

11. No more than four (4) people may reside in the accessory apartment.
12. No money may be received by the property owner in exchange for occupancy of the accessory apartment.

#### D. Procedures for Approval of Accessory Apartments

Approval by the Planning Board of a proposed accessory apartment shall require notice to the public and a public hearing conducted under the Site Plan Review procedures and requirements described in this Local Law. The Planning Board shall mail a copy of the decision to the Adirondack Park Agency within 14 days.

### **Section 7.22 Boundary Line Adjustments [amended July 2011]**

A. A boundary line adjustment is a subdivision but shall not require subdivision approval in the form of Site Plan review or an area variance provided that all of the following conditions are met:

1. The grantee of the boundary line adjustment parcel is the same as the landowner of the receiving parcel;
2. The boundary line adjustment parcel is adjacent to the receiving parcel;
3. The boundary line adjustment parcel is merged with and becomes a part of the receiving parcel;
4. The property conveyed is of a size and configuration that could not reasonably accommodate the construction of a single family dwelling;
5. The boundary line adjustment will not allow for any increase in the number of principal buildings on the resulting, merged parcel; and
6. The boundary line adjustment will not result in or increase any non-conformance with the provisions of Section 7.01, 7.02 or 7.03 of this Local Law.

B. The deed describing the boundary line adjustment parcel must contain a covenant stating that the conveyance is a boundary line adjustment and that the boundary line adjustment parcel is to merge with the receiving adjacent parcel and may not be sold separately, and must state that these covenants “run with, touch and concern the land”.

C. The Planning Board shall have the authority to review a proposed property transfer to determine whether the transfer qualifies as a boundary line adjustment. If the Planning Board determines that the proposal is a boundary line adjustment, the approved map shall be stamped and signed by the Chairman of the Planning Board as a non-jurisdictional project. It shall be the responsibility of the applicant to file the signed map in the office of the County Clerk.

### **Section 7.23 Solar Energy Systems.**

Purpose.

To outline the use of solar energy systems while maintaining the unique character of The Town of Chester.

## Zoning District Regulations – Use Chart

### Allowed Uses with Zoning Permit:

(H) Hamlet – Rooftop or building mounted solar systems, flush mounted systems and building integrated photovoltaic systems.

(MI) Moderate Intensity – Rooftop or building mounted solar systems, flush mounted systems and building integrated photovoltaic systems

(L) Low intensity – Rooftop or building mounted systems, flush mounted systems and building integrated photovoltaic systems

(RU) Rural Use – Rooftop or building mounted solar systems, flush mounted systems and building integrated photovoltaic systems

(RM) Resource Management – Rooftop or building mounted solar systems, flush mounted systems and building integrated photovoltaic systems.

(I) Industrial Use Areas – Rooftop or building mounted solar systems, flush mounted systems and building integrated photovoltaic systems.

#### A. Solar Photovoltaic Systems and Solar Thermal Systems – Pole-Mounted or Ground-Mounted Solar Energy Systems

1. Classified as accessory structure in Hamlet and Moderate Intensity Zoning Districts.
  - (a) Small-scale solar system only
2. Classified as principal use or accessory structure in Low Intensity, Rural Use and Resource Management Zoning Districts.
  - (a) Site plan review required
3. Classified as principal use or accessory structure in Industrial Zoning District.
  - (a) Site plan review required
4. Waterfront
  - (a) May not be installed on shorefront side of property
  - (b) Site plan review required
  - (c) Small scale solar system use only
5. Inspections required: Electrical – By UL qualified inspector. To meet all NEC requirements.
  - (a) Installation to meet all applicable laws and codes.

### **Section 7.24 Water Supply Wells.**

#### A. Purpose and Objective.

To protect people and the environment coming into contact with the land or surrounding lands of these wells and to any nearby septic systems.