

# **TOWN OF ST. JOHNSVILLE NEW YORK**

## **LOCAL LAW NO. 4 OF 2025**

### **“A LOCAL LAW TO REPEAL AND AMEND VARIOUS PROVISIONS OF THE TOWN OF ST. JOHNSVILLE LAND USE LAW”**

- I. FINDINGS. The St. Johnsville Town Board finds that its 2010 Land Use Law should be updated to reflect and encourage both current trends in local development and the need to institute necessary controls, as may be applicable. The repeals and amendments herein are intended to accomplish these goals. The Town of St. Johnsville Planning Board has approved the recommended actions herein.
- II. REPEALS. Article V, Sections 8-14, are hereby repealed and all such Sections are deemed blank and reserved for subsequent use.
- III. AMENDMENTS.
  1. Article I - This document shall be known and may be cited as the “Town of St. Johnsville, New York, Land Use Law” and shall include this text, and the Land Use Map.
  2. Article V is hereby amended to add the following Sections 8-12, to wit:
    - a. SECTION 8 – R Residential District

INTENT: Primary use of this district is residential. The quality of the living experience in this district should always be paramount in all decisions rendered as to variances and special use permits. However, it may be necessary at times to issue variances, and special use permits as to enhance the quality of life for individuals living within this district or to address unforeseeable situations for a particular parcel. This may especially be germane to areas where two districts meet. Care should be taken to address each special situation carefully with respect for the landowner’s individual rights.

In the Residential District no building or premises shall be used, and no building shall be erected or altered except for one or more of the following uses:

(A) Principal Permitted Uses:

One Family Dwelling  
Two Family Dwelling  
Accessory Use and Building  
Home Occupation  
Community Park or Playground

(B) Other uses to be approved by the Planning Board with the possibility of a Special Permit Required.

b. SECTION 9 -A Agricultural District

INTENT: Primary use of this district is agricultural. Given the economic and intrinsic value of high-quality agricultural land, and the community's desire to protect it for agricultural use, development potential within this district is and should be extremely limited. The quality of the living experience and the ability of the farmers actively involved in production agriculture to employ methods and technologies deemed necessary to enhance yield, and or profitability should always be paramount in all decisions rendered as to variances and special use permits. The farmer's right to farm takes precedent in this district. However, it may be necessary at times to issue variances, and special use permits to enhance the quality of life for individuals living within this district or address unforeseeable situations for a particular parcel. This may especially be germane to areas where two districts meet. Care should be taken to address each special situation carefully with respect for the landowner's individual rights.

All Class 1 and Class 11 soils (as defined by USDA Soil Conservation Service) within the Town of St. Johnsville will be considered as A-Agricultural District unless proven otherwise by on site inspection. All land currently being actively farmed (within the last 5 years) will also be considered A-Agricultural District. Actively farmed is construed to mean capable of or currently growing and agricultural crops including but not limited to corn, hay, soybeans, small grains, vegetables, etc. Woodland and non-tillable pasture are not included in this definition.

In the A-Agricultural District no building or premises shall be used, and no building shall be erected or altered except for one or more of the following uses:

(A) Principle Permitted Uses

Farm and Accessory Buildings and Uses

Farmer owned secondary businesses including, but not limited to,

Seed sales

Fertilizer/Chemical Sales (Not Manufacture of)

Farm Equipment repair/welding

Roadside Produce Stands

Sawmill (portable only)

Boarding Stables

Production (for own use)

Grain or hay storage facility

Accessory use and building

Mobile home as part of a farm operation

Nursery/Horticulture (tree farms or timber excluded)

Home Occupation

One family dwelling (subject to site plan review)

(B) Other uses to be approved by the Planning Board with the possibility of a Special Permit required.

c. SECTION 10 c – Commercial District

INTENT: Primary use of this district is commercial. The commercial enterprises' right to conduct business according to generally accepted business practices takes precedent in this district. However, it may be necessary at times to issue variances, and special use permits to enhance the quality of, or provide access to, certain businesses necessary or advantageous to the community as a whole or address unforeseeable situations for a particular parcel. This may especially be germane to areas where two districts meet. Care should be taken to address each special situation carefully with respect for the landowner's individual rights.

The commercial district will consist primarily of the Route 5 corridor. A span of 1,000 feet north of Route 5 and 1,000 feet south of Route 5, or to the edge of the CSX rail property, whichever is shorter will comprise the Commercial District.

In the C-1 Commercial District no building or premises shall be used, and no building shall be erected or altered without a building permit and approval of the Planning Board with a Special Permit required.

d. SECTION 11 N-P Natural Products

INTENT: Due to certain inherent characteristics of Natural Products type industries, creation of a district or overlay is not feasible. However, this does not mean they are unregulated. Neither does it all for careless disregard of issues pertaining to, but not limited to, environmental, esthetic, traffic, and strain on existing infrastructure. Given the nature of these businesses to greatly alter large tracts of land, and to substantially affect the surrounding area, great care and extreme diligence must be used.

All current and future N-P facilities are therefore subject to all applicable rules and laws. Any facility should, at a minimum, meet the following criteria:

Minimize impact on any surrounding districts, especially Residential  
Demonstrate long term positive impact on the town

follows, to wit:

“On application and after public notice and hearing by the Planning Board, said Board may authorize, by Resolution, the issuance of a Special Permit for only those uses in a district where this law requires such a permit. In authorizing the issuance of a Special Permit, the Planning Board shall take into consideration the public health, safety and general welfare and shall prescribe appropriate conditions and safeguards to ensure the accomplishment of the following objectives. Unless otherwise provided all Special Permits shall be valid for a period determined by the Planning Board. No Special Permit shall be transferable to another person or entity without prior approval of the Planning Board, together with such further conditions as may be appropriate.”

IV. SAVINGS CLAUSE. Any Sections of the Land Use Law not specifically addressed in this enactment, and whose reading and application would be inconsistent with the repeal and amendments herein, may, as applicable, be interpreted or ignored by the Planning Board, Land Use Board of Appeals, or Town Board in such good faith manner as would render the unaddressed provisions consistent with the intent of the within repeal and amendments.

V. EFFECT. This Local Law shall take effect upon its filing with the Secretary of State.