

Local Law # 1 of 2025

**TO IMPOSE A MORATORIUM ON THE ACCEPTANCE AND PROCESSING
OF APPLICATIONS FOR THE ISSUANCE OF ANY ZONING PERMITS,
BUILDING PERMITS, CERTIFICATES OF USE OR APPLICATIONS FOR
DEVELOPMENT OF SMALL BOX DISCOUNT STORES IN THE TOWN OF
FORESTPORT, NEW YORK**

Whereas, Small Box Discount Store means a retail store that has a floor area of not more than 15,000 square feet and that offers for sale (1) a combination and variety of convenience shopping goods and consumer shopping goods and (2) the majority of the items in the inventory at a price not to exceed ten dollars. Small Box Discount Store does not include (1) a grocery store; (2) a store that contains a pharmacy where prescription drugs are compounded, dispensed, or distributed; (3) a store that offers for sale gasoline or diesel fuel for vehicles; (4) a retail store where the majority of the products sold are personal hygiene products or cosmetics; (5) a store that primarily engages in the resale of used consumer goods; and

Whereas, in Forestport and surrounding areas, there has been a proliferation of Small Box Discount Stores which are not currently defined in the Zoning Code of the Town of Forestport Codified Ordinances;

Whereas, the Town of Forestport desires to avoid a high concentration of Small Box Discount Stores within the same geographical area(s); and

Whereas, to create a high quality of life, the Trustees of the Town of Forestport desires to have economic diversification and well maintained properties that promote public health, safety and welfare; and

Whereas, while recognizing the need for future economic growth the Board also recognizes the need to assure that certain land uses are properly zoned and to mitigate the potential harmful impact uses can have on residential and commercial areas; and

Whereas, the Board of the Town of Forestport believes that a moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permits for Small Box Discount Stores will not deny property owners economically stable use of their property and will afford Town officials and the Town of Forestport Board the time necessary to put in place reasonable zoning and business regulations to protect the public health, safety and welfare of the citizens of the Town; now therefore

**BE IT RESOLVED BY THE BOARD OF THE TOWN OF FORESTPORT, NEW YORK,
THAT:**

SECTION I. Board of the Town of Forestport hereby declares a moratorium for a period of twelve (12) months, until 4/16/2026 —, on the issuance of any zoning permits, building permits, certificates of use or applications for development of Small Box Discount Stores in the Town of Forestport, New York.

SECTION II. This moratorium is necessary to allow the Town time to study the current Planning and Zoning Code in order to determine the appropriate location(s) and regulation(s) for Small Box Discount Stores within the Town.

SECTION III. This Resolution shall take effect and be in full force from and after the date of its passage.

Gregory M. Terry 4/16/2025

