

STATE OF NEW YORK  
**DEPARTMENT OF STATE**

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ANDREW M. CUOMO  
GOVERNOR

ROSSANA ROSADO  
SECRETARY OF STATE

January 9, 2019

Town of Watson  
6971 Number Four Rd.  
Lowville, NY 13367

**RE: Town of Watson , Local Law 3 2018, filed on December 19, 2018**

**Dear Sir/Madam:**

The above referenced material was filed by this office as indicated.  
Additional local law filing forms can be obtained from our website,  
[www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492



**Department  
of State**

Copy

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of Watson

Local Law No. Three of the year 20 18

A local law Imposing a Moratorium on Establishing or Expanding  
(Insert Title)  
Campgrounds

Be it enacted by the Town Board of the  
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village  
(Select one:)

of Watson as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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Town of Watson  
Local Law 3 of the Year 2018  
A Local Law Imposing a Moratorium on Establishing or Expanding Campgrounds

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**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF WATSON AS FOLLOWS:**

**Section 1. Title**

This Local Law shall be referred to as the “Local Law Imposing a Moratorium on Establishing or Expanding Campgrounds in the Town of Watson.”

**Section 2. Purpose and Intent**

Pursuant to the statutory powers vested in the Town of Watson to regulate and control land use and to protect the health, welfare, and safety of its residents, the Town Board of the Town of Watson declares a one year moratorium on establishing campgrounds or expanding existing campgrounds, as well as a moratorium on any activity associated therewith or intending to support such process including the establishment, implementation, placement, expansion or construction of such in the Town of Watson.

**Section 3. Authority**

This Local Law is enacted pursuant to the provisions of the New York Town Law and the New York Municipal Home Rule Law.

**Section 4. Legislative Findings**

The Town Board enacts this moratorium pursuant to its legislative powers and to preserve for the Town Board on behalf of the residents of the Town, the ability to deliberately review the issues and concerns related to campgrounds, and to provide adequate time to determine if permanent comprehensive local legislation is necessary and in the best interests of the Town. The Town Board is desirous of using the moratorium period to study and give careful consideration to the subject of campground uses, their impact on the physical and human environment in the Town, and the possible need for local legislation. The Town Board especially finds that establishing or expanding campgrounds raises important issues concerning sanitation, health, and compatibility with existing neighborhoods where such campgrounds may be located,

**Section 5. Scope of Moratorium**



During the effective period of this Local Law, no person shall engage in any activity and the Town Board, the Town Planning Board, the Town Zoning Board of Appeals, the Codes Enforcement Officer and any other town official shall not grant any special use permit, specific use permit, building permit, zoning permit, variance, or approval of any kind which would result in the establishment, implementation, placement, construction or expansion of any Campground, including any activity associated therewith or intending to support such use, including the establishment, implementation, or expansion of such use or activity in the Town.

#### **Section 6. Term**

This moratorium shall be in effect for a period of one year from the effective date.

#### **Section 7. Penalties and Enforcement**

Any person, firm, corporation or other entity that shall take any action to establish, implement, place construct, or expand a Campground, including the establishment, implementation, placement or construction of any activity or facility associated therewith or intended to support such process in violation of the provisions of this Local Law shall be deemed guilty of a violation and, upon conviction thereof, shall be subject to a fine not exceeding \$250, or to imprisonment, for each and every violation. Each week and every week that such violation continue shall constitute a separate violation. In no event may imprisonment for any one violation exceed 15 days. In addition to other penalties, the Town of Watson may institute any appropriate action or proceeding to prevent the unlawful erection, construction, alteration or expansion of any use or land in violation of the requirements of this chapter.

#### **Section 8. Validity**

The invalidity of any provision of this Local Law shall not affect the validity of any other provision which may be given effect without such invalid provision.

#### **Section 9. Hardship**

A. In the event that any owner of real property affected by this Local Law shall suffer an unnecessary hardship because of the implementation of the letter of this Local Law, then the owner of such property may make a written application to the Town Board for a variance from strict compliance with this Local Law. Unnecessary hardship shall not mean a mere delay in being able to pursue establishing or expanding a Campground use or to be able to apply for and receive a decision upon any permit or approval of any kind related thereto.

B. Applications for a variance shall be in writing and shall set forth or have attached thereto evidence of the claimed hardship. The Town Board shall schedule a public hearing on any such application within thirty (30) days of its receipt upon at least five (5) days' notice by publication in the Town's official newspaper and posting on the Town Clerk's board. At said public hearing, the property owner and other interested parties shall be heard and given the opportunity to present evidence in connection with the application. The Town Board shall render a decision in writing within thirty (30) days of the public hearing. If the Town Board determines that the

property owner will suffer an unnecessary hardship by means of the strict application of this Local Law, then the Town Board will grant the minimum variance necessary to afford relief to the applicant.

C. To the extent that the appeal provisions of this Local Law as set forth in this paragraph differ from or are contrary to any other provision of law, then this Local Law shall, pursuant to the terms of the Municipal Home Rule Law, supersede such provisions.

#### **Section 10. Definitions**

A. The terms "Campground or Campground use" shall mean the definition of same as set forth in Section 1020 of the Town of Watson Zoning Law

B. The term "Town" shall mean the Town of Watson.

C. The terms "Town Board", "Planning Board" and "Zoning Board of Appeals" shall refer to the appropriate boards established in the Town of Watson pursuant to the Town Law. The term "Codes Enforcement Officer" shall mean the duly appointed officer in the Town of Watson charged with the enforcement of the Town's zoning and related codes.

#### **10. State Environmental Quality Review Act (SEQRA)**

The Town Board has considered the provisions of Article 8 of the Environmental Conservation Law ("SEQRA") and the regulations adopted thereunder at 6 NYCRR Part 617 and finds this Local Law to be a Type II Action as defined therein. Therefore, no further review is required under SEQRA.

#### **11. Effective Date**

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State.



OFFICE OF LEWIS COUNTY PLANNING

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**MUNICIPAL BOARD: TOWN OF WATSON BOARD**

**239 L & M REFERRAL RE: Proposed temporary one year moratorium on the creation or expansion of campgrounds pending review of sanitary health and related regulations along with residential use compatibility.**

**Town of Watson – Applicant**

*November 15, 2018*

The above referenced referral was reviewed by the Lewis County Planning Board at its regular monthly meeting held on Thursday, November 15, 2018 pursuant to General Municipal Law, Article 12-B, Section 239-M.

The following action was taken on the proposal:


  X   Approve w/modification

**Modification:**

1. It is the County Planning Board's belief that a six month moratorium on the creation and expansion of campgrounds within the Town of Watson is a reasonable time frame. The Board recommends that the temporary moratorium be shortened from the proposed one year span to six months.

If you have any questions regarding this action, please do not hesitate to contact this office.

Sincerely,

  
Frank J. Pace  
Director of Planning

**NOTE:** Pursuant to General Municipal Law, Article 12-B, Section 239-M, within thirty (30) days after taking final action, you are required to file a report of your final action with the County Planning Board. **FAILURE TO DO SO COULD INVALIDATE YOUR ACTION.**