

D. Prohibited Grants of Contractual Access.

1. No lot which does not meet the minimum lot requirements (shoreline and area) for the zoning district wherein said lot is located shall be developed as a waterfront access lot.
2. Waterfront access lots shall be separate and distinct from adjoining residential or commercial lots.
3. No easements to or other interests in shorefront lots shall be granted over existing residential, vacant or commercial lots unless the existing residential, vacant and/or commercial lot and the contractual access lot meet the dimensional requirements of this Local Law.

**Section 7.03 Docks, Moorings, Floats, Inflatable Platforms and Boathouses.**

Purpose and Objective.

The purpose and objective of this section is to protect shorelines and property values and provide guidelines to maintain the visual aesthetics of structures, docks, dock systems, swim floats, inflatable platforms and items that impact navigation in our lakes, streams and rivers for the safe use by all.

A. General.

1. Setbacks shall be a minimum of 15 feet from the property line for docks, dock systems, moorings, floats, inflatable platforms and boathouses. No vessel berthed shall extend across any property line.
2. A Zoning permit is required prior to the new construction, new installation and placement, rebuilding or replacement of more than 40% of any dock, dock system, deck, float, boat lift, boathouse, mooring, or any items that impact navigation. Seasonal removal and replacement are excluded.
3. Dock, waterfront deck, mooring, float and boathouse rentals, other than the berthing of vessels offered as a part of the rental of a residential unit, are not allowed except at marinas.

B. Docks and Beaching

1. Only single tier docks are allowed.
2. No dock or dock system shall be constructed or installed and placed so as to interfere with normal navigation or with reasonable access to adjacent docks. In a stream, brook, river or other flowing water, no dock shall extend offshore more than twenty percent (20%) of the width of the stream, brook, river or other body of water.
3. No dock or dock system shall be constructed unless so designed as to withstand the forces of flowing water and wave wash in a flowing body of water such as a river or stream. No dock shall be constructed unless so designed as to withstand the forces of wave wash and normal winter

conditions. Pressure treated (sealed, non-leaching type) lumber will be allowed for the construction of the dock except for the legs or other parts which would be in constant contact with the water. Legs of pipe with preformed pads are preferable. Docks shall be securely anchored to the shore.

4. No dock or dock system shall extend more than forty (40) feet offshore from the shoreline. No dock shall exceed more than two hundred and forty (240) square feet or be greater than eight (8) ft. in width.
5. The number of docks permitted to be constructed per shoreline lot is limited as follows:

Number of Feet of Shoreline	Docks
<50 feet	One dock will be allowed with berthing of vessels on only one (1) side of the dock for any lot with less than 50 feet of shoreline.
50-75 feet	One dock will be allowed on any lot with more than 50 but less than 75 feet of shoreline.
>75 feet	One dock will be allowed for the first 75 feet, and one additional dock for every 75 feet of shoreline.

6. A maximum of one-half of the shoreline can be used for docking and/or beaching, including docks plus boat slips.
7. Tarps shall not be allowed as dock covers.
8. Beaching shall be allowed in lieu of docking. Beaching shall not be allowed in any designated swimming area.
9. The construction and or reconstruction of docks for marinas and contractual access lots are subject to site plan review by the Planning Board.
10. Boat lifts will be considered docks and counted as dockage. The space taken up by a boat lift will be included in the allowable portion of shoreline usage for docking.
11. All Docks/Boat Lifts with a cover requires an area variance from the Zoning Board of Appeals.

C. Shoreline Decks

1. A deck is defined as any structure extending and/or elevated over the water from the shoreline and used for other than berthing a vessel.
2. Decks that are flush with the natural ground level without raised elements such as railings or walls on the ground are exempt from the

shoreline structure setbacks provided they are not attached to any other structure and are subject to a 15 ft side yard setback.

3. Decks are not to exceed 100 square ft. in size.
4. Replacement of over forty-percent (40%) of a pre-existing deck requires approval from the Zoning Board of Appeals.
5. Any deck that extends over the water from the shoreline is to be deducted from the overall length and area of a dock.

D. Moorings, Inflatable Platforms, Swim Floats and Swim Line Floats.

1. No mooring, inflatable platform or swim line floats in a waterbody shall be constructed or placed so as to interfere with normal navigation or with reasonable access to adjacent moorings, inflatable platform, swim float, or swim line float and no inflatable platform, swim float, swim line float, mooring or part thereof shall at any time extend more than 75 feet from the shoreline, excepting Friends Lake which shall be no more than 50 feet, and except that where the opposite shoreline is less than 600 feet distant no inflatable platform, swim float, swim line float, mooring or part thereof shall at any time extend more than 50 feet from the shoreline. Any mooring that is used to moor a vessel will be considered a dock and will be counted as dockage.
2. The number of moorings, whether residential or commercial except for swim floats, shall be limited as follows:
  - a. a minimum of fifty (50) feet of shoreline is required for a mooring;
  - b. an additional fifty (50) feet of shoreline is required for each additional mooring;
  - c. one swim float or inflatable platform shall be allowed per shoreline lot;
  - d. the maximum size of a swim float or inflatable platform shall be one hundred (100) square feet. Floats may be constructed with pressure treated lumber (sealed, nonleaching type) except for the parts which would be in constant contact with the water. Parts which would be in constant contact with the water can only be constructed with untreated lumber. Floats and inflatable platforms must be securely anchored and supported by styrofoam or sanitized barrels or other environmentally safe flotation supports. Mooring cables, lines, etc. must be clearly marked or sunk to the bottom when not used so as not to become a navigational hazard. Floats or inflatable platforms must be equipped with two (2) or more reflectors on each side (preferably on the corners);
  - e. Commercial moorings are subject to site plan review.
3. All moorings in water bodies shall comply with the permitting and other requirements of New York State Navigation Law except as otherwise provided herein.

E. Exception. The provisions of this Section 7.03 shall not be applicable to moorings or other structures or vessels used solely in connection with municipal authorized aquatic invasives control measures or similar purpose.

F. Additional Enforcement. In addition to the enforcement authority granted to the Zoning Enforcement Officer under Section 12.01, the Lake Constable/Safety Officer may notify the Zoning Enforcement Officer of suspected violations of this Section 7.03.

### **Section 7.04 Signs.**

#### A. Purpose and Objective.

The purpose and objective of this law is to accommodate the needs of effective signage, ensure safety and provide acceptable visual aesthetics for the Town of Chester.

#### B. General Provisions.

1. Every sign hereafter erected or displayed, including signs not requiring a permit for display, shall comply with the provisions of this Local Law.
2. No sign exceeding sixteen (16) square feet in area may be erected or displayed without a permit and in no case may any sign exceeding forty (40) square feet in area be erected or displayed.
3. Signs requiring permits connected with projects subject to site plan review under Article 4 shall be included in that project's review pursuant to Article 5 of this Local Law.
4. In the case of residential and other non-business uses only one sign may be erected or maintained on any parcel of real property.
5. The Zoning Administrator and/or Planning Board may require an Engineer report on the safety of any sign to be erected or installed.

#### C. Signs Not Requiring a Permit.

The following signs do not require a permit from the Town:

1. Any sign erected and/or permitted pursuant to Section 9-0305 of the Environmental Conservation Law.
2. Directional signs of a public or quasi-public nature identifying or locating a town, hospital, public building, parking lot, church, college, service club or civic, educational, cultural or public recreational building, facility or use and similar signs, including informational signs relating to the opening of an event of public interest.
  - (a) Directional signs shall not exceed six (6) square feet in area and shall not extend over any property line or over any public road or public or private right of way except by approval of the governmental body, agency or individual having jurisdiction thereof and site plan review approval by the Planning Board.
3. Temporary on-premise business signs may be displayed for a period not exceeding ninety (90) days per calendar year. Such signs may be in the form of a cloth banner or advertising flag, limited to two (2)