

Town of Chatham
Local Law #05_2025
Single Lot Exemptions
Final (v7.2)

A LOCAL LAW TO MODIFY §170-28 SINGLE LOT EXEMPTIONS TO ALLOW TWO-FAMILY DWELLINGS

BE IT ENACTED by the Town Board of the Chatham, Columbia County, New York, as follows:

SECTION 1 – TOWN CODE AMENDED

The Chatham Town Code found at Part IV, Building Zoning and Planning, Chapter 180 Zoning is hereby amended as follows: ADD the following text to existing section §180-4 INTERPRETATIONS; DEFINITIONS:

DWELLING, TWO FAMILY

A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

SECTION 2 – TOWN CODE AMENDED

The Chatham Town Code section §170-28 Single Lot Exemptions, Section D., Subsection (6) is hereby amended as follows: MODIFY the following text shown as underlined (added) and ~~strikeout (deleted)~~ below:

- (6) Allowable uses on a single lot exemption parcel shall be limited to single family dwelling, two family dwelling, home occupation, and agriculture as set forth in Chapter 180.

SECTION 3 – TOWN CODE AMENDED

The Chatham Town Code section §170-28 Single Lot Exemptions, Section E., Subsection (4) is hereby amended as follows: ADD the following text shown as underlined below:

- (4) The maximum square footage of the residential structure on the new child lot created shall be no larger than 1,500 square feet of occupiable space for a single family dwelling and 2,400 square feet for a two family dwelling, as recorded and limited by deed restriction on the parcel.

*** § 170-28. SINGLE LOT EXEMPTIONS**

A. Purpose and Objectives

It is the purpose of this chapter to provide a mechanism for the creation of some smaller, more affordable parcels of residential land within the Town of Chatham without a rezoning or reduction in the minimum lot sizes for an entire zoning district, and provide reasonable limitations on the use of this mechanism to protect the character and scale of development in the town.

B. Authority. The Planning Board is authorized to approve single lot exemptions according to the rules and procedures set forth in Chapter §170 Subdivision of Land and within the limitations described within this section. The owner of any parcel compliant with the acreage requirements for the zone in which it is located prior to the date of adoption of this section may apply to the Planning Board for a one-time exemption to subdivide one lot as described herein. Once an Single Lot Exemption is granted, all of the land contained within the original parent lot is ineligible for any

C. Permitted Locations. Single lot exemptions may be approved only in the Rural Lands 1 (RL-1), Rural Lands 2 (RL-2), and Rural Lands 3 (RL-3) zoning districts.

D. Limitations on Use

- (1) Only one Single Lot Exemption from the normally permitted subdivision regulation shall be permitted from any parcel, including from any subsequent parent lot in any reconfiguration.
- (2) Newly created child parcels shall not be permitted to be subdivided further.
- (3) Newly created child lot parcels created by SLE regulation shall be prohibited from being used as a short-term rental property as defined and regulated by the Town of Chatham Code.
- (4) Newly created child parcels exempted under this section shall be prohibited from the creation of an Accessory Dwelling Unit on the property.
- (5) Parcels subdivided under this section must not have been subdivided in the previous five years. This timeout period shall not apply to any subdivisions which were approved prior to the original date of adoption of this section, and such timeout period does not reset upon any renewal and extension of it under G(2) below.
- (6) Allowable uses on a single lot exemption parcel shall be limited to single family dwelling, two family dwelling, home occupation, and agriculture as set forth in Chapter 180.

E. Area and Bulk Requirements

- (1) The subdivision shall result in the existing parent parcel being used to create one smaller child parcel which is exempted from the minimum area/family requirements listed in the Lot Size, Density and Yard Dimensions table in Article III for each district. The new child parcel created must provide a minimum of 50 feet of frontage on a town, county or state highway, or on an approved private road.
- (2) The minimum size of the new child lot created shall be no less than 0.75 acres, provided it can comply with other applicable setback requirements and other town or county public health requirements associated with water supply and wastewater disposal.
- (3) The maximum size of the new child lot created shall be no more than two (2) acres.
- (4) The maximum square footage of the residential structure on the new child lot created shall be no larger than 1,500 square feet of occupiable space for a single family structure and 2,400 square feet for a two family dwelling, as recorded and limited by deed restriction on the parcel.
 - (5) The new child lot created may utilize a shared driveway with the parent parcel through an easement agreement, provided that it can be demonstrated a future dedicated driveway can be later established if necessary.
- (6) The minimum front yard dimensions (setbacks) and height limitations for the new child lot created shall be the same as for the underlying zoning district. The side and rear lot setbacks for the new child lot created shall be reduced to 25 feet. The minimum lot width shall be 150 feet.
- (7) The parent lot remaining must maintain sufficient lot width and lot frontage as deemed appropriate and sufficient by the Planning Board in consideration of frontage used by the newly created child lot.

F. Decision and Record

- (1) The Planning Board shall render a determination that such application meets the requirements of this section. Upon determination that the application for a single lot exemption applies, the owner shall submit a plat meeting all of the technical requirements for such plat established herein.

- (2) The plat shall be submitted for final approval to the Planning Board. The plat shall bear the following notation:
"The two new parcels created by this subdivision have been granted a one-time single lot exemption under §170-28 Single Lot Exemptions of the Town of Chatham Subdivision Regulations. Any further subdivision must meet the complete lot area and dimensional requirements of the current Town of Chatham Zoning Code. The construction of future structures on this exempted lot shall be governed by the revised area and bulk requirements provided for Single Lot Exemptions."
- (3) Upon adoption of this local law, or the renewal and extension of it under G(2) below, the Town of Chatham shall record a current tax map of all parcels existing on the date of adoption for reference purposes, and maintain a map and record of all parcels that have received the benefits of this one-time, single-lot exemption provision going forward from that date.

G. Annual Cap and Expiration Date

- (1) The Town Board may, by resolution, set an annual limit on the number of single-lot exemptions permitted town-wide each year, a record of which shall be kept on file.
- (2) This SLE exemption will automatically expire two (2) years after it is passed into law. The Town Board may renew this exemption for another two (2) year term after a public hearing on the matter.