

Town of Lyme

Local Law # _____ of 2024

Establish a Townwide Twelve (12) Month Moratorium for all Quarrying, Mining, and Heavy Industry Operations

ARTICLE 1 – INTENT

Based on recent activities within the Town of Lyme and the abundance of natural stone materials there exists the potential for the development of quarry, mining, and heavy industry operations. The potential for such development within the Town of Lyme is not fully addressed by the current zoning laws. The Town Board, in order to consider, formulate, and potentially amend both the Town of Lyme Zoning Law, and/or uses authorized within the Town and to safeguard the public health, safety and general welfare of its population, determines it to be reasonably necessary to provide a Moratorium for twelve (12) months to perform a review of the same.

ARTICLE 2 – DEFINITIONS

MINING OPERAION: A mining operation refers to a series of distinct actions within the mining cycle, such as drilling, blasting, loading, and hauling, aimed at achieving the overall goal of mine production.

QUARRY: A lot or land or part thereof used for the purpose of extracting stone, sand, gravel, or soil for sale as an industrial or commercial operation, but does not include the process of grading a lot preparatory to the construction of a building which has an approved zoning permit.

HEAVY INDUSTRY: A heavy Industry is a facility which manufactures a product for wholesale or retail sale, produces significant volumes of pollution, and is not compatible with the surrounding neighborhood.

PERMIT/APPROVAL: No quarrying, mining, or heavy industry operation shall be constructed, reconstructed, modified or operated in the Town of Lyme, except in compliance with the Zoning Law.

ARTICLE 3 – APPLICATION

This Local Law shall apply to all areas within the Town of Lyme. This local law does not apply to residential properties and farm operations who currently qualify for an AG Exemption in New York State and intend to use quarried materials for onsite purposes.

ARTICLE 4 – DURATION

This law shall be in effect for a period of twelve (12) months from the effective date of this local law. This local Law may sooner expire upon resolution by the Town Board.

ARTICLE 5 – PROHIBITIONS

Neither the Town of Lyme Zoning Enforcement Officer, nor the Zoning Board of Appeals, nor the Town of Lyme Planning Board shall process, review, render any determination, nor grant any variance, or any approval, in respect to an Quarrying, Mining, or Heavy Industry Operation within the Town during the duration of this Moratorium. No person shall construct or begin a Quarrying, Mining, or Heavy Industry operation anywhere within the Town during the duration of this Moratorium unless municipal approval was granted in advance of the effective date of this local law.

ARTICLE 6 – ENFORCEMENT

This local law shall be enforced by the Town of Lyme Zoning Enforcement Officer.

ARTICLE 7 – VIOLATIONS

Any person violating any provisions of this Local Law shall be guilty of an offense, and upon conviction thereof be punishable by a fine not to exceed Two Hundred Fifty Dollars (\$250). Each week's continued violation after notice shall constitute a separate and additional violation.

ARTICLE 8 – SEVERABILITY

Should any portion of this Local Law be declared invalid, such a decision shall not affect the validity of the remaining portions of this Local Law.

ARTICLE 9 – EFFECTIVE DATE

This Local Law shall become effective after filing in the Office of the NYS Secretary of State.