

# The 2008 Town of Barrington Comprehensive Plan and its Implications for Zoning Reform and Land Use Regulation

## 1. THE COMPREHENSIVE PLAN VISION STATEMENT

The Town of Barrington has prepared a Comprehensive Plan to preserve and protect the high quality of rural life enjoyed by residents and visitors alike. Barrington's rich array of natural and cultural resources include a beautiful and healthy lake; scenic vistas overlooking the lake, forested hills and valleys, vineyards, farm fields, and farmsteads; woodlands shielding cool glens and wetlands; open fields; and historic buildings, structures and sites. The Town has a healthy local business community of farms, vineyards and wine cellars, and small agriculture and tourist related businesses. These features not only benefit residents, but are also a major attraction for the many tourists and summer residents who are a key to the economic stability of the town.

*The Town believes that the preservation of all of these assets is crucial for the preservation of the Town's current quality of life, for the economic well-being of the Town, Yates County, the Keuka Lake and Seneca Lake watersheds, the Finger Lakes region, and perhaps most importantly, for the benefit of future generations. The Town can accomplish this by planning for balanced growth and development that is in keeping with its rural and agrarian character.*

As in all communities with a diverse population and economic foundation, balancing the needs and interests of various groups is a critical aspect of a successful planning process. The Town needs to provide the basis for residential, agricultural and recreational constituencies to be able to coexist harmoniously and balance the interests of individuals with the interests of the community.

### Section 5.1: GENERAL LAND USE POLICIES.

**Policy 5.1.A:** *The Town needs to work to protect and enhance the Town's rural and agrarian character.*

**Action:** The Town needs to **pursue land use policies that are aimed at protecting and preserving the Town's current rural and agrarian character.** For the purposes of this Comprehensive Plan, this character is defined as the mixture of farms, fields, forests, and scattered buildings that are representative of Barrington's contemporary landscape.

In order to accomplish this, the Town can adopt and enforce general land use policies and regulations which encourage continued residential, agricultural, commercial and light industrial **development that is consistent with**

- (1) the maintenance of the town's rural character;
- (2) the protection of its scenic vistas, woodlands, wetlands, watersheds, steep slopes and glens;
- (3) the preservation of open space;
- (4) the protection of the quality of the water in Keuka and Seneca Lakes;
- (5) the regulation of development along the Keuka Lake shoreline,
- (6) the preservation and viability of its farmland and farm-based businesses;
- (7) the growth and viability of the grape and wine industry;
- (8) the preservation of its historic landmarks; and

- (9) the continued vitality of local businesses such as wineries, farm based nurseries and vegetable stands, restaurants, resorts, bed & breakfasts, and other local enterprises.

**Policy 5.1.B: *The Town needs to upgrade its Zoning Law to make it compatible with the recommendations of the Comprehensive Plan.***

**Action 1:** Following completion of the Comprehensive Plan, the Town Board should constitute a task force consisting of Town officials and interested citizens to revise and update the Town's Zoning Law.

This revision process will ensure that the new Zoning Law accurately and thoroughly reflects the Plan's recommendations as well as recommendations found within *Yates County Looking Ahead: A Planning and Design Guide*, the *Yates County Agricultural Development and Farmland Enhancement Plan*, the *Route 14A Corridor Study*, and other available studies and reports.

The revised zoning regulations should use a variety of standard land use techniques to implement the Plan. Any land use regulations that are adopted are to be enforced to achieve the preservation of the town's character and protecting natural and scenic resources while allowing for appropriate economic growth, sound agricultural practices and agricultural related businesses, including vineyards and wineries.

**Action 2:** The Town should periodically revise its Zoning Law to ensure that it remains up-to-date and in accordance with future revised versions of this Comprehensive Plan.

**Policy 5.1.C: *The Town needs to support the preservation of working agricultural land in the face of development pressures.***

**Action 1:** The Town Board should continue to follow the Yates County Agricultural and Farmland Protection Board's "Agricultural Advisory Committee, Farm Viability and Neighbor Relations Law." This law helps protect working agricultural operations and agri-businesses by creating a standardized process that can be used to resolve disputes over the impact of farming operations on nearby lands.

**Action 2:** The Town Board should consider preparing an "Agriculture and Open Space Protection Plan." Grants are now available from NYS Dept. of Agriculture and Markets to fund such a study. This plan will profile current agricultural conditions in the Town, inventory agricultural resources, and propose a variety of techniques to enhance agricultural and viticultural operations in the Town.

## **Section 5.2: NATURAL RESOURCES AND RECREATION POLICIES.**

**Policy 5.2.A: *The Town needs to promote balanced land uses between the protection and preservation of natural resources and public interest in outdoor recreational opportunities.***

**Action:** The Town should support land uses that provide for a desirable mixture of outdoor recreational opportunities, such as hunting, hiking, horse-riding, bird-watching, and cross-country skiing, among others. These recreational opportunities should take advantage of and

be sensitive towards the aesthetic and environmental qualities of the Town's natural features and scenic characteristics

**Policy 5.2.C:** *The Town needs to **protect the Keuka Lake waterfront from development that is inconsistent** with the lakefront's current residential character.*

**Action 1:** Through this Comprehensive Plan and the Zoning Law, the Town should recognize the sensitivity of waterfront areas as unique environmental and recreational resources and should work to protect these areas from environmentally destructive uses and activities. Zoning regulations should **encourage new construction in the lakefront area that is designed to blend** with and be in harmony with both natural environmental features and the current residential and resort characteristics of this part of the Town.

**Action 3:** The Town should revise and update its zoning regulations to ensure that “**keyhole development**” **proposals are not permitted** along the lakeshore.

“Keyhole” development occurs when a lakeshore property is used to provide an access point for residences in upland areas away from the lakefront property. Keyholing often leads to overcrowding of the lakefront and a degradation of recreational access and environmental quality. This action of opposing keyhole development will not be construed as meaning that the Town will oppose possible public access to the lake as explained in Policy 5.2.K.

**Policy 5.2.D:** *The Town needs to **regulate development on steep slopes (all slopes 15% or greater)** through local laws.*

**Action:** The Town should minimize the impacts of construction activities on steep slopes by regulating new construction and infrastructure development in these areas. Potential developmental impacts include soil erosion and sedimentation, destruction of vegetation, destruction of wildlife habitats, increased runoff rates and slope failure. Steep Slope regulations should be designed to minimize the disturbance or removal of existing vegetation, prevent increased erosion and runoff, maintain established drainage systems, locate buildings and structures where they are least likely to cause slope failures and to retain, as much as possible, the natural character of these areas.

Slopes of 15% or greater are the generally accepted national standard at which point local governments begin overseeing construction activities on slopes through steep slope development ordinances. Further details should be included in the Town's revised zoning ordinance.

**Policy 5.2.E:** *The Town should consider ways to **preserve and protect scenic vistas** through local laws.*

**Action:** Using local laws such as zoning law, subdivision law, and site plan review law, and where applicable, the SEQRA review process, the Town should work to protect and preserve areas that have been determined to possess unique visual qualities which are especially worthy of protecting from encroachment resulting from development.

**Policy 5.2.F:** *The Town needs to **protect woodlands on the slopes overlooking Keuka Lake** through appropriate local laws.*

**Action:** In order to ensure that the forested slopes overlooking Keuka Lake remain heavily wooded, the Town should protect woodlands and measurable tree stands by limiting clear-cutting activities on slopes overlooking Keuka Lake. This policy is not intended to restrict farmers' ability to clear their land for agricultural operations or homeowners from removing a

few trees to open up a view. Farmers wishing to clear their land for agricultural operations should be allowed to do so without interference from the Town.

**Policy 5.2.G:** *The Town needs to preserve and protect glens, gullies, freshwater wetlands, and other sensitive environmental areas through local laws.*

**Action:** The Town should use its land use regulatory authority to ensure that any development located in sensitive environmental areas, as defined by zoning overlay districts and/or local laws, in the town to maintain open space and to prevent the irreversible loss of natural resources; enhance the safety of residents and property located within areas of special flood hazard; maintain and/or improve surface water quality; preserve wildlife habitats; enhance the aesthetics of site development; and minimize the impacts of development on the environment.

The Town's revised Zoning Law should include provisions for protecting sensitive environmental areas through the formation of an environmental protection overlay district.

**Policy 5.2.H:** *The Town needs to support state regulations and/or enact regulations over development located in sensitive environmental areas in order to preserve and protect wildlife habitats.*

**Action:** The Town should use its zoning, subdivision, and site plan review laws to help protect sensitive wildlife habitats. As a general policy, the Town should seek to steer new development away from such sensitive natural areas.

**Policy 5.2.J:** *The Town needs to integrate stormwater management provisions within its zoning, subdivision and site plan review regulations.*

**Action 1:** The Town Board should adopt a sediment and erosion control law to reduce the impact of stormwater runoff in local water bodies such as Keuka Lake and Big Stream. Integration of New York State's Phase II Stormwater Regulations at the municipal level would greatly assist the Town in controlling erosion and sedimentation from construction activities. To help implement stormwater controls, the Department of Environmental Conservation and the Department of State jointly produced the *Stormwater Management Gap Analysis Workbook for Local Officials* (SWMGAW). This document can be used to compare the language currently present in municipal codes against the model code language that the DOS and DEC believes should be present in order to provide comprehensiveness.

Impervious surfaces such as roofs (building areas), roads, driveways, and parking lots are regulated by the municipality through its zoning laws, subdivision laws, and site plan review processes. Once water runs off of private property, it tends to become the problem of the municipality. Poorly designed or maintained public drainage infrastructure, such as ditches, can cause erosion, which leads to sedimentation of waterways. Not only a significant cause of nonpoint source pollution, sedimentation can increase costs for municipalities in terms of ditch and storm drain cleaning. There are many ways the municipality can improve the construction, operation and maintenance of this drainage infrastructure, which in turn leads to less damage to both private and public (roads, bridges, etc) property and improved water quality in local and regional streams and lakes.

**Action 2:** The Town should integrate stormwater management provisions within its zoning, subdivision, and site plan review regulations where appropriate.

## Section 5.3 DEMOGRAPHICS AND HOUSING POLICIES.

**Policy 5.3.B:** *The Town needs to encourage new housing developments that are aimed at preserving working agricultural land and open spaces.*

**Action 1:** The Town should include provisions for “**Cluster Development**” design concepts in its revised zoning law. Well designed cluster developments can protect natural resources such as scenic views, mature woodlots, wetlands, and unique wildlife habitats. Cluster development practices encourage builders to realize the maximum development potential of a parcel allowed under the Town’s zoning law by increasing the density of new construction in one section of the parcel while leaving other sections as undeveloped open space.

For instance, if a 20 acre tract of land is located in a residential zoning district that requires a one acre minimum lot size, a developer could build about 18 housing units on that tract. Some space would be required for roads and utilities as well as any setback requirements mandated by the Town’s zoning. If built, this development would consume the entire 20 acre tract and possibly destroy any natural resources located on it. However, if that developer were to use cluster development techniques as laid out by the municipality, he could build the same 18 units on only ten acres of the 20 acre tract, thus leaving the remaining ten acres as open space and protecting any natural and scenic resources located on those acres.

As this example shows, cluster development techniques provide considerable leeway to the Town, developers, builders, and private landowners to balance new development with the need and interest in protecting the community’s natural resources. In general, the Town should encourage cluster developments in open areas that are no longer profitable for vineyards or agriculture that will help to preserve hillside woodlands and open spaces.

**Action 2:** The Town should **revise and update its Site Plan Review process** to provide it with additional **oversight to the land subdivision process.**

**Policy 5.3.C:** *The Town needs to enact a subdivision law that is aimed at reducing “sprawl” type development and protecting working agricultural land and open space.*

**Action:** The Town should enact and enforce a municipal subdivision law. This law should encourage the “clustering” of housing along the edges or in the corners of agricultural lots, the use of Planned Unit Developments (PUDs) to make more efficient use of land for new housing and multi-purpose projects, and other standard planning techniques for preventing unsightly and environmentally damaging sprawl development. A subdivision law will also help preserve large tracts of contiguous land for agricultural activities.

**Policy 5.3.D:** *The Town needs to include **Planned Development District (PDD) regulations** as part of its Zoning Law.*

**Action:** The Town’s updated Zoning Law should include revised provisions for Planned Development Districts (PDDs). PDDs can be used as a technique for providing systematic and carefully planned development in rural and agricultural areas of the Town. The *Yates County Looking Ahead* study can be consulted for additional information on the benefits of PDD development in the Town.

**Policy 5.3.E:** *The Town needs to support the provision of **housing options for a broad range of income levels.***

**Action:** Due to the wide range of income levels in the Town, the Town should work to ensure that a variety of housing opportunities are available for all residents. Through zoning regulations, specifically PDD provisions, the Town can support the development of safe and secure housing for all families by mandating a certain percentage of housing units be set aside for low-income members of the community.

#### **Section 5.4: HISTORIC RESOURCES AND PRESERVATION POLICIES.**

#### **Section 5.5: TRANSPORTATION AND INFRASTRUCTURE POLICIES.**

#### **Section 5.6: ECONOMIC DEVELOPMENT POLICIES.**

**Policy 5.6.A:** *It is the intent of the Town of Barrington, and this Comprehensive Plan, to encourage and promote the continued vitality and ongoing **development and expansion of small scale, agriculture-based businesses** throughout the Town.*

**Action 1:** Through zoning regulations, the Town should ensure that small scale agriculture and home based businesses such as nurseries, craft and woodworking shops, and farm stands, can **operate throughout the Town with minimal regulation and municipal oversight**. The Town considers these types of businesses a vital asset to the community because they directly support the continued viability of agricultural operations, provide local employment opportunities, offer goods and services to area residents, and contribute to the community's rural and agrarian character.

**Action 2:** The Town should ensure that **proposed large scale commercial and light industrial development** is located and designed in such a way as to fit within existing rural land use patterns and preserve the rural/agrarian character of the Town.

Revised zoning regulations can use standard land use techniques such as overlay districts, site plan review procedures, and dimensional requirements to accomplish this.

**Policy 5.6.B:** *The Town needs to support **new commercial development within a designated area of the Rt. 14A corridor.***

**Action:** The Town should **focus new large-scale commercial development** along Rt. 14A, beginning at the Barrington-Milo town line and running south to the intersection of Rt. 14A with Porters Corners and Bennett Roads. In addition, this "commercial corridor" should include John Green Road from its beginning at Welker Road to Route 230.

Large scale commercial development can be accommodated in Barrington through the **creation of a special zoning overlay district**. An overlay district will protect and support commercial enterprises in this designated area while protecting nearby natural resources and preserving the basic agrarian character of the area.

**Policy 5.6.D:** *The Town needs to regulate **the location of adult-oriented businesses.***

**Action:** The Town should regulate the location of adult-oriented businesses, including but not limited to adult-oriented bookstores and clubs, to maintain contemporary rural standards of health and public safety in part by keeping adult-oriented materials away from children. The Town can accomplish this by including adequate provisions regarding the location of adult-oriented businesses in its Zoning Code.

## Section 5.7: PUBLIC SERVICES POLICIES.

**Policy 5.7.A:** *The Town and its various boards, including the Planning Board, needs to **generally oppose the construction of public water and/or sewer infrastructure** within the Town.*

**Action:** The Town recognizes that the installation of public water and sewer infrastructure might encourage higher density growth that would irrevocably damage the character of the community. The Town is concerned that the installation of public water and/or sewer service would encourage higher density development and be too expensive for either the Town or private landowners to build and maintain. This policy shall be made known to outside agencies that have a role in the provision of such infrastructure, including but not limited to USDA, NYS DEC, and the NYS Environmental Facilities Corporation

The only exception to this policy will be the possible installation of public sewer infrastructure in the Lakefront Residential District and Commercial Overlay District, as explained below under Policy 5.7.B.

**Policy 5.7.B:** *The Town needs to support the **installation of public water and sewer infrastructure in the Lakefront Residential (LR) district and in the Commercial Overlay District.***

**Action 1:** The Town should coordinate with County and State agencies if/when plans move forward for the installation of public sewer facilities along State Route 54. This coordination effort should ensure that any local concerns about sewer installation are adequately addressed. Public sewer service in this area should be supported because of the positive environmental effects that it should have, including the improvement of water quality in Keuka Lake and the safeguarding of residential properties from possible spills.

**Action 2:** The Town should coordinate with County and State agencies if/when plans move forward for the installation of public water and sewer facilities along State Route 14A. This infrastructure should reinforce the development of commercial enterprises within this overlay district and, if linked to the Village of Dundee, would provide an important backup to the Village's current water supply.

## Chapter 6: Future Land Use

The policies outlined in Chapter 5 provide the basis for this chapter on future land use patterns in the Town of Barrington. This chapter provides a narrative description, organized around the Town's various existing and proposed zoning districts, of what land uses this Comprehensive Plan recommends as the most appropriate for each distinct area of the Town.

As explained in the Plan's Vision Statement and illustrated in Chapter 5, the fundamental goal of this Comprehensive Plan is to achieve a sound balance between Barrington's current rural and agrarian character and new construction and development. In order to achieve and maintain this balance in land uses, the Town can use its authority to enact a zoning law. In addition to legally regulating the location of various land uses through zoning, the Town should also use local

laws such as subdivision regulations, site plan review procedures, and others to ensure all new development, and redevelopment of existing properties, meets the highest standards that are practical and economical.

As stated beforehand, this chapter explains and describes the recommended land uses in each of the following existing and proposed zoning districts. However, this chapter is not and should not be construed as a zoning code. Furthermore, this chapter does not distinguish between *as-of-right* land uses and *special permit* land uses.

*The Town's Zoning Law should clearly state what land uses are allowable as long as they conform with the Comprehensive Plan and meet the use, density, and dimensional standards set forth by the Zoning Law.*

*The Zoning Law should also clearly state what land uses are subject to a special permit; that is, land uses that are basically in conformance with the Comprehensive Plan's recommendations but which need an extra layer of analysis by the Town to ensure that they will not adversely impact neighboring properties.*

This Comprehensive Plan is a policy document; it is not a legally binding document and the contents of this chapter are *simply intended to serve as a guide for Task Force charged by the Town Board with responsibility for updating the Town's zoning law*. The following lists of recommended land uses are not intended to be definitive or all-inclusive, but rather are designed to provide a general idea of the types of land uses that would be best suited to the various districts.

Please refer to **Appendix A, Future Land Use**, for a graphic representation of these recommended future land use areas.

## **Section 6.1: Agricultural Residential Area.**

Currently, most land cover in the Town is either used for agricultural operations or is forested, with a mix of residential uses as well. Key goals of this Comprehensive Plan include preserving and protecting working agriculture, fostering new development that is keeping with the Town's rural and agrarian character, and protecting natural resources such as sensitive ecological areas and viewsheds.

Most of the Town is currently zoned for use as agriculture/residential. The recommendations of this Plan indicate that this zoning classification should remain in place, but could be modified through the addition of overlay districts.

### Land Uses for the Agricultural Residential Area:

1. Farm fields, grazing lands, vineyards, orchards, etc.
2. Buildings related to agricultural/viticultural operations such as barns, stables, kennels, silos, storage sheds, workshops, greenhouses, garages, etc.
3. Farm and vineyard-related businesses and industries such as farm equipment repair shops, wineries, roadside farm stands, etc.
4. A broad variety of "cottage industries," such as home-based businesses like woodworking and/or furniture shops, arts and crafts manufacturing, clothes making, and professional offices.
5. Garden shops and nurseries.
6. Forest/woodland.
7. Outdoor recreation areas such as playgrounds, campgrounds, golf courses, and hiking and cross country skiing trails.

8. Bed and Breakfasts.
9. Low density, low intensity residential uses such as single family homes with accessory structures including garages, tool sheds, decks, swimming pools, lawns, gardens, etc.
10. Cemeteries.
11. Historic interpretive sites.
12. Public and institutional uses such as schools, churches, libraries, municipal buildings and facilities.
13. Carefully considered master-planned developments that are designed and built in such a way to minimize adverse environmental impacts and blend in with the surrounding landscape.

## **Section 6.2: Lakeshore Residential Area.**

Barrington's lakeshore is densely built up with a variety of seasonal and year round residences on small lots. Some of these residences are periodically rented out. The basic residential and resort character of this area is expected to remain the same; the Plan's recommendations are designed to ensure that any new construction and development within this area is in keeping with its current character. Any future development/land uses within this area should conform to the area's current character.

Currently, a narrow strip along the Town's lakefront is zoned for Lake Residential. This basic zoning classification should remain in effect, with updates to the permissible uses allowed within it and the possible addition of overlay districts.

### Land Uses for the Lakeshore-Residential District (LRD):

1. Single family residences with accessory structures including garages, tool sheds, decks, swimming pools, lawns, gardens, etc.
2. Boathouses, docks, other water-based recreation facilities that are in keeping with the Keuka Lake Uniform Docking and Mooring Law.
3. A broad variety of "cottage industries," such as home-based businesses such as woodworking and/or furniture shops, arts and crafts manufacturing, clothes making, and professional offices.
4. Bed and Breakfasts.
5. Parks and public access areas.
6. Historic Interpretive Sites.

## **Section 6.3: Highway Residential Area.**

The highway residential area runs along Route 54 through the Town from the Barrington-Milo town line in the northwest to the Barrington-Wayne Town line in the southwest. As is the case with the lakefront district, the Plan's recommendations are designed to ensure that any new construction and development within the highway/residential area is in keeping with its current character.

In addition, master planned developments may also be appropriate in this area, as long as they are carefully designed and built with attention paid to the scale and appearance of surrounding buildings.

### Land Uses for the Highway-Residential Area:

1. Agricultural operations.

2. Low density, low intensity residential uses such as single family homes with accessory structures including garages, tool sheds, decks, swimming pools, lawns, gardens, etc.
3. Farm and vineyard-related businesses and industries such as farm equipment repair shops, wineries, roadside farm stands, etc.
4. A broad variety of “cottage industries,” such as home-based businesses such as woodworking and/or furniture shops, arts and crafts manufacturing, clothes making, and professional offices.
5. Bed and Breakfasts.
6. Outdoor recreation areas such as playgrounds, campgrounds, golf courses, and hiking and skiing trails.
7. Historic Interpretive Sites.

#### **Section 6.4: Rural Residential Area.**

The area of the Town immediately to the east of the highway residential area, consisting of all the slopes visible from the lake, should be considered as a rural residential area. While agriculture and viticultural operations are a key defining feature of this area as they are throughout the Town, this section of the Town is unique in that it is visible from the lake and several other municipalities within the Keuka Lake basin.

*Larger minimum lot sizes, PUDs, and cluster subdivisions should be considered for this area in order to help achieve the Plan’s recommendation of protecting sensitive natural features. In general, the following recommended land uses in this district are identical to those in the agriculture-residential area.*

##### Land Uses for the Rural Residential Area:

1. Farm fields, grazing lands, vineyards, orchards, etc.
2. Buildings related to agricultural/viticultural operations such as barns, stables, kennels, silos, storage sheds, workshops, greenhouses, garages, etc.
3. Farm and vineyard-related businesses and industries such as farm equipment repair shops, wineries, roadside farm stands, etc.
4. A broad variety of “cottage industries,” such as home-based businesses like woodworking and/or furniture shops, arts and crafts manufacturing, clothes making, and professional offices.
5. Garden shops and nurseries.
6. Forest/woodland.
7. Outdoor recreation areas such as playgrounds, campgrounds, golf courses, and hiking and skiing trails.
8. Bed and Breakfasts.
9. Low density, low intensity residential uses such as single family homes with accessory structures including garages, tool sheds, decks, swimming pools, lawns, gardens, etc.
10. Cemeteries.
11. Historic interpretive sites.
12. Public and institutional uses such as schools, churches, libraries, municipal buildings and facilities.
13. Carefully considered master-planned developments that are designed and built in such a way to minimize adverse environmental impacts and blend in with the surrounding landscape.

#### **Section 6.5: Rural Commercial Overlay District (RCOD).**

In order to promote and support a range of economic development and business opportunities in the Town, preserve the Town's rural and agrarian character by concentrating new commercial activities in certain areas, and build up the municipal tax base and provide local job opportunities, the Town should consider forming an overlay district within which large-scale agricultural based businesses may operate. In addition, businesses related to the tourism industry should be encouraged to locate within this district.

This overlay district should follow the Route 14A corridor from the Barrington-Milo town line south along Route 14A to the area around the intersection of Route 14A with Porters Corners and Bennett Roads. In addition, this district should include John Green Road from its intersection with Route 14A southward to the intersection of John Green Road with State Route 230. In general, commercial uses in this district should be concentrated around road intersections in order to prevent the growth of a suburban-style commercial strip in the Town.

Home-based businesses may be located anywhere in the Town; the purpose of this district is to provide a place for larger-scale business operations.

Land Uses for the Rural Commercial Overlay District (RCOD):

Any uses allowed in the base zoning district (ARD) are appropriate in the Rural Commercial Overlay District. In addition, certain large scale businesses and industries that would be out of place in other parts of the Town should be encouraged to locate within this overlay district. Examples include warehousing operations and open storage yards, gas stations and convenience stores (dependent on utilities), and tourism based businesses such as large bed and breakfasts and restaurants.

## **Section 6.6: Environmental Protection Overlay District(s) (EPODS).**

Following the Plan's recommendations, the Town should include one or more Environmental Protection Overlay District(s) (EPODs) within its zoning code to provide additional protection for irreplaceable natural and cultural resources such as scenic vistas, wetlands, glens, gullies, forested areas, steep slopes, unique wildlife habitats, and historic sites. The presence of an environmental protection overlay district over a certain land area should not prohibit new construction within that area, but it should ensure that any new construction has minimal adverse environmental impacts.

Land Uses for the Environmental Protection Overlay District(s) (EPODS):

Generally, any uses allowed in the base zoning district are appropriate in an environmental protection overlay district. However, the overlay district regulations should ensure that any new construction that occurs within an overlay district minimizes potential adverse environmental impacts and blends with the surrounding landscape.

## **Section 6.7: Dundee Wellhead District (DWD).**

The Dundee Wellhead District is a zoning overlay district located near the eastern border of the Town, covering an area around the Village of Dundee's water wells. Dundee draws most of its drinking water from a sole-source aquifer located below the ground in this area. In order to prevent contamination of this water supply, the Town of Barrington formed a zoning overlay district in 1998 that places safeguards on possible land uses within the area over the aquifer.

The base zoning in this area is Agricultural-Residential and this classification should remain the same. Special regulations guiding new development within this overlay zone help protect Dundee's water supply, but as a general rule no major construction or development activities should occur within this overlay district. The SEQRA process and the Yates County Soil and Water Conservation District oversight, as per Local Law No. 2 of 1998, will help ensure any new construction within this district does not have an adverse impact on the aquifer's water quality.

Land Uses for the Dundee Wellhead District (DWD):

As a general rule, the Town should carefully consider permitting any sort of development within this overlay district. No development or construction can be allowed within the DWD that could have a negative impact on the water wells.

**Section 6.8: Special Flood Hazard Overlay District (SFHOD).**

In order to protect life and property from flood damage, the Town should restrict certain types of development within 100 year flood plains as designated by the Federal Emergency Management Agency (FEMA) on Barrington's Flood Insurance Rate Map (FIRM), Community Number 360953 C.

Land Uses for the Special Flood Hazard Overlay District (SFHOD):

Most uses allowed in the base zoning district are appropriate in the special flood hazard overlay district so long as all buildings and structures are properly elevated above the flood plain.

