

Adopted _____ by Town of Pendleton Resolution _____
Adopt NEW Section 247-55 Oil and gas wells in its entirety

§ 247-55 Oil and gas wells.

A. All oil or gas wells and gas and oil storage facilities shall be located in accordance with the yard requirements of this chapter. They shall not be nearer than 150 feet to any public building or area which may be used as a place of assembly, education, entertainment, lodging, trade, manufacture, repair, storage, traffic or occupancy by the public. They should not be nearer than 75 feet to the traveled part of any public street, road or highway and/or closer than 100 feet to any public stream, river or other body of water. In addition, all laws and regulations enforced by the Oil and Gas Division of the New York State Department of Environmental Conservation shall be observed.

B. All Oil and Gas Well Applications shall be subject to Planning Board Site Plan Review per Section 247-54.

- 1) Environmental Review (SEQR) is required.
- 2) Public Hearing is required.
 - a. 400 feet notification

C. A Special Use Permit issued by the Planning Board is required upon approval of the Site Plan and is subject to an annual review by the Planning Board. Planning Board Review will be undertaken to insure that all above listed provisions are being adhered to. The Planning Board will have discretion to revoke the Special Use Permit due to noncompliance and establish a time frame to correct the violation(s).

D. See Chapter 131 for appropriate fees.