New York State Department of State
Division of Corporations, State Records
and Uniform Commercial Code
One Commerce Plaza, 99 Washington Ave.
Albany, New York 12231-0001

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 underling to indicate a new matter.

Town of Wayland

Local Law No. __1__ of the year 2026

A LOCAL LAW TO DELETE LOCAL LAW #3 of 1998 AND AMEND LOCAL LAWS #1 OF 1998 & #1 of 2008 TOWN OF WAYLAND PROTECTION, CONSERVATION AND DEVELOPMENT LAW

Be it enacted by the Town Board of the Town of Wayland as follows:

Local Law No. 3 of 1998 Deleted.

Local Law No. 1 of 1998 and Local Law No. 1 of 2008 -Section 2 Area Regulations amended with the following:

Section 2
Area Regulations

2.1 Areas

2.1.1 Establishment and Purpose

(1) The Town of Wayland is hereby divided into **3 areas**

(2) In addition to the general purpose of these regulations, each area is intended to accomplish the following particular purposes, which shall guide the regulation of all uses allowed in such Areas:

(a) **Agricultural-Residential (AG-R) Area**. To provide for low-density residential and other nonfarm uses; to encourage continued agricultural uses; to preserve open space and natural resources.

(b) **Aquatic (AQ) Area**. To provide for higher density residential and water-related recreational uses; and, to encourage the preservation of waterfront natural resources and scenic values.

(c) **Agricultural-Commercial-Industrial (A-C-I) Area**. To provide and encourage continued agricultural uses; to preserve open space and natural resources; To provide locations for highway-oriented business and traveler service facilities; and to avoid traffic gestion and hazards; To provide appropriate locations for manufacturing, processing and warehousing developments not dependent on municipal water supply or sewerage; to allow such uses with outdoor storage and service area; and accommodate such uses that may generate heavy traffic.

(3) The Flood Damage Prevention Law, Local Law No. 1 of 1991, establishes additional restrictions for properties located in special flood hazard areas, as defined by that law and the Flood Insurance Rate Map for the Town (No.36078413), dated June 8, 1984, in order to provide for safety of life and property from the hazard of flood; to protect water quality; and to provide for the benefits of flood insurance for property owners through compliance with regulations of the Federal Emergency Management Agency. In any case where conflicts arise between regulations applicable under the Flood Damage Prevention Law and this Law, the more restrictive requirement shall apply.

2.1.2 Area Plan Map

The Area Plan Map as adopted to Section 2.1.2 and amended by Local Law No. 3 of 1998 is hereby be deleted.
The official Area Plan Map consisting of the 3 areas: **Agricultural-Residential (AG-R) Area, Aquatic (AQ) Area** and **Agricultural-Commercial-Industrial (A-C-I) Area** attached hereto and made part hereof.

2.1.3 Interpretation of Area Plan Map

(1) Where uncertainty exists with respect to the boundaries of any area as shown on the official Area Plan Map, the following rules shall apply:

(a) Where boundaries of a district appear approximately to follow the center lines of roads, such center lines shall be construed to be such boundaries.
(b) Where boundaries of a district appear approximately to be parallel to the center lines or right-of-way lines of roads, such boundaries shall be construed as being parallel to such lines and at such distance from such lines as stated on the Map. If not stated, such distance shall be determined by using the scale on the Map.
(c) Where boundaries of a district appear approximately to follow platted lot lines, such lot lines shall be construed to be such boundaries.
(d) Where boundaries of a district appear to follow the bank of a stream or other watercourse, they shall be deemed to follow such bank, and in the event of any change in such bank, stream or other watercourse, shall be construed as moving with the actual bank. Boundaries indicated as approximately following the center line of such waterway shall be deemed to follow such center line.
(e) The Aquatic (AQ) Area includes all lands that adjoin (lakefront) or have a right-of-way to Loon Lake.

(2) In any other case of uncertainty, the Planning Board shall determine the location of the boundary at the request of an applicant or the Plan Administrator; a formal appeal shall not be required. A file of all such determinations shall be maintained by the Planning Board

2.2 Special Restrictions

2.2.1 Special restrictions in the Agricultural-Commercial-Industrial Area (A-C-I)

(1) **Prohibited Uses and Activities.** The following uses and activities shall not be allowed in the A-C-I Area:

(a) Open storage or on-ground storage of all fertilizers and chemicals. A cement pad is required when stored under cover.

(b) Excavation or cut-ins which expose groundwater permanently or during maximum elevation of the water table, or which significantly reduce the groundwater.

(c) Storage of sludge, toxic substances, or radioactive materials.

(d) Any land use development otherwise allowed by Special Permit, but which development, after environmental review as required by SEQRA, has been determined to present such adverse environmental impacts upon the quality and availability of groundwater as to prohibit the development of the use under any circumstances.

(2) **Monitoring Wells.** Any use permitted under this Law which commences on or after the effective date of this Law shall install, at the direction of the Town Board, if deemed appropriate to protect the aquifer, a minimum of one groundwater monitoring well in a direction upgradient from on-site activities and one groundwater monitoring well in a direction downgradient from on-site activities. The specific location of these groundwater monitoring wells shall be determined by a professional geologist, hydrogeologist, engineer or other qualified expert trained and experienced in hydrogeology and approved by the Planning Board. These wells shall monitor water quantity and quality on a continuous basis. The frequency of required water quality sampling from monitoring wells shall be determined on a site-specific basis by the Planning Board. Access to monitoring wells shall be provided to the employees of the Town and the New York State Health Department for purpose of any additional water qualify sampling deemed appropriate.

(3) **Area Size**. At least one (1) acre shall be required for each use in the A-C-I Areas, and each Industrial Use will also require a site plan that must be approved by the Planning Board.

Effective date: This Local Law shall take effect immediately upon filing with the Secretary of State.

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as **Local Law No. 1 of 2026** of the **Town of Wayland** was duly passed by the Town Board on **August 12, 2026** in accordance with the applicable provisions of law.

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the (Name of Legislative body) on 20 , and was (approved)(not approved) (repassed after disapproval) by the (Elective Chief Executive Officer*) and was deemed duly adopted on 20 , in accordance with the applicable provisions of law.~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the (Name of Legislative body) on 20 , and was (approved)(not approved) (repassed after disapproval) by the (Elective Chief Executive Officer*) on 20 . Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 20 , in accordance with the applicable provisions of law.~~

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of was duly passed by the (Name of Legislative body) on 20 , and was (approved)(not approved) (repassed after disapproval) by the (Elective Chief Executive Officer*) on 20 . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 20 , in accordance with the applicable provisions of law.~~

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~**5. (City local law concerning Charter revision proposed by petition.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the City of having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on 20 , became operative.~~

~~**6. (County local law concerning adoption of Charter.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the County of , State of New York, having been submitted to the electors at the General Election of November , 20 , pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

_____

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal) Date: