

**NOTICE OF PUBLIC HEARING**  
**Local Law No. 2024-18**  
**Modification of Section 120-17 Permitted uses in R-100A Districts**

Notice is hereby given that a public hearing will be held before the Town Board of the Town of West Seneca on December 2, 2024, at 6:00 PM in the Court Room at the West Seneca Town Hall, 1250 Union Road, West Seneca, New York, to hear all interested parties and citizens for or against Local Law 2024-18. The proposed local law deals with the permitted uses in R 100A districts. Copies of the law will be available at the office of the Town Clerk for inspection by any person during regular business hours and are posted on the town's website.

Kate Newton, Town Clerk

§ 120-17 Permitted uses in R-100A Districts.

A. Principal uses.

- (1) As permitted in § 120-14A.
- (2) Agricultural operations conducted for gain, including but not limited to plant nurseries, greenhouses or truck farms, provided that:
  - (a) The lot area is five (5) acres or more.
  - (b) No odor, smoke, or dust-producing substance or use shall be located within 150 feet of any abutting lot line in any R District.
  - (c) Such operation shall not include the raising or breeding of poultry, farm animals or fur-bearing animals.

~~(3) Raising of poultry for personal use on property and not for sale or barter to any third party.~~

~~(a) The lot area is two (2) acres or more.~~

~~(b) No more than six (6) chickens and/or poultry shall be present at any one time and no roosters shall be permitted at any time.~~

~~(c) All applications for maintaining chickens and/or poultry shall be submitted to the Code Enforcement Office for review and approval.~~

~~(1) All pens and coops or other areas where the chickens and/or poultry are stored shall be fully fenced and maintained at all times.~~

~~(2) No areas where the chickens and/or poultry are kept shall be within twenty (20) feet of any neighboring residential property.~~

~~(3) All areas where the chickens and/or poultry are kept shall be clean and in good condition to avoid any odors.~~

~~(4) Steps shall be taken to lessen any noise emanating from the area where the chickens and/or poultry are kept.~~

~~(5) At no time shall any chickens and/or poultry be allowed to roam freely about the owner's property and all chickens and/or poultry must be kept inside the pen area at all times.~~

~~(6) The Code Enforcement Officer reserves the right to inspect such property at any time as a condition of granting such permit.~~

~~(7) All applications shall be on forms as approved by the Code Enforcement Office and the payment of all fees shall be as determined by the Town Board.~~

(a) The applicant must provide evidence satisfactory to the Code Enforcement Office that the applicant has notified, in writing, all abutting property owners to the applicant's property of the application for such permit no later than ten (10) days prior to filing such application.

(d) The raising, keeping, or maintaining of chickens and/or poultry in any other residential zone is specifically prohibited.

1) The granting of any variances for the raising of poultry prior to the enactment of these provisions shall be permitted to continue subject to the registration of such properties with the Code Enforcement Office and the compliance by the owners of the above regulations except with respect to subsection 3(a), provided that there is no break of time of any length with such use.

(4) Raising of other farm or other animals for personal use

(a) The lot area is two (2) acres or more.

(b) No more than two (2) animals shall be present at any one time

(c) All applications for maintaining farm or other animals shall be submitted to the Code Enforcement Office for review and approval.

(1) All pens and buildings or other areas where the animals are stored shall be fully fenced and maintained at all times.

(2) No areas where the animals are kept shall be within twenty (20) feet of any neighboring residential property.

(3) All areas where the animals are kept shall be clean and in good condition to avoid any odors.

(4) Steps shall be taken to lessen any noise emanating from the area where the animals are kept.

(5) At no time shall any animals be allowed to roam freely about the owner's property and all animals must be kept inside the pen area at all times.

(6) The Code Enforcement Officer reserves the right to inspect such property at any time as a condition of granting such permit.

(7) All applications shall be on forms as approved by the Code Enforcement Office and the payment of all fees shall be as determined by the Town Board.

(a) The applicant must provide evidence satisfactory to the Code Enforcement Office that the applicant has notified, in writing, all abutting property owners to the applicant's property of the application for such permit no later than ten (10) days prior to filing such application.

(d) The raising, keeping, or maintaining of animals in any other residential zone is specifically prohibited.

1) The granting of any variances for the raising of animals prior to the enactment of these provisions shall be permitted to continue subject to the registration of such properties with the Code Enforcement Office and the compliance by the owners of the above regulations except with respect to subsection 4(a), provided that there is no break of time of any length with such use.

(5) Any prior approvals or variances that may have been acquired prior to the enactment of this local law shall require compliance with these regulations upon expiration of any prior approval with the exception of the property size and setbacks.