

Topic: Wetlands & Watercourse Protection; Natural Resource Protection & Conservation; Erosion & Sedimentation Control; Stormwater Management; Wildlife & Fish Habitat; Scenic Resources; Drinking Water Protection & Conservation
Resource Type: Regulations
State: New York
Jurisdiction Type: Municipal
Municipality: Town of North Salem
Year (adopted, written, etc.): 1987
Community Type - applicable to: Suburban; Rural
Title: Town of North Salem Freshwater Wetlands Ordinance
Document Last Updated in Database: May 8, 2017

Abstract

This law states the Town Board's rationale for protecting wetlands within the Town of North Castle, NY. Some of the stated reasons include: the important role the wetlands have in cleaning the water supply, their function as a habitat for plant, fish and wildlife species, their role in absorbing stormwater, and their importance as a scenic resource.

Resource

Town of North Salem NY Wetlands
Code of the Town of North Salem NY
Chapter 107: Freshwater Wetlands
Declaration of Public Policy and Findings
General Code
http://gcp.esub.net/cgi-bin/om_isapi.dll?clientID=61841&infobase=no1178.nfo&softpage=Browse_Frame_Pg42
Adopted 1987

§ 107-1. Declaration of public policy.

It is declared to be the public policy of the Town of North Salem to preserve, protect and conserve freshwater wetlands and the benefits derived therefrom, to prevent the despoliation and destruction of wetlands and watercourses and to regulate the use and development of wetlands and watercourses in order to secure the natural benefits

therefrom for the protection of public health and safety and consistent with the general welfare and the beneficial economic, social and agricultural development of the Town.

§ 107-2. Findings.

The following findings are made:

A. Wetlands and watercourses in the Town of North Salem are invaluable resources for flood protection, wildlife habitat, open space and water resources.

B. Wetlands and watercourses in the Town of North Salem have been or are in jeopardy of being lost, despoiled or impaired by unregulated draining, dredging, filling, excavating, building, pollution or other acts inconsistent with the natural uses of such wetlands and watercourses.

C. Recurrent flooding of areas of the Town of North Salem, aggravated or caused by the loss of wetlands or alteration of watercourses, has serious effects upon natural ecosystems and presents serious hazards to the health, safety, welfare and property of the people of the Town, within and outside such wetlands and watercourses, including loss of life; loss of and damage to private and public property; disruption of lives and livelihoods; interruption of commerce, transportation, communication and governmental services; and unsanitary and unhealthful living environmental conditions.

D. Wetland and watercourse conservation is a matter of concern to the entire Town, and the establishment of preservation, protection and conservation practices is essential to the public health, safety and welfare since acts on wetlands and watercourses in one location affect persons and property in other locations.

E. Wetlands and watercourses overlap many properties and neighborhoods, and experience has demonstrated that effective wetland and watercourse protection requires uniformity of preservation, protection and conservation throughout the Town.

F. Loss, despoliation or impairment of wetlands deprives people of the Town of some or all of the many and multiple benefits to be derived from wetlands, such as the following:

(1) Flood- and stormwater runoff control by hydrologic absorption and storage capacity of wetlands.

(2) Protection of wildlife habitat by providing for breeding, nesting and feeding grounds and cover for many forms of wildlife, wildfowl and shorebirds, including migratory wildfowl and rare species.

(3) Protection of subsurface water resources and provision for valuable watersheds and recharging of groundwater supplies.

(4) Recreation by providing resource areas for hunting, fishing, boating, hiking, bird watching, photography, camping and other uses.

(5) Pollution treatment by serving as biological and chemical oxidation basins.

(6) Erosion control by serving as sedimentation areas and filtering basins, absorbing silt and organic matter and protecting channels and water bodies.

(7) Education and scientific research by providing outdoor biophysical laboratories, living classrooms and resources for training and education.

(8) Open space and aesthetic appreciation.

(9) Sources of nutrients in freshwater food cycles and the nursery ground and sanctuary for fish.

(10) Vegetation providing temperature modification, purification of the air and natural products for harvest.

G. Improper use and despoliation or impairment of watercourses deprives people of the benefits thereof, such as the following:

(1) Surface drainage free from erosion and sedimentation and with capacity to carry runoff without danger of flooding.

(2) Freshwaters for potable water supply and for boating, swimming, fishing and other recreation.

(3) Continuity of water flows and supplies throughout the year.

H. Regulations of wetlands and watercourses is consistent with the legitimate interests of farmers and other landowners to graze and water livestock, make reasonable use of water resources, harvest natural products of the wetlands, selectively cut timber and otherwise engage in the use of land for agricultural production.