

**A local law placing a
moratorium on applications
affecting wetlands**

**Be it enacted by the Town Board of the Town of
Clinton as follows:**

SECTION 1. LEGISLATIVE INTENT

The Town Board of the Town of Clinton seeks to provide for additional protection for wetlands, consistent with the comprehensive plan. The amendments are designed to protect the health, safety, and welfare of Town residents and to bring the Town's Zoning Law into conformance with "Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities" pursuant to Chapter 40 of the Town Code and with applicable state and federal law.

SECTION 2. APPLICABILITY

This law shall be applicable in all areas of the Town of Clinton.

SECTION 3. MORATORIUM REGARDING WETLANDS

A moratorium is hereby imposed from the effective date of this local law for a period ending December 31, 2024 on approval of any application regarding development or land alteration of property located (i) within 300 feet of New York State Department of Environmental Conservation designated wetlands, (ii) within federal wetlands regulated by the United States Army Corps of Engineers, (iii) within any locally protected wetland, or (iv) within any other wetland areas identified in the New York State Department of Environmental Conservation's Environmental Resource Mapper as falling within a state regulated freshwater wetland or the national wetlands inventory. Development for this purpose shall, in addition to including commercial development projects as defined in the Town Code, include any activity of the type subject to regulation under Article 7 of Article 24, Freshwater Wetlands, of Title 23 of Article 71 of the Environmental Conservation Law.

a. The Planning Board shall not consider any applications for subdivision or commercial development projects including any such application currently pending before the Planning Board, for matters within the scope of this moratorium for the term of this moratorium.

b. No permit shall be issued under the Town of Clinton Zoning Law for the construction of any new building or structure, expansion of existing buildings, or any change in use for matters within the scope of this moratorium for the term of this moratorium.

c. The Zoning Board of Appeals shall not consider any application for a use or area variance including any such application currently pending before the Zoning Board of Appeals, for matters within the scope of this moratorium for the term of this moratorium.

SECTION 4. STATEMENT OF AUTHORITY.

This local law is authorized by the New York State Constitution, Article IX, Section 2, the provisions of the New York Municipal Home Rule Law (MHRL), the provisions of the Statute of Local Governments, the relevant provisions of the Town Law of the State of New York, the laws of the Town of Clinton and the general police power vested with the Town of Clinton to promote the health, safety and welfare of all residents and property owners within the Town.