

TOWN OF LANSING LOCAL LAW AMENDING THE TOWN OF LANSING LAND USE ORDINANCE TO UPDATE AND AMEND § 1610 PER AMENDED DEVELOPMENT PLANS FOR PDA ZONE #1 - THE VILLAGE CIRCLE-VILLAGE SOLARS PLANNED DEVELOPMENT AREA

TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK

LOCAL LAW NUMBER 6 OF 2017

Be it enacted by the Town of Lansing as follows:

SECTION 1: TITLE & APPLICATION; FINDINGS

A. This Local Law shall be known as "Local Law Number 6 of 2017." This Local Law amends the Town of Lansing Land Use Ordinance, by: (i) amending and superseding all prior local laws and amendatory local laws governing the Village Circle-Village Solars Planned Development Area (PDA #1), and by specifying the allowed land uses and related regulations for such PDA #1, including, without limitation, § 3 of Local Law #1 of 2013, Local Law # 4 of 2015, and Local Law #10 of 2016.

SECTION 2: PLANNED DEVELOPMENT AREA #1 - THE VILLAGE CIRCLE-VILLAGE SOLARS PDA

A. The Town of Lansing Land Use Ordinance sets forth the rules and requirements for PDA #1 at § 1610, and such § 1610 be and hereby is amended and replaced in its entirety to read as follows:

§ 1610 PLANNED DEVELOPMENT AREA #1 - THE VILLAGE CIRCLE-VILLAGE SOLARS PDA

1. PDA #1 shall use all definitions as are applicable to the Land Use Ordinance generally.
2. The allowed principal and supplementary or accessory land uses permitted within the PDA are as follows:
 - a. Uses permitted as of right include:
 1. Single family residential dwellings and multi-family dwellings not to exceed 24 units in any one structure or connected but independent structures.
 2. One or more leasing and rental offices.
 3. Indoor and outdoor recreational facilities, whether for public use or for profit (and specifically including within the Community Center).
 4. Traditional home occupations shall be allowed only where, in the determination of the Town Code Enforcement Officer, the following standards are met. All home occupations that exceed any one or more of these standards or requirements shall be permitted only after an approved site plan review is completed by the Town Planning Board:

- i. Such operation, business, or trade is operated solely or principally by a full-time resident of the dwelling.
 - ii. No more than one additional person not residing at the premises is employed therein.
 - iii. No goods or products are publicly displayed or advertised for sale on the premises.
 - iv. There is no outside storage of goods, parts, or inventory.
 - v. No noise, dust, or objectionable odor is experienced beyond the dwelling where such use is conducted.
 - vi. The home occupation may not exceed the lesser of 300 ft² or 20% of the floor space of such dwelling.
 - vii. No signage for such home occupation may be displayed other than upon the residence structure, and only one such sign shall be permitted. The coloration of the sign must match that of the residence in question, the sign may only be two-dimensional in its geometrical aspects, and such sign may not exceed 12 ft² in total surface area.
5. Accessory buildings, such as dog houses, storage sheds, patio covers, garages, gazebos, or other small structures clearly ancillary and related to dwelling uses are permitted when they meet the other requirements of these PDA regulations and the Land Use Ordinance.
6. Self-service laundry facilities, but only (i) within the Community Center Building; or (ii) when located within a dwelling and the location and design make such facility non-observable from the building exterior.
7. Utility and utility-related infrastructure relating to the provision of utilities and services to the PDA and general distribution needs in the Lansing area, including specifically the utility structures proposed (and as requested by NYSEG) near the north end of Village Place, as shown on the updated site drawings entitled "Revised Village Solars PDA, May 22, 2017" (the "Updated PDA Site Drawing"). Any other or future siting of utility facilities, as well as the approval of any other utility buildings or infrastructure, shall be approved by the Planning Board by site plan review as provided in § 1610(2)(b)(10) hereof.
- b. The following uses are permitted, but only upon the receipt of site plan approval by the Town Planning Board:
1. Small retail convenience stores and coffee/sandwich shops, including similar small-scale retail services.
 2. Churches or other places of worship, convents, and parish houses.

3. Public or private libraries, museums, private and public schools and instructional centers, nursery schools, kindergartens, and day care centers.
 4. Nursing, retirement and congregate housing or convalescent homes and medical clinics or professional offices located outside of a residential dwelling.
 5. Youth centers.
 6. Theaters and facilities for live indoor performing arts.
 7. Uses in the Community Center Building, which include all allowed uses listed in § 1610(2)(a), self-service laundry facilities, restaurants, public and private health centers, public and private gymnasiums, business and rental offices for onsite operations or facilities, and up to 20 one bedroom and micro-unit apartments. The residences and Community Center Building itself are permitted as of right and without site plan review of approvals, but each individual commercial or non-residential use shall be subject to site plan review when sited within the Community Center Building, and thereafter whenever the nature of the approved commercial or non-residential use shall significantly change.
 8. One rooming house/tourist home, not to exceed 2 suites, to be made available only to visitors of residents of the PDA.
 9. One maintenance building for the storage of tools, supplies, parts, and other items needed to maintain residences, buildings, improvements, yards, buffers, and other elements of the PDA by the Developer.
 10. Other than service lines typical to commercial and residential uses, all utility buildings and structures shall be subject to site plan review in each of the following circumstances: (i) regardless of size, if substantially relocated from areas where already approved within this PDA; (ii) whenever located above ground; or (iii) whenever such siting shall disturb or use in excess of 100 ft² of land area or propose a shed, cabinet, housing, or other structure in excess of 100 ft².
3. Yardage requirements and set-back requirements, density, building and structure height, and coverage regulations are as follows:
- a. All building and structure setbacks, excluding roadways and pedestrian walkways and trails, shall be at least 25' from the exterior boundary lines of the PDA. Other internal PDA set-back and yardage requirements shall be as set forth in the Land Use Ordinance for R2 zones.
 - b. Density regulations or requirements are allowed per the development plans and all parcels within the PDA shall maintain 40% minimum open space standard; similarly the entire PDA parcel shall also have a minimum 40% open space standard.
 - c. Buildings shall not exceed 3 stories and no building or structure shall exceed a height of greater than 45 vertical feet measured from the finished grade to the highest point on a flat or mansard roof and to the average height of a pitched, gabled, hip or gambrel roof. On a hillside

or sloped lot or site the finished grade should be considered as the average finished grade on the uphill side of the structure.

4. No additional buildings shall be permitted within this PDA/zone without site plan review unless the same is a defined accessory structure with less than 100 ft² of overall floor and foundational space. For the purposes of clarity an 8' x 8' structure with 2 floors would require site plan review as it would have 128 ft² of combined floor/foundational space.
5. A maximum total of 572 dwelling units shall be permitted within the PDA, each as sited and located substantially where indicated upon the updated PDA plat and site plan narrative dated May 22, 2017, showing the configuration and reconfiguration of project phases and the replacement plans pertaining to the removal of, and reconstruction of new facilities thereupon, as follows: (i) building numbers 2, 22, 102, 116, which are to be reconstructed upon similar footprints as existing buildings that are to be removed; and (ii) buildings K, L, M and 36 and 117 to be reoriented and relocated to have passive insolation benefits and conform to the overall PDA plan as set forth upon and in the updated PDA plat and site plan narrative dated May 22, 2017, which amends and supplements a prior approved narrative of March 30, 2017. In the event of any conflict between this § 1610 and any narratives, such conflict shall be resolved by giving weight in the following order: first to this § 1610; then to the May 22, 2017 narrative; and then to the March 30, 2017 narrative, application, and related materials.
6. Roadway, parking, trail, and pathway requirements are as follows:
 - a. There shall be a minimum 1.25 parking spaces provided for each residential dwelling, and such parking shall be adjacent or near to such residential dwelling(s). Notwithstanding this rule, the parking area shown to the north of Building #116 (one of the 3 parking areas referred to below in subsection 6(e)(4)) shall not be, or be required to be built, unless there is a demonstrated need for the same and approval is therefor given by the Code Enforcement Officer.
 - b. Non-residential facilities shall have a minimum of 2 parking spaces for each 250 ft² of floor area, and such parking shall be adjacent or near such non-residential facility; however, and except that, the Community Center Building shall have a minimum of 30 parking spaces.
 - c. All parking spaces shall have a minimum width of 8.5', a minimum depth of 18', and a minimum vertical clearance height of 7', except handicapped and impaired parking spaces, which shall conform to all code and legal requirements in terms of the number of spaces, their location, and the minimum dimensions thereof.
 - d. All sidewalks and pathways shall be constructed pursuant to the approved plat and design for the PDA, including all building-to-building walkways, the perimeter exercise trail, the amenities trail, and the main community trail.
 1. Sidewalks in front of buildings, sidewalks that service building entrances and exits, and sidewalks connecting buildings to principal parking areas shall be: (i) a minimum of 4" thick by 5' wide; (ii) constructed of concrete; and (iii) built to match existing concrete walkways in front of existing buildings A, B, C, D, E, G and H.

2. Other trails and walkways shall be: (i) built of packed, crushed stone; (ii) generally 6" thick and 4' wide; and (iii) built to match the as-built walkways in Phase I and Phase 2.

3. All sidewalks and walking trails and paths shall be maintained by the landowner, including snow and ice removal, remediation of defects and hazards, and routine maintenance, repairs, upgrades, and replacements of the same. All pathways and trails shall be maintained in a condition that is fit and safe for their intended uses.

4. With the exception of main trails described in subsections 5 and 6, below, all pathways and trails shall be private to the Developers, but public use thereon shall be permitted.

5. The East-West main 8' wide trail shall be blacktopped and accessible to the public. Once any town trailway is connected to the main East-West trail the said trail shall be dedicated to the Town either by easement or in fee (in the sole discretion of the Town).

6. The main North-South trail connecting the site to Warren Road shall also be blacktopped (when built) and accessible to the public, and once connected to other off-site trails it too shall be dedicated to the Town either by easement or in fee (in the sole discretion of the Town).

e. All roadways, driveways, and parking lots shall be engineered, designed, constructed, and maintained in such manner as to permit the safe passage of fire trucks and other emergency vehicles, and at all times there shall be at least two accessways for emergency vehicle ingress and egress to all areas and buildings within the PDA. In addition:

1. Prior to dedication and acceptance by the Town, all roads proposed for dedication shall be upgraded and constructed to the Town of Lansing roadway specifications applicable in the year of dedication.

2. All private roads, driveways, and parking lots shall be constructed with a minimum of 1' of crushed gravel and 6" of crushed stone with a natural or stone and oil finish.

3. Within 90 days of the date of adoption of this amended § 1610 the Developer shall dedicate a 60-foot right of way and easement for a potential future road or transportation corridor within the PDA linking Dutch Mill and Village South roads.

4. Up to three additional parking lots, as shown in the updated PDA plat and site plan narrative dated May 22, 2017, are permitted so long as the same are made from permeable surfaces and the locations thereof, and facilities therefor, are approved by the Planning Board by site plan review. The parking lot just north of Building #116 shall be subject to the requirements of subsection 6(a), above.

5. Parking near the Community Center (Building F) may be paved or otherwise improved as required or desired to facilitate parking, impaired accessibility, and access to such facility.

f. A bus stop and enclosed shelter is permitted and shall be constructed within the PDA in a location approved by the Code Enforcement Officer near or in proximity to the Community

Center Building as set forth in such plans, once the population of the PDA would support the same and once TCAT agrees that a bus route may extend into or through the PDA.

7. Landscaping plans and buffering requirements, including as shown in the May 22, 2017 Landscape Plan, are approved as set forth in the project plans, including the planting of buffering and screening vegetation, shade trees, and other plantings, each with only native vegetation (i.e., no exotic or invasive non-native species shall be permitted). A minimum landscaped buffer of at least 15' shall be preserved or developed and maintained around the perimeter of the PDA (and such buffer may be located partly or wholly within required setback limits). All plantings shall be maintained by the Developer and replaced with similar vegetation whenever a plant or tree shall die or become diseased or fail of its purpose relative to providing screening or buffering.

8. All building materials shall meet New York State Building and Energy Codes, and all buildings shall follow and similar complimentary architectural design and coloration. Only muted shades of blue, green, and natural colors are permitted for building exterior finishes. All rooflines and dormer and peak angles shall be similar in their angle and slope as to create a homogenized project "look and feel." All buildings and structures shall be sight buffered and screened per the planting plans approved for the PDA. All buildings shall be oriented towards the sun and sited to maximize solar exposure and natural light penetration of building envelopes so as to increase heating efficiency and decrease energy usage as set forth in the plans for the PDA. Rooftops and other suitable sites shall be available for solar access for photovoltaic or solar thermal systems, where appropriate and where structures permit such loading.

9. Lighting shall only be in locations of approved lighting poles and plans, plus any security or passage lighting for buildings. All lighting and lighting fixtures shall be shielded and designed so as to avoid glare upon adjacent properties. The lighting plans and selected LED lumières and fixtures set forth in the May 22, 2017 plans are approved, and any additional or different lighting, including any new or different lighting plans of fixtures, shall be subject to the approval of the Code Enforcement Officer, which approval may issue once the lighting plans and fixtures selected meet the IDA certification requirements for business/residential lighting.

10. No signs, other than entry signs, traffic signs, street signs, or directional signs are permitted, except the following:

a. Non-residential facilities may have no more than 2 signs, the combined size of which shall not exceed 90 ft² and both of which must be located upon the building.

b. Home occupations may have signage, as set forth above.

c. Small traditional directional signage to identify the location of parking facilities, to designate handicapped and impaired parking facilities, and to identify trash, recycling, and related facilities.

d. Interior building signage is permitted in the Community Center Building and other public-use buildings to identify facilities or allowed businesses and uses.

e. A large project sign is allowed on the west side of the Community Center Building, but it may have only 2 significant display surfaces and may not exceed 350 ft² in surface area upon any one side.

Any additional or different signs, including any new or different signage or signage plans, shall be subject to approval pursuant to site plan review by the Planning Board.

11. The following requirements apply to the provision of water services, sewer services, and stormwater within the PDA:

a. Water & Sewer - No building permits shall be issued unless the plans therefor comply with law and there is demonstrated compliance herewith, including verification of sewer and water capacities to serve the PDA. Usage is capped at 572 units (or equivalent) unless subjected to further review by the Town. All sewerage services are similarly capped, and all such services remain subject to the terms of the "Intermunicipal Wastewater Transportation and Treatment Agreement," dated March 8, 2010, by and between the Town of Lansing and the Villages of Lansing and Cayuga Heights.

b. Water & Sewer Dedication - All waterlines and appurtenant infrastructure shall be dedicated in a form as approved by the Town, along and together with accompanying easements and rights-of-way to the CWD. Similarly, all sewer lines and appurtenances shall be dedicated to the Town or any applicable sewer district or improvement area, together with accompanying easements in a form as approved by the Town. The Developer shall submit as-built maps or surveys as required by Bolton Point and the Town showing the location and basic descriptive parameters and elevations of all improvements so installed, and all such dedications shall occur after construction and installation, after all permits have been obtained, after all permit conditions are duly met, including permits from the Tompkins County Health Department. All such water and sewer lines and appurtenances shall be subject to inspection and testing and be in operational condition at the time of dedication.

c. Stormwater - No certificates of occupancy or compliance (a "CO") shall be issued until after stormwater plans and the SWPPP are duly approved by the Town and NY SPDES permits are issued. If any project or construction plans change then updated permits and SWPPP calculations are required to be submitted to and approved by the Town and the NYS Department of Environmental Conservation.

d. All permanent stormwater facilities and permanent practices shall be required to be substantially constructed, duly inspected, and functional as of the date of issuance of the CO for that particular phase or building, and all stormwater facilities and permanent practices, once built, functioning, inspected, and approved, shall be either dedicated to the Town (or any drainage district formed for this PDA) or made the subject of a stormwater management agreement is duly executed by the Developer in a form acceptable to the Town. The determination as to whether to use or proceed by dedication or pursuant to the use of a stormwater management agreement, or some combination of both, shall be made by the Town in its own and sole discretion.

12. Except for the Community Center Building, other community buildings, and the rental offices, residential uses within the PDA shall not be mixed within any one building or structure with any non-residential uses. As to the Community Center Building and other community facilities:

a. The Community Center Building shall be substantially completed by December 31, 2020 and, until substantially complete, only 3 of the 5 building permits for major or large buildings demarked

in Phase 4 (Buildings #36, #117, K, L and M) shall issue, and the remaining 2 building permits shall not be issued until the certificate of occupancy is issued for the Community Center Building.

b. The other community facilities set forth in the development and landscape plans, including but not limited to shared yards, courtyards, trails, pathways, community grills, outdoor community recreation areas, and community fire pits shall be constructed as needed within each phase of the development.

c. In the event of any ambiguity the development plan shall control, and each phase shall be fully completed before the next phase begins substantial construction, including all such public infrastructure and supporting facilities within such phase. In all circumstances, all public infrastructure and supporting facilities shall be constructed and substantially installed and completed within one year of the date the last CO is issued for any main building within each phase.

d. If the requirements of subparagraphs a, b and c above are not met, then no additional building permits shall be issued until compliance with such requirements is demonstrated.

13. All wetlands and significant natural features shall be preserved and enhanced in accord with the development plans.

14. The updated PDA plat, Landscape Plan, and site plan narrative dated May 22, 2017 outline the proposed phasing of the project. The development of the Allowed Build-Out Limit are hereby authorized and allowed, subject to all approvals, permitting, and stormwater requirements, each where applicable or as required.

15. Any proposed use not specifically herein allowed is expressly prohibited. Any future plan or proposal not here specifically allowed is prohibited unless an amendment to the zoning and development plan are approved through the applicable site planning, special permitting, or variance procedures as outlined in the Land Use Ordinance. In no event may the open space percentage of 40% be reduced; such open space measurement to be expressed as a percentage of land that is undeveloped by buildings or impervious surfaces as compared to the total acreage of the PDA as based upon its boundaries as defined below.

16. All outdoor recreational uses shall be for passive and non-motorized recreation. Auxiliary uses relating to such recreation, such as exercise areas, tennis courts, basketball courts, ball fields, gardens, trails, and small covered or stone-paved cooking and picnic pavilions or similar facilities, shall be permitted.

17. The Developer may for good cause request a waiver from the requirements of this Article and this § 1610, including for the obtaining of building permits (or certificates of compliance or occupancy) earlier than would otherwise be authorized hereunder, by applying for such a waiver to the Town Board. If such a waiver is granted, the Town Board may impose such reasonable conditions upon the waiver as it may deem appropriate. The Town Board may, but is not required to, approve any such waiver if the Town Board finds that:

a. The plans for the water or sewer lines and appurtenances have been approved by all applicable agencies and are or have been built and duly dedicated, together with necessary access

and other easements, and that the SWPPP and stormwater requirements have been adequately addressed.

b. There would be a substantial hardship to one or more individuals to delay construction or certificate issuance absent such waiver, and such hardship was not self-created.

c. There is proof provided to the Town that there is adequate financial support available to the Developer to complete the work, such proof being in the form of a dedicated escrow account, performance bond, letter of credit, or other proof satisfactory and acceptable to the Town as based upon the recommendations of the Town Engineer and the Attorney for the Town.

d. Such waiver is the minimum variation from the requirements of this Article or § 1610 as would remediate or lessen such found hardship.

18. The area encompassing current TPN 39.-1-34, located within the PDA on the Village Circle side of the plan shall be allowed to be appended to and consolidated with TPN 38.-1-38.3 (or other adjacent parcel(s)) and included in the Village Solars side of the development plan.

19. The area encompassed and rezoned in accordance with this § 1610, and which is governed hereby, is described as follows: Being Town of Lansing Tax Parcel Numbers 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2, all as more particularly described as the land within the following described boundaries:

Beginning at a point marked by a found iron pin located at the northeasterly corner of lands now or formerly of the Town of Lansing (592/709), as shown on a Survey Map entitled "Village Circle Village Apartments/Village Solar PDA Boundary Survey Map," as dated March 5, 2013 and drawn by Lawrence Fabbroni (NYSPE 51734, NYSLS 49682) (hereinafter, the "Survey Map"); and thence proceeding

N 14° 40' 08" E a distance of 300.73' to a point, such point being located at the northwesterly corner of lands now or formerly of Kaida Computer Technologies LLC (#521821-001); and thence proceeding

S 75° 43' 15" E a distance of 8.50' to a point located in the northerly property line of said Kaida Computer Technologies LLC; and thence proceeding

N 14° 34' 20" E a distance of 570.01' to a point in the southerly property line of lands now or formerly of Rocco P. Lucente (#510428-001), said course also partly running along easterly property lines of lands now or formerly of Lucente Holdings Inc. (867/94 and 837/266); and thence proceeding

S 75° 43' 15" E a distance of 201.60' to a point marking the southeasterly corner of said lands of Rocco P. Lucente (#510428-001); and thence proceeding

N 14° 34' 20" E a distance of 260.73' to a point marking the northeasterly corner of said lands of Rocco P. Lucente (#510428-001); and thence proceeding

N 75° 46' 45" W a distance of 1,132.12' to a point marked by a set iron pin in the southerly property line of lands now or formerly of Rocco Lucente (580/702), said course passing along the southerly property lines of lands now or formerly of Lee (CD2509/6727), Ivy Bridge, LLC (#592211-002), and Rocco Lucente (580/702); and thence proceeding

N 75° 45' 27" W a distance of 169.07' to a point in the southerly property line of lands now or formerly of Hopkins (908/276), said point being also the northeasterly corner of lands now or formerly of Lucente Holdings, Inc. (CD2512/1241), and said course passing along the southerly property lines of lands now or formerly of Rocco Lucente (580/702) and said Hopkins (908/276); and thence proceeding

S 14° 31' 26" W a distance of 100.00' to a point marking the southeasterly corner of lands of said Lucente Holdings, Inc. (CD2512/1241), said course being also the easterly line of said lands of Lucente Holdings, Inc. (CD2512/1241); and thence proceeding

N 75° 45' 27" W a distance of 150.14' to a point in or near the centerline of Warren Road, said point also being the southwesterly corner of lands of said Lucente Holdings, Inc. (CD2512/1241), and said course being the southerly property line of said Lucente Holdings, Inc. (CD2512/1241); and thence proceeding

S 14° 31' 26" W a distance of 968.10' along or near the centerline of said Warren Road to a point, such point being also the northwesterly corner of lands now or formerly of Bracco (#457019); and thence proceeding

S 75° 37' 57" E a distance of 150.16' to a point located at the northeasterly corner of lands of said Bracco (#457019), said course being the northerly property line of said Bracco (#457019); and thence proceeding

S 14° 31' 26' W a distance of 310.00' to a point marking the southeasterly corner of lands now or formerly of Lane (733/314), said course running along the westerly property lines of lands of said Bracco (#457019) and Lane (733/314); and thence proceeding

S 75° 37' 57" E a distance of 889.01' to a point marking the southwesterly corner of lands now or formerly of the Town of Lansing (592/708), said course passing along the northerly property lines of lands of Kaida Computer Technologies LLC (##488698-001, 471363-001, and 523357-008); and thence proceeding

N 14° 40' 08" E a distance of 250.00' to a point marking the northwesterly corner of said lands of the Town of Lansing (592/708), said course passing along the westerly boundary of said lands of the Town of Lansing (592/708); and thence proceeding

S 75° 37' 57" E a distance of 200.00' along the northerly property line of said lands of the Town of Lansing (592/708) to the point and place of beginning, all as more particularly shown upon the Survey Map, a copy of which is in file at the Town of Lansing Town Clerk's Office.

20. The Developer assumes sole responsibility for the development and its worksites and all related or adjacent areas and lands and agrees to assume all responsibility for any injury or damage that may

or does occur as a result of any excavation, construction, or related work. The Developer, to the fullest extent permitted by law, shall indemnify and hold the Town of Lansing harmless from and against any, each, and all losses, actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity (all together hereafter, "Claims"), including, but not limited to, reimbursement to the Town of Lansing any amount expended for any and all experts', consultants', attorneys' and engineering fees and expenses arising from or in relation to any Claim. The Town of Lansing shall not be liable or responsible for any injury to persons or damage to property due to any acts or failures to act unless it is proven to a reasonable degree of certainty that such injury or damage was solely caused by a willful or intentional act of the Town of Lansing.

21. The Town of Lansing Zoning Map is hereby amended to incorporate the location and boundaries of PDA #1.

22. The Developer may subdivide (and rejoin or consolidate) the PDA parcel into separate or differing tax parcels to assist in the delineation of project phasing, tax management issues, and financing for project development. In each such case, suitable cross-easements shall be implied, required, and provided for access and common use of project facilities, and such proposed subdivision and line locations shall be subject to review and approval by the Town Board. Once approved by the Town Board, the Town Code Enforcement Officer may seal such map for filing with or delivery to the County Clerk or Assessor's Office.

SECTION 3: SEVERABILITY; INTERPRETATION

If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this Local Law shall be adjudged invalid by a court or other tribunal of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law. Any such invalidity shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such order or judgment shall have been rendered. Section and other headings are for reference and convenience only and shall not be deemed or construed to limit or define the requirements of clauses set forth thereunder.

SECTION 4: EFFECTIVE DATE

This Local Law shall be and become effective immediately.