

PUBLIC HEARING NOTICE
PROPOSED AMENDMENT TO ZONING CODE, CHAPTER 331
RE: SPECIFIC TERMS DEFINED
(TIDAL WETLAND/FRESHWATER WETLAND)

NOTICE is hereby given that the Council of the City of New Rochelle, New York, will hold a Public Hearing pursuant to Chapter 331 of the Code of the City of New Rochelle, Section 237-m of the General Municipal Law of the State of New York, and Sections 277.61 and 277.71 of the County Administrative Code, on Tuesday, October 9, 2018, at 7:00 P. M., in the Council Chamber, City Hall, 515 North Avenue, New Rochelle, New York, on a proposed amendment to the City's Zoning Code, Chapter 331, as follows:

ORDINANCE AMENDING SECTION 331-4, SPECIFIC TERMS DEFINED, OF CHAPTER 331, ZONING, OF THE CODE OF THE CITY OF NEW ROCHELLE (TIDAL WETLAND/FRESHWATER WETLAND).

WHEREAS, the municipal code defines wetlands by referencing the 1989 Manual for Identifying and Delineating Jurisdictional Wetlands prepared by the United States Army Corps of Engineers; and

WHEREAS, staff has determined that this reference must be updated to reflect the most current and appropriate standards; and

WHEREAS, there is currently a 2012 regional supplement that is much more specific to wetlands that are prevalent in the northeast United States; and

WHEREAS, assuming there will be further changes in the future, it is recommended the code simply refer the most recently approved version of the manual; now, therefore

BE IT ORDAINED by the City of New Rochelle:

Section 1. Section 331-4, Specific Terms Defined, of Chapter 331, Zoning, of the Code of the City of New Rochelle is hereby amended as follows:

§331-4. Specific terms defined.

TIDAL WETLAND/FRESHWATER WETLAND

Any area which meets one or more of the following criteria:

- B. All areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of hydrophytic vegetation as defined by the [Federal Manual for Identifying and Delineating Jurisdictional Wetlands (January 1989)]

most recent approved version of the Federal Manual for Identifying and Delineating Jurisdictional Wetlands prepared by the [Federal Interagency Committee of the] U.S. Army Corps of Engineers[, U.S. Environmental Protection Agency, U.S.Fish and Wildlife Services, and U.S.D.A. Natural Resource Conservation Service].

Matter [bracketed] deleted.

Matter underlined added.

All persons interested are invited to attend said Public Hearing or submit written communications to the City Clerk at or before the Public Hearing.

By order of the City Council dated September 12, 2018, pursuant to Resolution No. 163.

OMAR T. SMALL, INTERIM CITY CLERK