

# Amendment to Section 158-16 of the Village Code of the Incorporated Village of Muttontown

## Chapter 158, SUBDIVISION OF LAND

### ARTICLE IV, Design Standards

F. Preservation of natural buffer. In granting approval of any application for a subdivision other than a partitioning as defined in section 158-8 (Word usage and definitions) of this Chapter, the subdivider shall set aside and reserve a perimeter buffer of fifty feet which shall remain undisturbed, except as may be required for access, utilities, or such augmentation of the existing flora or other existing natural features as the Planning Board may require or permit in accordance with the planning objectives set forth in the Village Comprehensive Master Plan, as amended from time to time. ~~Each respective portion of the perimeter buffer shall constitute a part of the respective abutting subdivision lot, however, notwithstanding anything to the contrary set forth in Chapter 190 (Zoning) of the Code of the Incorporated Village of Muttontown, the perimeter buffer shall be excluded for purpose of area, yard and bulk regulations set forth in Article III thereof, and all required setbacks shall be measured from the inner boundary of such perimeter buffer. The perimeter buffer shall be contained within one or more lots and shall be included in the bulk and area calculation(s) when determining minimum lot size and all required setbacks shall be measured from the outer boundary of such perimeter buffer. Further, if a perimeter buffer traverses a lot designated for a park, playground or other recreational purpose, as defined in § 127-2 of the Village Code, the gross area of such buffer shall be credited towards the minimum required area for such park, playground or recreational lot. The metes and bounds of such perimeter buffer shall be memorialized in covenants and restrictions recorded in the office of the County Clerk as a condition of subdivision approval.~~

**Amendment to Section 74-2 of the Village Code of the Incorporated Village of Muttontown**

§ 74-2. Definitions.

FRESHWATER WETLAND – An area of at least 2,000 square feet that is naturally ~~or artificially~~ inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, under normal circumstances, a prevalence of vegetation typically adapted for life in saturated conditions (called “hydrophytes;”, see definition of “hydrophytic vegetation” herein), or contains hydric soils. Freshwater wetlands are commonly referred to as “swamps,” marshes,” “bogs” or “vernal pools.” Regulated freshwater wetlands for the purpose of this chapter include water bodies and watercourses.