports.

THE VOTE:	Yes	- DeLucia, Kelly, Pappalardo, Parsons, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

MINUTES - Approved

On the above motion and second, the minutes of the February 23, 2015, Town Board meeting were approved.

REPORTS – Monthly Report

On the above motion and second, the February reports from the Building, Planning and Police Departments were received and filed.

COMMUNITY CHOICE AGGREGATION ENERGY PROGRAM – Presentation by Michael Gordon, Co-Chairman of Sustainable Westchester (7:40 p.m. – 8:11 p.m.)

Town resident, Michael Gordon, who is the co-chair of Sustainable Westchester, made a presentation to the Board on energy savings for electricity. The New York State Public Service Commission has recently approved the implementation of the very first Community Choice Aggregation (CCC) pilot program in New York which gives more control over lowering the overall energy costs. The plan supports communities that want to find ways to negotiate with third-party energy providers to meet their community’s energy supply needs and get the best price possible (see attached).

Mr. Gordon explained that any consumer of electricity can choose to switch from a utility such as NYSEG to one of the many smaller energy suppliers, commonly known as energy service companies (ESCOs). However, the process tends to be complex and only a few residents have made the move.

Mr. Parsons explained that the state is attempting to create a competitive energy market with the establishment of CCC. Consumers now have little protection from price hikes and this will help to provide it. The backstop is the municipal buying group, which automatically matches consumers with the lowest priced provider of electricity.

Mr. Gordon said that Westchester is now at the point where they can actually do this and they would like to do this as soon as possible. The Board members agreed. Mr. Welsh said that in its

simplistic sense, it is like purchasing a co-op. Mr. Gordon emphasized that customers would not be forced to join the program and only NYSEG customers would be notified. Mr. Gordon also explained that anyone who doesn't like the idea doesn't have to join and they can leave the program at any time. He also explained that the program addresses the purchase of electricity only and the NYSEG will continue to maintain all infrastructures needed to deliver power and will make repairs as needed.

Information will be put on the town's website regarding the CCA. Cost of notifying the customer would be the responsibility of the ESCO. They would only notify the NYSEG customers.

Mr. Kelly and Mr. Pappalardo agree with the idea of aggregation but just want the language changed slightly in the resolution.

Mr. Parsons asked the Town Attorney to draft a resolution. Mr. Parsons will then send the draft to Mr. Gordon and the Town Board members. They will discuss the proposed resolution and will pass something at the next Town Board meeting.

WACCABUC – Historic District Nomination

On motion by Mr. DeLucia, seconded by Mr. Pappalardo, the Board voted as follows:

THE VOTE:	Yes	- DeLucia, Kelly, Pappalardo, Parsons, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board authorizes the Town Supervisor to present the National Register of Historic places registration form for the Waccabuc Historic District to the New York State Office of Parks, Recreation and Historic Preservation.

HOTELS – Zoning Changes Necessary to Accommodate (8:12 p.m. – 8:29 p.m.)

The Town Code defines "Hotels" but there are no regulations pertaining to hotels. The Zoning Code already has height restrictions. The Board said that they were aware of a few areas in town where hotels could be built. The Board would like to see the structures look like country inns and to keep with the character of the community.

The Board asked our town attorney, Anthony Mole' to draft a local law and they will review it at the next meeting.

BED AND BREAKFAST AND INNS – Discuss Draft Ordinance (8:12 p.m. – 8:29 p.m.)

Mr. Welsh asked why the proposal only showed special permits in residential areas and not commercial. Town Attorney Anthony Mole' replied that this is what was discussed at the last meeting. The Board feels that a special permit use is required for both residential and commercial areas.

The Board asked our town attorney, Anthony Mole' to draft a local law and they will review it at the next meeting.

PUBLIC HEARINGS ANNOUNCED – Bed and Breakfast, Inns and Hotels

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board of the Town of Lewisboro, will hold a public hearing on Monday, April 20, 2015 at 7:30 p.m., or shortly thereafter, at the Lewisboro Town House, 11 Main Street, South Salem, New York, for the purpose of hearing the public with regard to ordinances pertaining to Hotels, Bed and Breakfasts' and Inns.

INTERNATIONAL FIREWORKS – Authorize Supervisor to Sign

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- DeLucia, Kelly, Pappalardo, Parsons, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLVED

RESOLVED, that the Supervisor be and hereby is authorized to sign the contract with International Fireworks for the June 27, 2015 fireworks display.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$238,261.89.

POLLING OF BOARD

ANTI-DRUG PROJECT – Multi-Faceted Approach

Mr. Pappalardo feels that we need to take a multifaceted approach to the drug problem. Mr. Kelly did speak about this at last week's meeting. He has spoken with the State Senator, the town prosecutor and the town justices. They would like to put together some type of program and partner up with the school officials, police, medical professionals, etc., to address the problem. Mr. Parsons mentioned that there also seems to be a post-high school group that also seems to be affected.

Mr. Kelly also suggested that we need to get ahead of this and host some type of public forum and also would like to hold a work session with the school board to discuss this terrible problem.

GOLDENS BRIDGE WORKSHOP – Meeting

Mr. Welsh announced that there would be another Goldens Bridge workshop at the Goldens Bridge Community House on March 14, 2015 at 9 a.m.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, March 23, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY.

EXECUTIVE SESSION – To Discuss Personnel Matters

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to go into executive session at 8:42 p.m. to discuss personnel matters.

POLICE OFFICERS – Non-Union Rate Increases

On motion by Mr. Kelly, seconded by Mr. DeLucia, the Board voted as follows:

THE VOTE:	Yes	- DeLucia, Kelly, Pappalardo, Parsons, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board authorizes to pay the non-union police officers the same rate increases as the union police officers for the years covered by the Police Benevolent Association (PBA) Memorandum of Agreement (MOA).

PROCLAMATION – Heroic Actions

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- DeLucia, Kelly, Pappalardo, Parsons, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board authorizes the Supervisor to sign a proclamation to recognize an individual, who wishes to remain anonymous at this point in time, for heroic actions.

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to come out of executive session at 9:25 p.m.

ADJOURNMENT

On motion by Mr. DeLucia, seconded by Mr. Parsons, the Board voted 5-0 to adjourn at 9:31 p.m.

Janet L. Donohue  
Town Clerk



For Immediate Release: 02/26/15

Audrey Zibelman, Chair

**Contact:**

James Denn | [James.Denn@dps.ny.gov](mailto:James.Denn@dps.ny.gov) | (518) 474-7080

<http://www.dps.ny.gov>

<http://twitter.com/NYS DPS>

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**PSC OK's State's First Community Choice Aggregation Pilot Program  
— Energy Demonstration Project in Westchester County Designed to Help Customers  
Lower Energy Bills —**

**ALBANY** —The New York State Public Service Commission (Commission) today approved implementation of the very first community choice aggregation (CCA) pilot program in New York, a cutting-edge initiative that allows municipalities to put out for bid the total amount of natural gas or electricity being purchased by local residents or small businesses effectively giving them more control to lower their overall energy costs. The Commission's approval of this pilot program builds upon Governor Andrew M. Cuomo's strategic Reforming the Energy Vision (REV) plan to spur clean energy innovation and investment, improve customer choice and value, and protect the environment.

"The innovative community aggregation pilot program approved today furthers the Governor's strategic REV plan by supporting communities that desire to find ways to negotiate with third-party energy providers to meet their community's energy supply needs and to get the best price possible," said PSC Chair Audrey Zibelman.

On December 23, 2014, Sustainable Westchester, Inc., a not-for-profit organization comprised of several municipalities in Westchester County, sought approval of a demonstration CCA program in Westchester County. CCA involves local governments procuring energy supply from energy service companies (ESCOs) for their residents.

The potential benefits of CCA programs include price stability for a fixed contract term, the potential for lower prices and more favorable terms, and the ability to design a program that reflects local preferences and needs, including a preference for cleaner power sources. CCA programs also have the potential to enable ESCOs to secure a large number of customers at relatively low marketing costs.

The Westchester County pilot project is intended to include residential and small non-residential customers and to permit aggregation of both electric and natural gas purchases. Sustainable Westchester has been working toward achieving CCA for its members for over two years, and several of its member municipalities have adopted resolutions in support of CCA.

As municipalities agree to participate in the CCA pilot and conduct public outreach campaigns to inform their residents, they will be permitted to request aggregated customer information by fuel type and service classification from the distribution utilities on a rolling basis. As part of the pilot program, the Sustainable Westchester will issue a request for proposals to suppliers to provide energy to participants, and then award a contract. Sustainable Westchester, or the municipality, will then request individual customer data from the utility. The Sustainable Westchester or the municipality and

the selected supplier will then notify bundled customers of the contract terms and their opportunity to opt-out of the program within 20 days.

The approval of the Westchester County project is directly related to the Commission's ongoing proceeding to examine implementation of CCA in New York. The Sustainable Westchester pilot is expected to provide valuable experience on CCA design and outcomes that, in addition to the many comments in that proceeding, will assist the Commission in making a determination on statewide implementation of CCA.

Under the Sustainable Westchester program, Consolidated Edison Company of New York, Inc. and New York State Electric & Gas Corporation will provide to Sustainable Westchester aggregate and customer-specific data (including usage data, capacity tag obligations, account numbers, and service addresses) of all residential and small non-residential customers not currently enrolled with an ESCO. Sustainable Westchester and its municipal members will be required to protect customer information. In addition, Sustainable Westchester is required to file a report annually with the Commission on the status of its demonstration program.

Today's decision may be obtained by going to the Commission Documents section of the Commission's Web site at [www.dps.ny.gov](http://www.dps.ny.gov) and entering Case Number 14-M-0564 in the input box labeled "Search for Case/Matter Number". Many libraries offer free Internet access. Commission documents may also be obtained from the Commission's Files Office, 14th floor, Three Empire State Plaza, Albany, NY 12223 (518-474-2500). If you have difficulty understanding English, please call us at 1-800-342-3377 for free language assistance services regarding this press release.

**Eagle Scout Proposal Presentation to Open Space and Preserves Advisory Committee (OSPAC) -- March 9, 2015 -- and Town Board -- March 23, 2015**

**Presentation Outline:**

-Will be seeking approval for the construction of a small informational kiosk, two trail closed signs with posts, a directional sign for the Eastern Blue Trail, erosion reducing check dams, and the replacement of a damaged trail bridge across intermittent wash crossing

-All work will be completed under the guidance and supervision of OSPAC

-Request that fees associated with ACARC and Wetland activity are waived

**Brief of Planned Town Park Trail Work:**

Mini-Kiosk: This kiosk will be located at the Blue trailhead at the Lewisboro Town Park upper parking lot (See location on Trail Map). The display of the kiosk will be 3.5 feet wide and 4 feet tall (Refer to Kiosk Diagram). The kiosk will consist of a Town Board approved preserve sign, Preserve Guidelines and information (Refer to Attachment), and trail map.

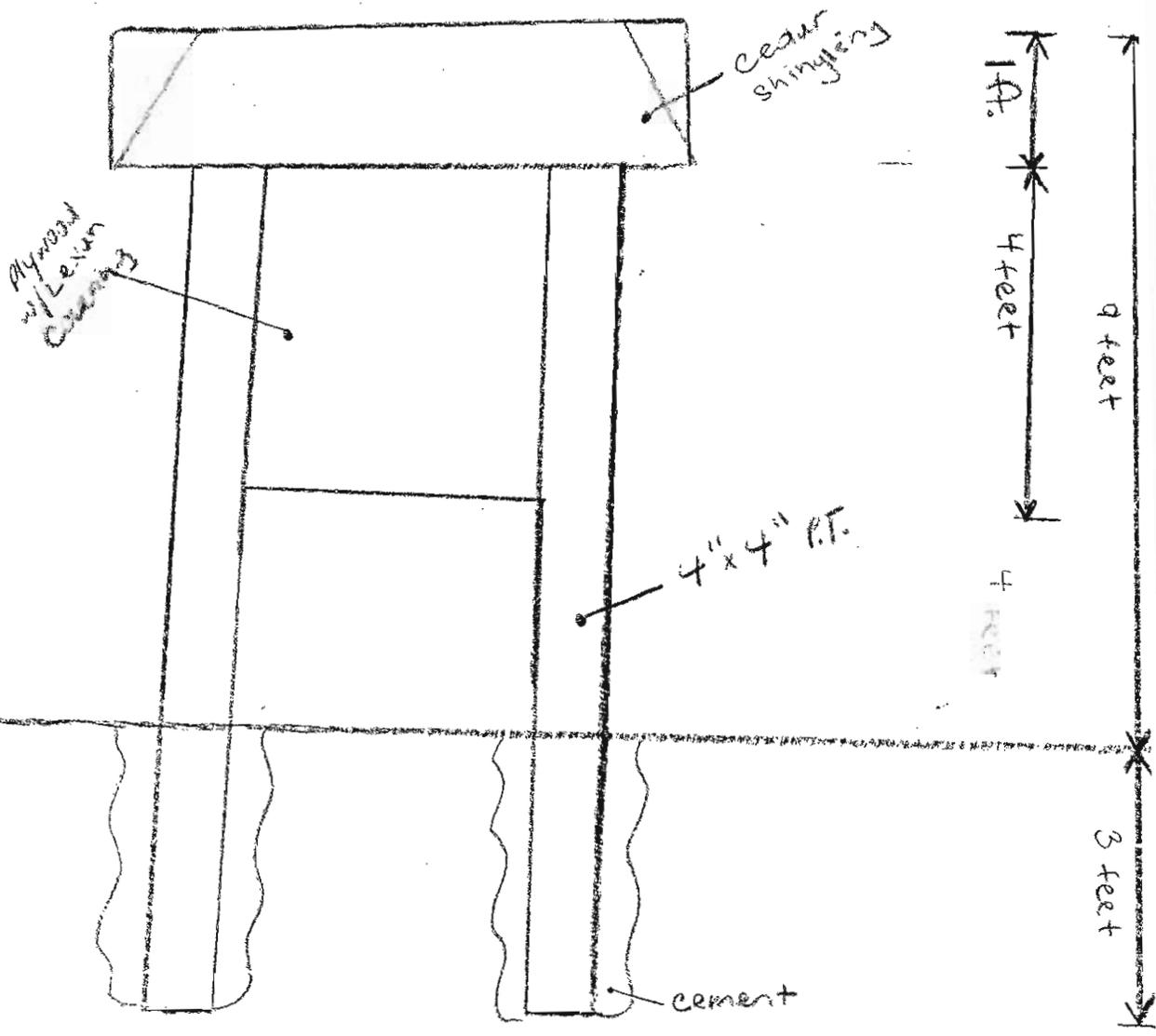
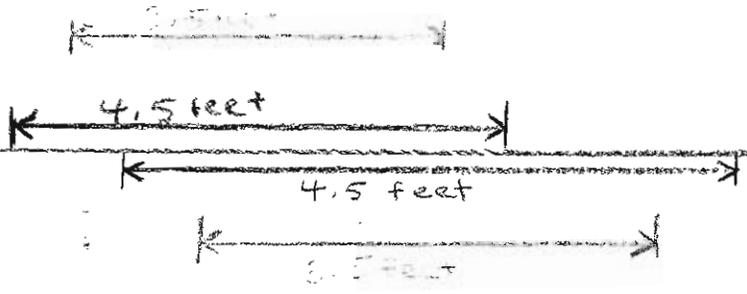
Trail Closed and Eastern Blue Trail Directional Signs: The directional sign will be located at the entrance of the Eastern Blue Trail just passed the east sign of the Town Pool and the closed trail signs will be located at both entrances of the eroded closed ski trail (See locations on Trail Map). Dimensions of these can be found in closed trail and directional sign diagrams.

Check Dams: Approximately three check dams will be placed on steep gradient of Eastern Blue Trail to deter erosion.

Replacement of Damaged Wash Crossing Bridge: Replacement bridge will be located near east side of pond (See location on Trail Map). Dimensions of the bridge can be found in bog bridge diagram. We will seek Town Wetland Inspector approval following his on site inspection.

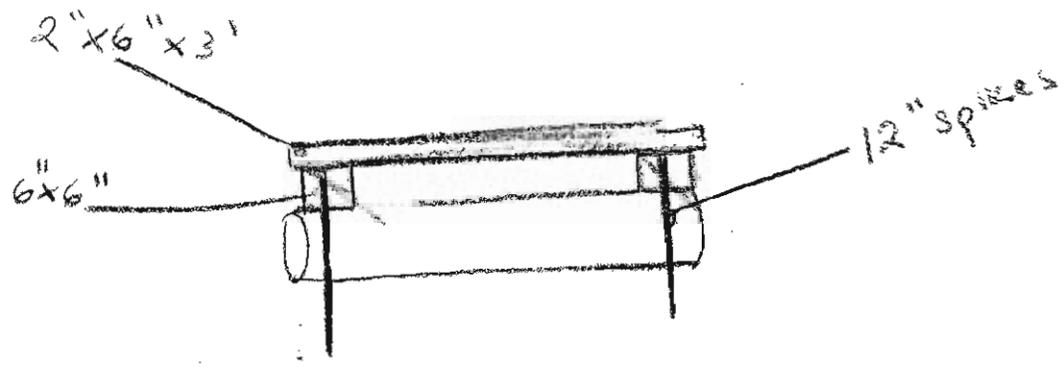
# Kiosk Diagrams

TOP

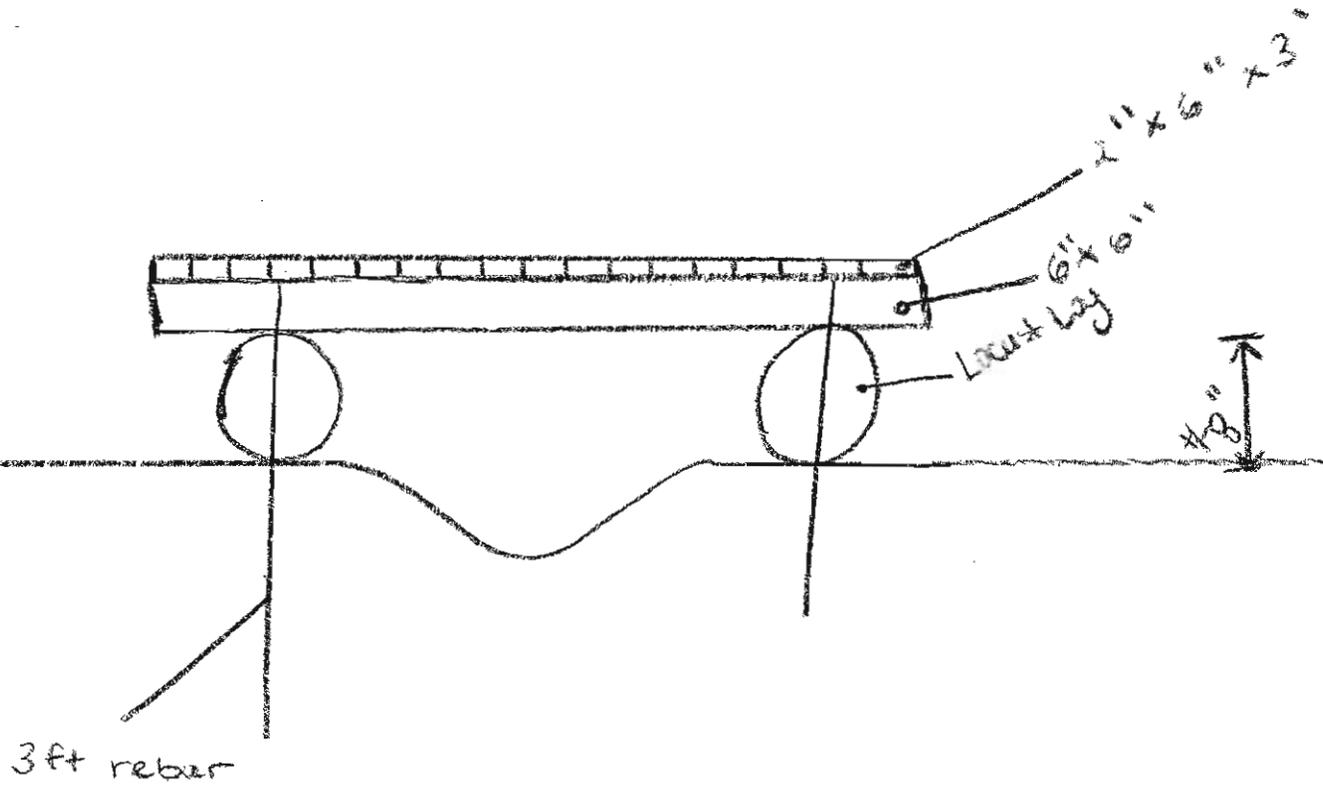
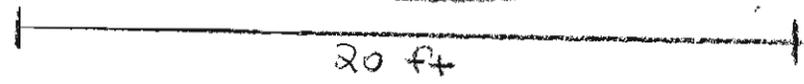


# Boq Bridge Diagrams

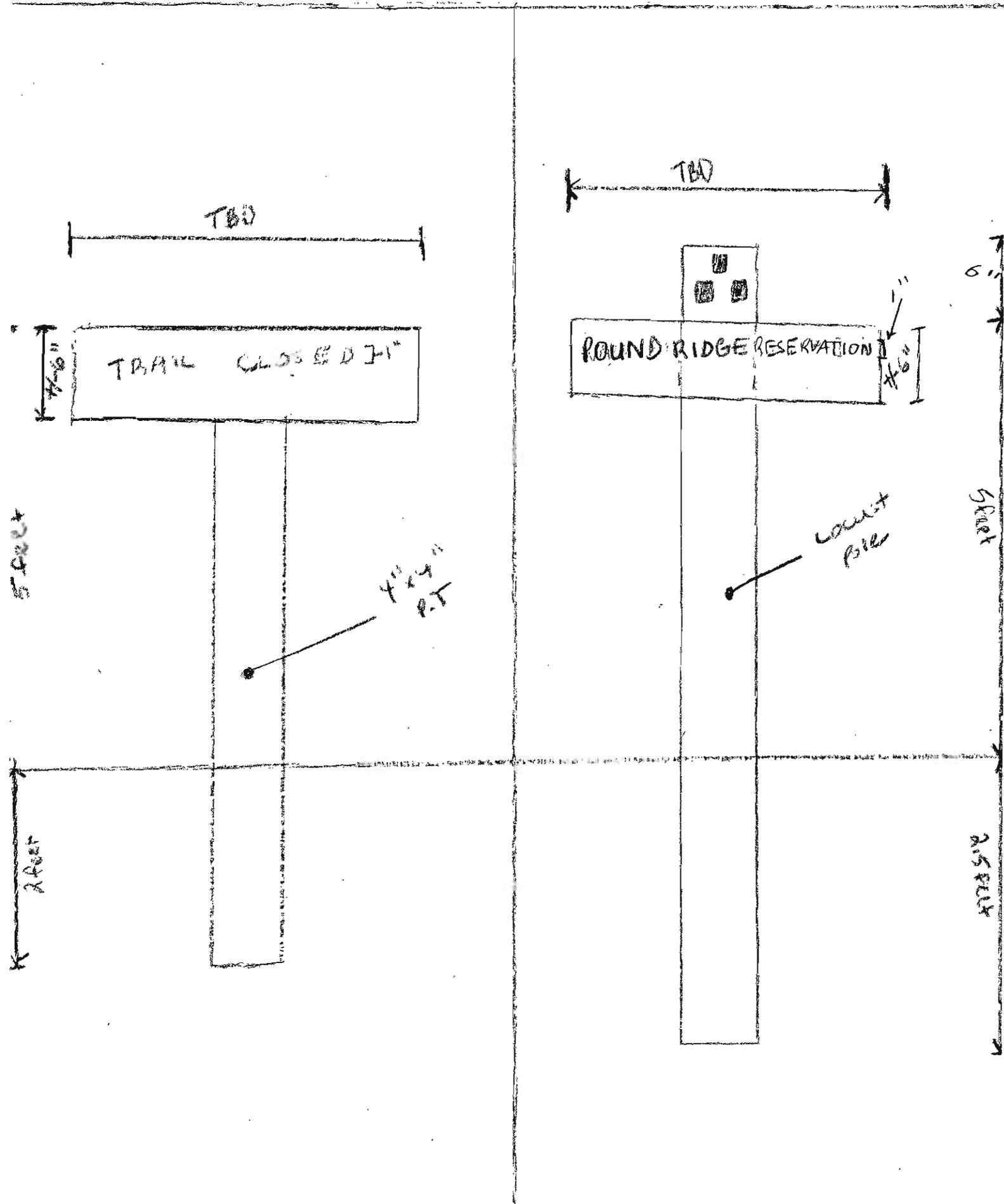
## FRONT



## SIDE



# Directional and Closed Trail Diagrams

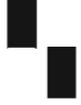


# Preserve Guidelines and Information

## Town of Lewisboro

**Welcome** - Welcome to the preserve. These guidelines are offered to help enhance your walking experience. The preserve is open from dawn to dusk. Please stay on marked trails to minimize damage to our preserve's environment.

**Trail Markers** - Trail blazes (markers) help provide direction on trails. The meaning of the blazes is shown at right. Blaze colors correspond to the colors of the trails shown on the trail map. Main trails in Lewisboro are blazed light blue. Different colors are used for side and other trails. A red blaze over another color blaze indicates the trail is shared with horses.

CONTINUE STRAIGHT 	START OF TRAIL 	RIGHT TURN 
SPUR LEADING TO A DIFFERENT TRAIL 	END OF TRAIL 	LEFT TURN 

**Horses on Trails** - All trails shared with horses will display The Lewisboro Horseman's Association (LHA) logo at trailheads. LHA logo is shown at right. Trails used by horse riders only will be marked with red blazes, without other color blazes. Horse riders shall be members of the LHA or their guests and should abide by the LHA riding rules.



**Pets on Trails** - Please keep dogs and pets on a leash no longer than 6 feet, to keep them away from harmful plants and prevent damage to native plants and disturbance to wildlife. Leashes limit the chance your pet will startle or disturb hikers, horses or other pets. Please pick up your dog's droppings and dispose of them properly.

**Trails Ambassador** - Be a Trails Ambassador - please help keep our preserves in great shape. Please take your trash and any litter you find on the trail and dispose of it off site. Carrying a plastic bag will make it easy to pick up litter as you walk our trails. Report trail problems to [parks@lewisborogov.com](mailto:parks@lewisborogov.com) or **914-232-6162**.

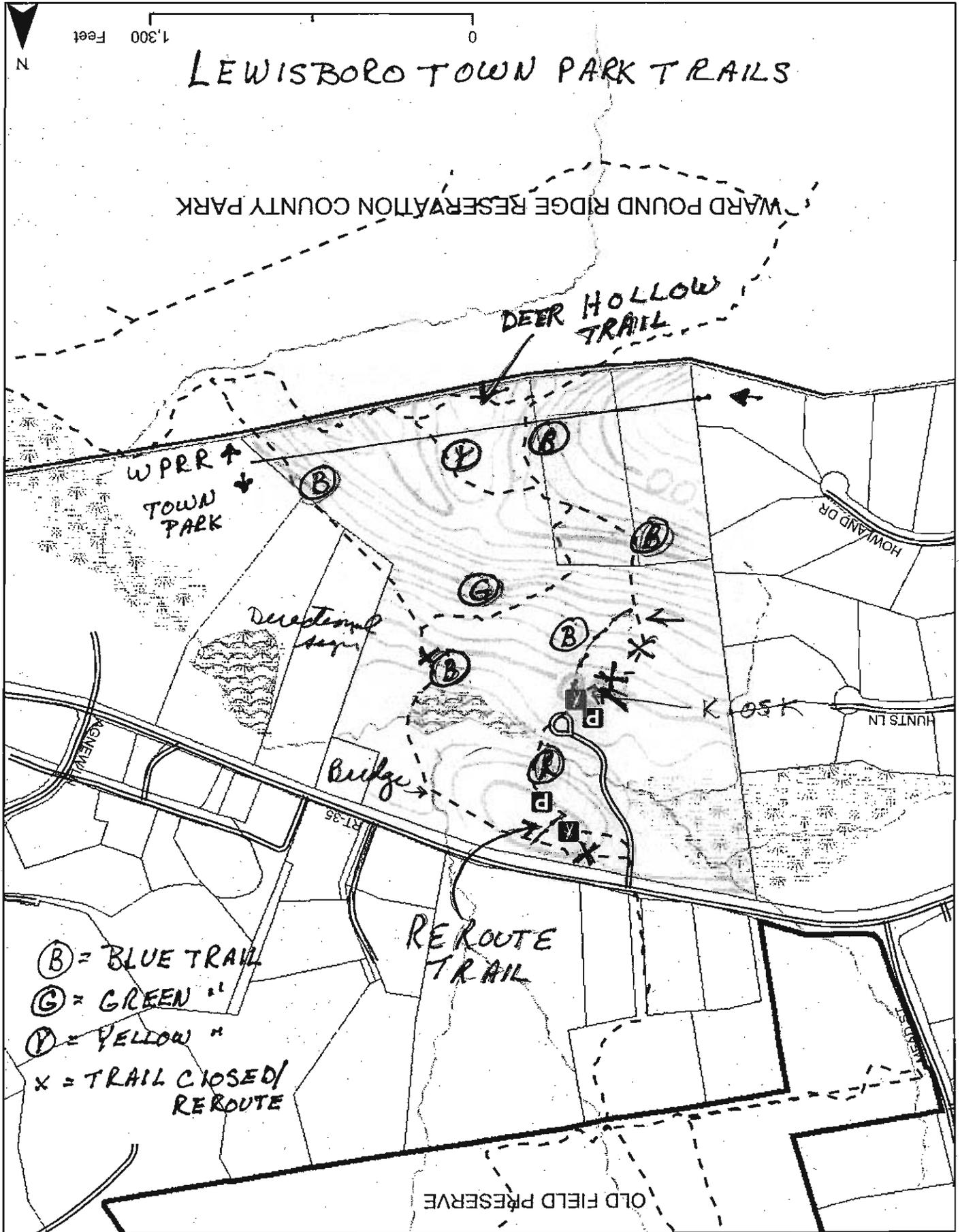
**Motorized Vehicles** - Motorized vehicles are not allowed in preserves, except in emergencies or as authorized by the Town. Report all unauthorized vehicle use promptly to Lewisboro Police/NY State Police dispatch at **914-277-3651**. Include the location, a description of the vehicle(s) such as ATV, vehicle license plate number and the direction of travel.

**Report Preserve Problems** - Please let us know of any trail conditions needing work, such as trail blockage, trail erosion, additional trail blazing needs or other problems. Let us know if more trail maps are needed. Report trail problems and specific location (e.g. blue trail, between yellow and white trails) to the Lewisboro Parks and Recreation Department at [parks@lewisborogov.com](mailto:parks@lewisborogov.com) or **914-232-6162**.

#3

TOP

UP ↑



**Open Space and Preserves Advisory Committee (OSPAC) Presentation to the  
Town Board – March 23, 2015**

George Scott, representing the Town OSPAC

- Seeks approval of new trail work at Leon Levy Preserve (LLP)
  
- Extend existing yellow trail approximately 0.2 miles to observe the striking view of the west gorge area of the preserve. See yellow and black dashed line on attached trail map
  
- Explore and flag future trail loop on Leon Levy Preserve eastern section (across Route 123 from parking lot). See area marked "X" on attached trail map. We'll work with the Wetland Inspector on best environmentally sound site for the trail. When the proposed trail location is set, we'll come back to the Town Board for final approval to build it. The trail is addressed in *Leon Levy Preserve Management Plan*, but does not state the proposed route. Expected trail completion is the end of 2015.
  
- Request the town seek NYS DOT approval for pedestrian or hiker crossing signs, and perhaps a marked crosswalk, for crossing Route 123 to reach the new eastern trail. The crossing location is approximately 30 feet north of the LLP parking lot entrance drive, which is the closest location possible due to a large rock ledge directly across from parking lot entrance.
  
- Request waiving fees associated with ACARC and wetlands activity
  
- All trail work including the Eagle Scout project will be completed under the guidance of OSPAC and to our environmentally responsible and sustainable *Trails Practices* – See attached
  
- Donald Moore, of Vista Troop 101, will describe his Eagle Scout candidate projects for the Town Park.

# **Lewisboro Trails Building, Patrolling & Maintenance Practices**

Rev. 10-20-14

## **Open Space and Preserves Advisory Committee**

### **Trails –The Arteries Into Our Preserves**

These practices are intended to ensure uniform, sustainable and environmentally responsible trails building, patrolling and maintenance practices. Practices apply to Town of Lewisboro owned trails and are encouraged for use on other trails in town.

### **Trail Dimensions Within Woodlands**

Walking and hiking trails shall be built and maintained to approximately 4 feet wide and 8 feet high. All brush and tree branches within this space shall be removed. The trail treadway shall be approximately 2 to 2½ feet wide. Small tree roots, barberry roots, loose stones and other trip hazards shall be removed from the trail treadway. Large tree roots will not be removed. On steep slopes, where erosion is present or possible, stones are many times left on the treadway to help decrease trail erosion.

Horse riding trails shall be built and maintained to approximately 6 feet wide and approximately 10 feet high. The actual trail treadway should be about 2 to 3 feet wide.

Dual use hiking and horse trails shall be constructed to the horse riding trail specifications. Trail clearing shall be performed with minimum disturbance to large trees. In almost all instances, trails can be cleared by removing tree branches and saplings or by rerouting trails around large trees.

### **Trail Dimensions Through Open Fields**

Trails shall be constructed and maintained to a treadway width of 2 to 3 feet by mowing or bush hogging to a maximum width of 10 feet.

Periodic maintenance of preserves' open fields should be covered in each preserve's management plan.

### **Trails Crossing Wetlands**

The Wetland Inspector shall inspect and approve all new trail work within wetlands prior to construction.

No wetlands shall be filled with earth, item 4 or any similar fill material.

It is always advisable to route trails around wetlands. When this is not possible, trails through wetlands, where appropriate, shall be crossed only with stepping stones, rock treadways, bog bridges or bridges.

Pressure treated lumber shall not be used for constructing bog bridges or laid horizontally on the ground in wetlands. Pressure treated lumber support posts and horizontal bridging higher than the maximum expected water level in wetlands is allowed.

### **Controlling and Preventing Trail Erosion**

Where possible, trails shall not be constructed where intermittent water run-off is noticed. Constructing a trail parallel to and uphill, where applicable, of the water run-off is much easier to maintain and should not require rerouting the trail later due to soil erosion.

When trails are in water run-off areas, waterbars made of rocks or logs shall be used to direct water off the trail at appropriate intervals. Waterbars require periodic cleaning of debris and dirt runoff to remain functional. These should be checked and cleaned each time the trails are patrolled. The Town of Lewisboro Wetland Inspector shall pre-approve work in wetlands.

## Trail Blazing (Marking) System Used on Lewisboro Managed Trails

All Lewisboro town owned preserves and trails shall use a standard trail blazing (marking) system. Colored aluminum rectangular blazes shall be attached to trees. Where no trees exist, blazes shall be attached to posts or wooden sticks placed in the ground. Trails shall be blazed at the trailhead, end of trail, where trails turn and within line of sight along trails.

Main and through trails in Lewisboro owned preserves shall be marked with light blue blazes. Other trails shall use blaze colors other than light blue.

Paint shall not be used for trail blazing in Lewisboro owned preserves. Gray paint may be used to conceal old paint blazes.

### Trail Marker Placement

Trail markings (blazes) shall be placed at trailheads, trail ends, significant turns, trail intersections and within line of sight along trails. Allow 2 inch spacing between the upper and lower blazes.

Attach metal blazes to trees, slightly above head level using 2" galvanized flashing/siding nails, 2 nails per blaze. Place 1 nail at the top of the blaze and 1 at the bottom, leaving a 1" gap between the nail head and the tree to allow for tree growth.

Blazes shall be placed so they can be easily seen and followed from either direction when on the trail. Don't over-blaze. Ideally, one blaze should be visible in front and behind of a trail walker at any point on a trail. Avoid placing blazes on either side of the same tree; should the tree fall both blazes would be lost.

Foliage and branches that block the line of sight between blazes shall be removed.

All horse riding designated trailheads shall be posted with the Lewisboro Horsemen's Association sign/logo.

On horse-only trails, Lewisboro Horsemen's Association trail logos shall be placed at trail heads and may be displayed at major trail intersections.

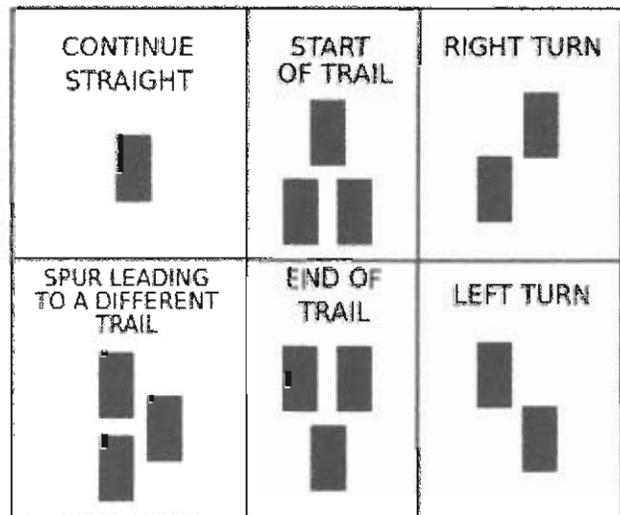


Red blazes shall be used only for horse trails. On dual use hiking and horse riding trails, Lewisboro Horsemen's Association red blazes shall be placed **above** existing hiking trail blazes at appropriate intervals.

### Trail Signage

All Lewisboro preserve entrance trailheads shall be marked with Town Board approved preserve signs stating that preserves are open down to dusk. Town preserve boundaries, where appropriate, may be marked with town approved signs.

Trail intersections may have signs labeled with destination and distance to assist trail users. Intersections may be marked with a number that corresponds to a specific location as shown on a trail map. This may help trail users determine their location in larger preserves.



## **Trail Patrolling and Maintenance**

Trail patrolling (walking) and maintenance shall be performed by volunteers, except as noted. Trail patrols are intended to keep trails open and well maintained for town residents' enjoyment and safety. Each town owned preserve and trail system shall have 2 or more Trails Stewards who shall patrol "their" preserve. One Trails Steward for each town owned preserve and trail system, should be an Open Space and Preserves Advisory Committee (OSPAC) member.

**When** Trails shall be patrolled by Trails Stewards 6 or more times per year - in early spring; in late spring after leaves emerge; in fall after leaves have fallen and following severe wind storms and periodically during the summer. Trails that are used in winter should be patrolled at least once then. Some trail sections may need more frequent patrolling.

**Trails Stewards** patrol responsibilities:

- Keep trails clear of new growth, debris, branches, small tree blowdowns and litter
- Assess damage to trails and kiosks
- Replace missing or damaged trail markers, preserve signs and kiosk trail maps as needed
- Remove foliage and branches that block the line of sight between blazes
- Clear water bars of leaves, excessive soil and other debris
- Be a preserves and trails ambassador by greeting and talking with hikers encountered on our trails and preserves
- Report major trail damage, erosion or tree obstruction with suggested trail solutions to Chief Trails Steward
- Litter bags shall not be left at trailheads, but shall be removed from preserves and disposed of properly
- Report vandalism, motor vehicle use in preserves and other prohibited activities
- Forward requests for Trail Crew volunteers to tackle major trail remediation or construction to Chief Trails Steward

**Trails Crew** This supplementary volunteer team works on all trails and preserves, as needed. Responsibilities include:

- Help with major trail repair and maintenance
- Trails reopening
- Remove downed trees, including chain saw work
- Trail construction and reconstruction such as bridges, bog bridges, kiosks, trail expansion and significant erosion control
- Help control invasive vines and plants in preserves

## **Motorized Vehicle Use - Protecting Our Preserves**

### **Unauthorized Motor Vehicles**

There shall be no motorized vehicles on town preserves beyond the trailhead, except for emergency and authorized maintenance use.

No motorized vehicles of any type shall be permitted in areas containing standing or flowing water, except during medical, fire or police emergencies.

### **Authorized Motor Vehicles**

Motor vehicle maintenance use on preserves and town owned trails shall be authorized by the Town of Lewisboro. The exception is utility company vehicles on authorized rights-of-way, such as the Leon Levy Preserve cell tower and the Brownell Preserve ATT buried cable right-of-way.

## **Additional Preserves & Trails Information**

### **Recommended Tools and Materials for Patrolling and Maintaining Trails**

Trails volunteers should bring tools appropriate for tasks to be performed

#### **Trails Stewards and others patrolling trails - Routinely carried gear**

- Daypack for trail gear
- Work gloves
- Long or short handled loppers
- Pruning saw – 10 inches or longer
- Plastic litter bags
- Drinking water
- Personal first aid kit
- Eye protection when indicated
- Trail map replacements
- Major trail restoration or new trail work may require additional tools such as chainsaws, shovels, mattocks and more.

#### **Installing blazes**

- Aluminum blazes - light blue and other colors used on that preserve's trails (provided)
- 2 inch galvanized flashing/siding nails (provided)
- Claw Hammer

#### **Town of Lewisboro Owned Trails**

**Brownell Preserve** – Goldens Bridge

**Leon Levy Preserve** – South Salem

**Old Field Preserve** – Waccabuc

**Fox Valley Park** – Goldens Bridge

**Lewisboro Town Park** – South Salem

**Onatru Farm** - Lewisboro Hamlet

#### **Constructing and Maintaining Trails**

*Trail Maintenance Manual – 7<sup>th</sup> Edition, Revised 2007*

New York – New Jersey Trail Conference, Inc.

<http://www.nynjtc.org/files/Trail%20Maintenance%20Manual7threvised.pdf>

*Complete Guide to Trail Building and Maintenance – 4<sup>rd</sup> Edition, 2008*

Appalachian Mountain Club (AMC)

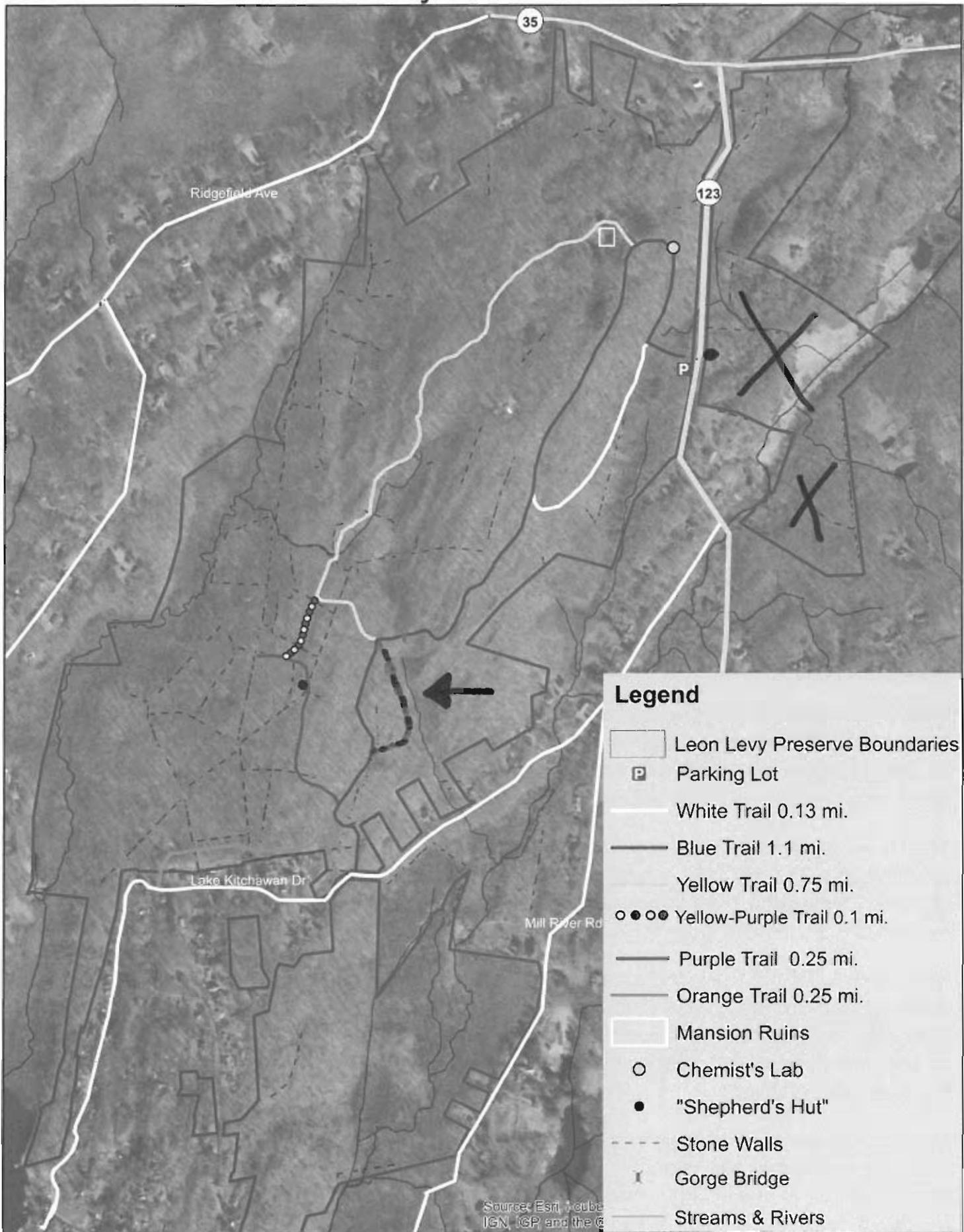
#### **Guide To all Lewisboro Hiking Trails**

*Walking Wild Lewisboro – 2007 Edition*

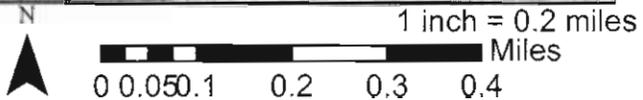
Lewisboro Land Trust Available at several locations around town

Some trails shown may have been rerouted or closed and new trails added

# Leon Levy Preserve Trails



Owner: Town of Lewisboro  
 Author: Jim Nordgren  
 March 11, 2014



TOWN OF LEWISBORO

County of Westchester, State of New York

RESOLUTION TO PARTICIPATE IN A COMMUNITY CHOICE AGGREGATION  
PILOT PROGRAM TO ALLOW RESIDENTS TO PURCHASE  
ELECTRICITY FROM ENERGY SERVICE COMPANIES

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

DATE OF CONSIDERATION/ADOPTION: \_\_\_\_\_

WHEREAS, Sustainable Westchester, Inc., a not-for-profit organization comprised of several municipalities in Westchester County, including the Town of Lewisboro, sought approval of a demonstration community choice aggregation (“CCA”) program in Westchester County, which would allow local governments to participate in a Sustainable Westchester program to procure energy supply from energy service companies (“ESCOs”) for the residents of the municipalities, and

WHEREAS, on February 26, 2015, the Public Service Commission of the State of New York approved implementation of the first community choice aggregation (“CCA”) pilot program in New York State, which allows Sustainable Westchester to put out for bid the total amount of natural gas or electricity being purchased by local residents or small businesses, and

WHEREAS, the program is intended to provide consumers with the ability to lower their overall energy costs, and

WHEREAS, the potential benefits of CCA programs include price stability for a fixed contract term, lower prices, more favorable contract terms, and the ability to design a program that reflects local preferences and needs, including a preference for cleaner power sources, and

WHEREAS, the Westchester pilot program is intended to include residential and small non-residential customers, and to permit the aggregation of both electric and natural gas purchases, and

WHEREAS, Sustainable Westchester, Inc. will issue a request for proposals to suppliers to provide energy to participants, and will then award a contract, and

WHEREAS, Sustainable Westchester, Inc. or the Town of Lewisboro will request individual customer data from the utility, and the selected supplier will then notify the bundled customers of the contract terms and the customer’s opportunity to opt-out of the program within



LOCAL LAW NUMBER \_\_-2015 OF THE TOWN OF LEWISBORO

SECTION 1: TITLE

This Local Law shall be known as 2015 amendment of Section 220-2(B), enactment of Sections 220-23(A)(19), 220-24(A)(1)(f), 220-24(B)(1)(d), 220-24(C)(1)(o), 220-24(D)(1)(i), and enactment of Section 220-43.4 of Chapter 220: Zoning.

SECTION 2: ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law \_\_-2015 that this law shall take effect immediately upon its passage:

SECTION 3:

Section 220-2(B) of Chapter 220: Zoning, is hereby amended to add the definition of bed and breakfast establishments to read as follows:

**§220-2. Definitions and word usage.**

- B. For the purposes of this chapter only, certain words and terms used herein are defined as follows:

BED AND BREAKFAST ESTABLISHMENTS -- An owner occupied dwelling in which no more than three bedrooms are available as overnight accommodations for paying, transient guests to whom a morning meal may be served.

SECTION 4:

Section 220-23(A)(19) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-23. Schedule of regulations for residential districts.**

- A. Permitted principal uses in R-4A, R-2A, R-1A, R-1/2A and R-1/4A Districts are as follows:

(19) \*Bed and breakfast establishments.

SECTION 5:

Section 220-24(A)(1)(f) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-24. Schedule of regulations for nonresidential districts.**

**§220-24. Schedule of regulations for nonresidential districts.**

D. Permitted uses in GB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

- (i) Bed and breakfast establishments in existing residential buildings used for residential purposes, in accordance with §220-43.4.

SECTION 9:

Section 220-43.4 of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-43.4. Bed and Breakfast establishments.**

A. Purpose. It is the specific purpose and intent of this provision to address the need of residents to locate convenient accommodation for visitors, to provide local accommodation for short-term visitors to the community, to encourage preservation of large older dwellings by providing a cost-effective alternate or adaptive use that can relieve the maintenance burden on the owners of such buildings and to encourage the preservation of large residential lots and their open space character by permitting an alternative use consistent with the residential character of the community. Furthermore, it is the purpose and intent of this provision to provide economic support for present resident families, to protect and preserve property values, to ensure healthy and safe living conditions and to have more effective regulation and control of Town growth and development. In furtherance of these purposes, specific conditions are set forth herein for bed and breakfast establishments.

B. Bed and breakfast establishments shall be special uses as follows:

- (1) In addition to the specific requirements set forth herein, the property and the principal and accessory structures located thereon shall conform to the lot area, yard and other requirements for the zoning district in which the property and structures are located unless a variance therefor shall have been granted by the Board of Appeals.
- (2) The building housing a bed and breakfast establishment shall be an existing, detached single-family dwelling and its use as a bed and breakfast establishment shall not conflict with its appearance or function as such.
- (3) The minimum lot size on which a bed and breakfast establishment may be located is two (2) acres. A bed and breakfast establishment may be permitted

on a lot with a smaller area only if such lot is located in a nonresidential district, the Planning Board finds that a bed and breakfast establishment can be adequately accommodated within the existing principal dwelling building, that it will not overburden the property, and that it will be a use compatible with the surrounding properties.

- (4) The owner of the lot upon which the bed and breakfast establishment is to operate shall occupy and maintain the bed and breakfast establishment as his/her primary legal residence. The owner of the lot must reside in the premises at the time rooms are being used by guests.
- (5) The maximum number of bedrooms that may be available to overnight guests shall be three (3) bedrooms. The Planning Board shall be responsible for determining and limiting the number of bedrooms in each dwelling in connection with its review of the special use permit application.
- (6) Guests in such bed and breakfast establishment may reside in such establishment for a maximum of three (3) nights. The maximum occupancy of each guest room in the bed and breakfast establishment shall be two (2) adults and their minor children, as long as such occupancy is in compliance with the New York State Uniform Fire Prevention and Building Code.
- (7) Meal service shall be limited to a morning meal served to overnight guests of the bed and breakfast establishment only.
- (8) There shall be one price per night for overnight guests of the bed and breakfast establishment, which price shall include the morning meal.
- (9) No less than one (1) off-street parking space shall be provided per bedroom designated as available for overnight guests. Said parking shall be in addition to the parking required by this chapter for the single-family dwelling use. The Planning Board shall be responsible in connection with its review of the special use permit application for determining that the required number of parking spaces can be provided in a safe manner on the subject lot so as to not establish a nuisance or burden for adjacent and surrounding lots.
- (10) Evidence of the approval of the proposed method and adequacy of water supply and sewage disposal shall be obtained from the Westchester County Department of Health.
- (11) The special use permit shall be granted for a period of three (3) years and may be renewed for additional three (3) year periods. An application, and a renewal, of the special use permit shall be made to the Building Department on a form provided by the Building Department for such purpose, and by payment of a fee in an amount set forth in a Fee Schedule as adopted and as may be amended from time to time by resolution of the Town Board. The

Building Department, after receiving the completed application and fee, shall reissue the special use permit if inspection of the premises finds it to be in compliance with all applicable codes including the New York State Uniform Fire Prevention and Building Code, the requirements of this section and the provisions of the original special use permit approval. If the Building Department finds that the property is not in compliance with all applicable codes including the New York State Uniform Fire Prevention and Building Code, the requirements of this section and the provisions of the original special use permit approval, then the Building Department shall refer the application to the Planning Board for action.

- (12) Each property for which a special permit has been issued for use as a bed and breakfast establishment is subject to periodic inspections by the Building Department and Fire Inspector to ensure continued compliance with all applicable codes including the New York State Uniform Fire Prevention and Building Code, the requirements of this section and the provisions of the original special use permit approval. Such inspections shall be conducted at least annually, and may be conducted more frequently if the Building Department or Fire Inspector reasonably suspects that more frequent inspections are necessary to ensure the safety of the bed and breakfast establishment.
- (13) If any inspection of the property and dwelling by the Building Department or Fire Inspector for the purpose of ensuring compliance with the provisions of this section is refused by the owner, when said inspection occurs at any reasonable time during daylight hours, or if the continuing conditions of the special use permit are violated, the special permit shall be subject to revocation after a hearing by the Planning Board at which the permit holder is provided an opportunity to be heard.
- (14) When during the review of an application the Planning Board finds that significant site work will be required to increase parking areas, to enlarge subsurface sewage disposal areas or to otherwise alter the physical site conditions, the Planning Board shall require the submission of a site plan which shall be processed concurrently with the application for a special use permit. In all other situations, site plan approval by the Planning Board shall not be required.
- (15) In addition to the special standards described above, bed and breakfast establishments shall comply with any other requirements of this chapter and any special requirements deemed appropriate by the approving agency in accordance with the requirements of Section 220-32 herein.

## SECTION 10: HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

#### SECTION 11: SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

#### SECTION 12: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: \_\_\_\_\_, 2015

BY THE ORDER OF THE TOWN BOARD  
OF THE TOWN OF LEWISBORO

JANET DONOHUE, TOWN CLERK

LOCAL LAW NUMBER \_\_-2015 OF THE TOWN OF LEWISBORO

SECTION 1: TITLE

This Local Law shall be known as 2015 Enactment of Section 220-23(A)(18), enactment of Sections 220-23(A)(18), 220-24(A)(1)(e), 220-24(B)(1)(c), 220-24(C)(1)(n), 220-24(D)(1)(h), and Section 220-43.3 of Chapter 220: Zoning.

SECTION 2: ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law \_\_-2015 that this law shall take effect immediately upon its passage:

SECTION 3:

Section 220-23(A)(18) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-23. Schedule of regulations for residential districts.**

A. Permitted principal uses in R-4A, R-2A, R-1A, R-1/2A and R-1/4A Districts are as follows:

(18) \*Hotels.

SECTION 4:

Section 220-24(A)(1)(e) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-24. Schedule of regulations for nonresidential districts.**

A. Permitted uses in CC-20 Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

(e) Hotels in accordance with §220-43.3.

SECTION 5:

Section 220-24(B)(1)(c) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-24. Schedule of regulations for nonresidential districts.**

B. Permitted uses in SU Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter or as may be approved by the Planning Board as part of site development plan review. Permitted principal uses are as follows:

- (c) Hotels in accordance with §220-43.3.

SECTION 6:

Section 220-24(C)(1)(n) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-24. Schedule of regulations for nonresidential districts.**

C. Permitted uses in RB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

- (n) Hotels in accordance with §220-43.3.

SECTION 7:

Section 220-24(D)(1)(h) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-24. Schedule of regulations for nonresidential districts.**

D. Permitted uses in GB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

- (h) Hotels in accordance with §220-43.3.

SECTION 8:

**§220-43.3. Hotels**

Hotels shall be special uses as follows:

- A. Location. The special use listed in this section may be permitted in a residence district only in locations fronting on or having direct access to major or collector roads as determined by the Planning Board and shown on the Town Development Plan Map.
- B. Coverage. Building coverage, including accessory buildings, shall not exceed 20% of the lot area, nor shall the sum total of the land covered with buildings and parking, including driveways, exceed 50% of the lot area, within any residence district.
- C. Setbacks. All new buildings shall be set back from adjoining properties in residence districts and street lines directly opposite properties in residence districts a distance equal to at least twice the normally applicable front yard setback requirement for detached one-family dwellings in the zoning district in which they are located, but in no case less than 50 feet. Setback requirements may be modified by the Board of Appeals in case of conversions of existing buildings.
- D. Buffer area. A landscaped buffer area, meeting at least the minimum requirements of Section 220-15 of this chapter, shall be required along all lot lines adjoining properties in residence districts, except where determined by the approving agency that a lesser width or no buffer will meet the purpose of this requirement.
- E. Parking. Parking shall be in accordance with Section 220-56(D) of this chapter.
- F. Other requirements. In addition to the special standards described above, hotels shall comply with any other requirements of this chapter and any special requirements deemed appropriate by the approving agency in accordance with the requirements of Section 220-32 herein.

#### SECTION 9: HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

#### SECTION 10: SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have

passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 11: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: \_\_\_\_\_, 2015

BY THE ORDER OF THE TOWN BOARD  
OF THE TOWN OF LEWISBORO

JANET DONOHUE, TOWN CLERK

LOCAL LAW NUMBER \_\_-2015 OF THE TOWN OF LEWISBORO

SECTION 1: TITLE

This Local Law shall be known as 2015 amendment of Section 220-2(B), enactment of Sections 220-23(A)(20), 220-24(A)(1)(g), 220-24(B)(1)(e), 220-24(C)(1)(p), 220-24(D)(1)(j) of Chapter 220: Zoning.

SECTION 2: ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law \_\_-2015 that this law shall take effect immediately upon its passage:

SECTION 3:

Section 220-2(B) of Chapter 220: Zoning, is hereby amended to add the definition of bed and breakfast establishments to read as follows:

**§220-2. Definitions and word usage.**

B. For the purposes of this chapter only, certain words and terms used herein are defined as follows:

INN -- A Hotel, as defined herein, containing no more than ten (10) guest rooms.

SECTION 4:

Section 220-23(A)(20) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-23. Schedule of regulations for residential districts.**

A. Permitted principal uses in R-4A, R-2A, R-1A, R-1/2A and R-1/4A Districts are as follows:

(20) \*Inn.

SECTION 5:

Section 220-24(A)(1)(g) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-24. Schedule of regulations for nonresidential districts.**

A. Permitted uses in CC-20 Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

(g) Inns.

#### SECTION 6:

Section 220-24(B)(1)(e) of Chapter 220: Zoning, is hereby enacted to read as follows:

#### **§220-24. Schedule of regulations for nonresidential districts.**

B. Permitted uses in SU Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter or as may be approved by the Planning Board as part of site development plan review. Permitted principal uses are as follows:

(e) Inns.

#### SECTION 7:

Section 220-24(C)(1)(p) of Chapter 220: Zoning, is hereby enacted to read as follows:

#### **§220-24. Schedule of regulations for nonresidential districts.**

C. Permitted uses in RB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

(p) Inns.

#### SECTION 8:

Section 220-24(D)(1)(j) of Chapter 220: Zoning, is hereby enacted to read as follows:

#### **§220-24. Schedule of regulations for nonresidential districts.**

D. Permitted uses in GB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

(j) Inns.

#### SECTION 9: HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

#### SECTION 10: SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

#### SECTION 11: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: \_\_\_\_\_, 2015

BY THE ORDER OF THE TOWN BOARD  
OF THE TOWN OF LEWISBORO

JANET DONOHUE, TOWN CLERK

LOCAL LAW NUMBER \_\_-2015 OF THE TOWN OF LEWISBORO

SECTION 1: TITLE

This Local Law shall be known as 2015 amendment of Section 220-2(B), enactment of 220-24(A)(1)(h), 220-24(B)(1)(f), 220-24(C)(1)(q), 220-24(D)(1)(k) of Chapter 220: Zoning.

SECTION 2: ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law \_\_-2015 that this law shall take effect immediately upon its passage:

SECTION 3:

Section 220-2(B) of Chapter 220: Zoning, is hereby amended to add the definition of bed and breakfast establishments to read as follows:

**§220-2. Definitions and word usage.**

- B. For the purposes of this chapter only, certain words and terms used herein are defined as follows:

MOTEL -- A building or group of buildings, whether detached or connected, the units of which are used as individual sleeping units for transient automobile travelers and provided with accessory off-street parking facilities, having a private entrance outside for each unit. A motel shall not constitute an individual's primary residence and shall not be construed to be a multiple dwelling.

SECTION 4:

Section 220-24(A)(1)(h) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-24. Schedule of regulations for nonresidential districts.**

- A. Permitted uses in CC-20 Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

(h) Motels.

SECTION 5:

Section 220-24(B)(1)(f) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-24. Schedule of regulations for nonresidential districts.**

B. Permitted uses in SU Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter or as may be approved by the Planning Board as part of site development plan review. Permitted principal uses are as follows:

(f) Motels.

SECTION 6:

Section 220-24(C)(1)(q) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-24. Schedule of regulations for nonresidential districts.**

C. Permitted uses in RB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

(q) Motels.

SECTION 7:

Section 220-24(D)(1)(k) of Chapter 220: Zoning, is hereby enacted to read as follows:

**§220-24. Schedule of regulations for nonresidential districts.**

D. Permitted uses in GB Districts.

1. Permitted principal uses. All uses must be conducted from fully enclosed structures, except as may be otherwise expressly provided in this chapter. Permitted principal uses are as follows:

(k) Motels.

SECTION 8: HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 9: SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 10: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: \_\_\_\_\_, 2015

BY THE ORDER OF THE TOWN BOARD  
OF THE TOWN OF LEWISBORO

JANET DONOHUE, TOWN CLERK