

# DRAFT: LAKE SETBACK

LAST REVISED 4/19/2018 4/3/2018 2/26/2018

220-9 A.

Preservation of natural features.

(1) Except as otherwise stated in this chapter, no structure shall be built within 100 feet of the bed of a stream carrying water on an average of six months of the year or within 2515 feet of the mean high-water elevation of Canandaigua Lake, except for:

- (a) Docks, piers, boathouses and/or ramps designed for provision of navigational access;
- (b) Public bridges, public waterworks and other municipal or public utility facilities; and
- (c) Private bridges, fords, drainage conduits, embankments and similar structures as are necessary to permit access to a lot or portion thereof or as are incidental to a lawful use of a lot, provided that such structure will not have a material adverse effect on the stream, nor alter the flow of water therein, nor substantially increase the likelihood of flood or overflow in the area.

(2) No person shall strip, excavate, stockpile, or otherwise remove or relocate topsoil, except:

- (a) In connection with the approved construction or alteration of a building, a structure, a parking lot or road, a swimming pool, a pond, or lawful excavation operations pursuant to § 220-38 of this chapter; and
- (b) In compliance with the provisions of Chapter 165 of the Town Code, Soil Erosion and Sedimentation Control.

(3) No movement of earth or soil erosion shall be permitted at any time in any district which adversely affects conditions on any other property.

(4) Whenever natural features such as trees, brooks, drainage channels and views interfere with the proposed use of property, the retention of the maximum amount of such features consistent with the intended use of the property shall be required.