

Local Law \_\_\_\_\_ of 2006

**A Local Law Amending Local Law 3 of 2001  
Amending the Zoning Ordinance as well as the  
Subdivision Rules and Regulations**

**§ 1 Legislative Intent:**

The Town Board from time to time deems it necessary to review and update the Local Laws and Rules of the Town of East Fishkill. The Town Board has determined that certain small adjustments to the Zoning Ordinance are now appropriate. The Town Board also wishes to mandate additional Public Notice requirements to give the Public greater access to governmental meetings.

**§ 2 Amendments:**

The Zoning Ordinance is amended as follows:

(a) Shared Driveways

§ 194-67.1 is hereby amended by adding thereto under (C) standards the following:

(8) The applicant must prove to the satisfaction of the Planning Board that each lot proposed to be served by a shared driveway, could have constructed and laid out within the confines of the lot itself a driveway separately serving each lot.

§ 194-98 by and is amended by adding the following sentence:

"Decorative Fences (non chain link) may be erected within the rear yard of a residential district to a maximum height of six (6) feet provided they are installed two feet in from any lot line with the finish side facing the adjoining properties."

**§ 3 Additional Public Notice Requirements:**

Section 194-153(B) and Section 163-8(D) be and hereby are amended to require the following notice for all hearings to be held by either the Planning or Zoning Board.

- 1) The applicant shall mail by First Class and Certified Return Receipt Requested a copy of the notice published in the Official Newspaper of the Town, to all property owners within 500' of the premises affected

by the application. Said Notice shall be mailed 25 days prior to the Public Hearing and an Affidavit of Mailing will be filed with the Board's Clerk at least 15 days before the Public Hearing.

- 2) The applicant will post the property with a Notice advising the Public of the Public Hearing. The posting will be a sign provided by the Board to the Applicant. One sign will be posted for each 100' of road frontage on all public roads abutting the property. The postings will be placed on the property at least 20 days before the Public Hearing. An Affidavit of Posting will be filed with the Clerk at least 15 days before the Public Hearing. If the Public Hearing is adjourned, the sign will be revised to reflect the adjourned date within five (5) days of the adjournment. An Affidavit attesting to the change will be filed with the Clerk at least one (1) day prior to the next hearing date. The Notice required herein will be removed within five (5) days of the close of the Public Hearing.

#### **§ 4 Effective Date**

This Local Law will take effect immediately upon its filing with the Secretary of State.