

- D. The applicant must submit plans for reasonable rehabilitation of the land involved, during and after cessation of removal of excavating operations. Such plans should include regrading to ensure effective slope and soil stabilization with a slope no greater than one vertical foot per two horizontal feet, and seeding to provide an effective cover crop during the first growing season thereafter. The Town Board may require the posting of a performance bond of an amount sufficient to guarantee compliance with such plans.

Section 8.12 - Fencing and Screening.

- A. All fencing erected or placed in the Town shall comply with the following standards and requirements:
1. All fences require a Zoning Compliance Certificate.
 2. All fencing erected or placed in the Town shall be of wood, vinyl, metal or masonry construction.
 3. These standards and requirements shall apply to fences as regulated by the Local Law unless specifically exempted.
 4. Fencing or screening shall not be placed in the right-of-way of any road or within 25 feet from center of any road, whether State, County, Town or Subdivision unless specifically approved by the proper Highway Department. In no situation shall fencing be constructed in any manner that would impair traffic safety.
 5. Any fence within 40 feet of the center line of any road shall be of see-through design.
 6. In no event may a fence exceed 10 feet in height.
 7. The finished side of the fence shall face neighboring property and/or right of way.
 8. Property survey documentation or written agreement by affected landowners may be required for any fence placed within 5 feet of a property line at the discretion of the Zoning Administrator. The Zoning Administrator may require a property survey to ensure the placement of a fence does not trespass on neighboring property.

Section 8.13 - Flood Hazard Areas.

Conditional Use Approval is required for all proposed uses that occur in the flood hazard area as designated on the official FEMA map prior to the issuance of a land use and development permit, and such uses shall comply with the following provisions:

- A. Establishment of Area Boundaries. The boundaries of the flood hazard areas are based on Federal Emergency Management Administration. This Local Law does not imply that lands outside the flood hazard area or land uses permitted within this area will be free from flooding or flood damages. All land uses within the flood hazard area shall conform to the provisions of this Section in addition to all other requirements of this Local Law including all provisions governing land use within any zoning district created under Article 5 of this law in which the land involved is located, and including the provisions of Article 11.
- B. Special Requirements:
1. New or replacement water supply systems shall be so designated as to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.