

PROPOSED AMENDMENTS
TO TOWN OF DRYDEN ZONING ORDINANCE

The Town of Dryden Zoning Ordinance is hereby amended as follows:

1. Appendix A (Definitions) is amended by adding new definitions to read as follows:

“Natural Gas” shall mean any gaseous substance, either combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarified state at standard temperature and pressure conditions, and/or gaseous components or vapors occurring in or derived from petroleum or other hydrocarbons.

“Natural Gas and/or Petroleum Exploration” shall mean geologic or geophysical activities related to the search for natural gas, petroleum or other subsurface hydrocarbons including prospecting, geophysical and geologic seismic surveying and sampling techniques, which include but are not limited to core or rotary drilling or making an excavation in the search and evaluation of natural gas, petroleum, or other subsurface hydrocarbon deposits.

“Natural Gas and/or Petroleum Exploration and Production Materials” shall mean any solid, semi-solid, liquid, semi-liquid or gaseous material used in the exploration or extraction of natural gas.

“Natural Gas Exploration and/or Petroleum Production Wastes” shall mean any garbage, refuse, cuttings, sludge, flow-back fluids, produced waters or other discarded materials, including solid, liquid, semi-solid, or contained gaseous material that results from or is associated with the exploration, drilling or extraction of natural gas and/or petroleum.

“Natural Gas and/or Petroleum Extraction” shall mean the digging or drilling of a well for the purposes of exploring for, developing or producing natural gas, petroleum or other subsurface hydrocarbons.

“Natural Gas and/or Petroleum Support Activities” shall mean the construction, use, or maintenance of a storage or staging yard, a water or fluid injection station, a water or fluid gathering station, a natural gas or petroleum storage facility, or a natural gas or petroleum gathering line,

venting station, or compressor associated with the exploration or extraction of natural gas or petroleum.

2. Article XXI (Miscellaneous) is amended by adding a new Section 2104 to read as follows:

“Section 2104. Prohibited Uses.

- (1) Prohibition against the Exploration for or Extraction of Natural Gas and/or Petroleum.

No land in the Town shall be used: to conduct any exploration for natural gas and/or petroleum; to drill any well for natural gas; to transfer, store, process or treat natural gas; or to dispose of natural gas exploration or production wastes; or to erect any derrick, building, or other structure; or to place any machinery or equipment for any such purposes.

- (2) Prohibition against the Storage, Treatment and Disposal of Natural Gas and/or Petroleum Exploration and Production Materials.

No land in the Town shall be used for: the storage, transfer, treatment and/or disposal of natural gas and/or petroleum exploration and production materials.

- (3) Prohibition against the Storage, Treatment and Disposal of Natural Gas and/or Petroleum Exploration and Production Wastes.

No land in the Town shall be used for: the storage, transfer, treatment and/or disposal of natural gas and/or petroleum exploration and production wastes.

- (4) Prohibition against Natural Gas and/or Petroleum Support Activities.

No land in the Town shall be used for natural gas and/or petroleum support activities.

- (5) Invalidity of Permits.

No permit issued by any local, state or federal agency, commission or board for a use which would violate the prohibitions of this section or of this Ordinance shall be deemed valid within the Town.”

3. The introductory paragraph of Subsection 1 of Section 806 (Quarries and Excavation, Topsoil Removal) of Article XIII (DISTRICT REGULATION: R-C ZONES) is amended to read as follows:

“1. The Town Board may authorize the issuance of a special permit for the excavation and sale of topsoil, sand, gravel, clay or other natural solid mineral or vegetable deposit, or the quarrying of any kind of rock formation in the R-C and R-D Zones only. No sand or gravel or other excavation operation, except a topsoil removal operation, shall be conducted on land of less than 20 acres in area. The Town Board must be guided by the public health, safety and general welfare, not only of the citizens of the Town of Dryden, but of any other municipality, and must give particular consideration to certain factors as follows:”

4. These amendments shall take effect upon adoption and publication as provided by law.