



Amended Preservation Code  
And  
Land Use Regulations  
Of  
Thousand Island Park, NY

Thousand Island Park Corporation  
Preservation Board - 2005



# PRESERVATION CODE AND LAND USE REGULATIONS

Thousand Island Park, New York  
Originally Adopted by  
Thousand Island Park  
Board of Directors  
June 12, 1987

Amended by the  
Thousand Island Park Corporation  
Board of Directors

September 5, 1989  
October 6, 1990  
August 16, 1991  
October 10, 1992  
March 4, 1995  
October 10, 1997  
August 3, 2002  
September 23, 2005  
February 23, 2017  
May 23, 2017

## **Article I: Statement of Intent**

The purpose of this code is to promote the educational, cultural, economic and general welfare of the public through the protection, enhancement, perpetuation and preservation of Thousand Island Park and its individual structures. The governing Board of Directors of Thousand Island Park has declared that it is a public purpose to insure that the distinctive and historic character of Thousand Island Park shall not be injuriously affected, that the value of the community of those buildings and that said community be maintained and preserved to promote its use for the education, pleasure and welfare of its citizens and others.



## Article II: Objectives

The objectives of this regulation are for:

1. The appropriate and best use of land to insure harmonious growth and the development of Thousand Island Park;
2. The preservation, protection and conservation of historic buildings, places of historic interest, and the natural resources of land, trees, water and air;
3. The safe flow of vehicular traffic and aesthetic parking of said vehicles as well as the movement of people and goods;
4. The use and occupancy of buildings;
5. The healthful and convenient distribution of population;
6. The promotion of the aesthetic amenities of beauty and visual interest; and
7. The recreation, health, and comfort of all persons on the grounds of Thousand Island Park.

All in accordance with this comprehensive code and regulation to accomplish these purposes, the land within the boundaries of Thousand Island Park has been divided into sub-districts by the Board of Directors may regulate, determine and establish upon advice of the Preservation Board:

- A. Height, number of stories, size, bulk, location, erection, construction, repair, reconstruction, preservation alteration and use of buildings and other structures for trade, profession, residence and other purposes;
- B. Use of land and water for trade, profession, residence and other purposes;
- C. Size of yards and other open spaces;
- D. The percentage of lot area that may be occupied shall be limited to 50% (as amended on 9/5/89);
- E. Density of population;
- F. Controls restricting the alteration or destruction (demolition) of buildings determined to be of historical or architectural significance and which by their exterior facades contribute to the image, beauty, ambiance and reputation of the Thousand Island Park as a place known for its physical charm and visual interest.



## **Article III: Sub-Districts**

For the welfare of the community, the following sub-districts have been delineated:

### 1. Orange: Business/Commercial Sub-District

This sub-district historically has been the commercial and business center of the Park. Preservation of this usage and the historic buildings found within the district and the maintenance of architectural styles is the purpose of this regulation. It is also intended to provide a large enough area for future expansion without jeopardizing the residential character of the rest of the park. The alteration of the exterior facades of all buildings within this district is restricted. *Any reconstruction of a nonconforming structure within this district must follow the new construction guidelines. Preexisting status will not be allowed as a reason for noncompliance with the building guidelines for this area. (2002)*

There is a high volume of pedestrian and automobile traffic within this district. For safety, automobile parking should be provided behind the commercial buildings and properly landscaped so as not to infringe on the residential areas that abut this area.

#### Permitted Uses:

Post Office, Fire Department and Ambulance, Offices and Facilities owned by the Thousand Island Park Corporation, Retail Stores, Grocery, Restaurants, Soda Fountain, Beauty Parlor, Hotel, Single Family Detached Dwellings, Parks and green open spaces, screened parking areas.

### 2. Green: Recreational, Waterfront, Parks and Open Green Areas Sub-District

This sub-district is intended to protect, preserve and maintain the open green spaces which provide community access to waterfront, sports, nature walks, etc., and open vistas is essential and controlled by this regulation.

Within this sub-district are many buildings of historic significance. Any alterations to these structures must conform to the strictest historic preservation standards. Preexisting residential and community structures shall be rebuilt following strictest



preservation standards. No new residential construction or sale of residential building lots within this area—boathouses, docks, community structures or recreational areas—is to be strictly regulated to insure low density and continued waterfront access for residents of the park. *Any reconstruction of a nonconforming structure within this district must follow the new construction guidelines. Preexisting status will not be allowed as a reason for noncompliance with the building guidelines for this area. (2002)*

Automobile parking areas should be screened from view.

#### Permitted Uses:

Parks and green open areas, community recreational facilities, community docks and swimming areas, boathouses and docks, Tabernacle, Library, preexisting single family dwellings, Vivekananda.

#### Special Exception Uses:

Gas docks and bait shop, Movie Theater.

### 3. Red: Historic residential sub-district, intact and dense

This district is established to preserve intact the oldest, least changed portions of the park. Most of the buildings within the district are of early construction and have historic value or significance. The preservation of the varied architectural styles within the district is of great importance. Accordingly, the alteration of exterior facades of buildings within the district is discouraged and therefore, highly restricted. The density is already so high that any further construction within this district is discouraged. Setbacks and lot size regulations are to be strictly enforced and any new construction will have to follow rigid building guidelines aimed at assuring the integrity of this area. Any reconstruction of a nonconforming structure within this district must follow the new construction guidelines. Preexisting status will not be allowed as a reason for noncompliance with the building guidelines for this area.

All parking areas should be screened to the extent possible.

#### Permitted Uses:

Single family detached dwellings, parks and green open areas.



### Special Exception Uses:

Screened community parking and storage areas.

#### 4. Yellow: Transitional residential area, low-density sub-district

This district is allocated for the development of new housing within and abutting the historic area of the Park. Within this district are buildings of historic significance as well as some newer structures. The low-density character of this district is sought to be preserved. Accordingly, greater setbacks will be required for new construction. This district allows flexibility for new construction and rehabilitation within Preservation Code guidelines. *Any reconstruction of a nonconforming structure within this district must follow the new construction guidelines. Preexisting status will not be allowed as a reason for noncompliance with the building guidelines for this area. (2002)*

Automobile parking areas should be screened.

### Permitted Uses:

Single family detached dwellings, parks and open space.

### Special Exception Uses:

Landscaped parking and storage areas maintained by the Corporation, preexisting construction companies.

#### 5. Blue: New construction, low-density residential area sub-district

These areas of the Park are largely undeveloped containing a variety of predominantly new homes and cottages. The low-density residential character of this district is sought to be preserved. The district allows flexibility for new construction in the Park within Preservation Code guidelines. *Any reconstruction of a nonconforming structure within this district must follow the new construction*



*guidelines. Preexisting status will not be allowed as a reason for noncompliance with the building guidelines for this area. (2002)*

**Permitted Uses:**

Single family detached dwellings, parks and open green areas, community recreational facilities.

**Special Exception Uses:**

Landscaped visitor parking lots run by the Corporation, landscaped storage areas run by the Corporation.

The boundaries of the above sub-districts are shown upon a map, which is to be kept on file in the Corporation office and a copy contained herein.







## Article IV: Preservation Board

### Preservation Board and Board of Directors

- A. Responsibilities of the Preservation Board: Under the guidelines established by the Board of Directors, the Preservation Board shall review all applications for any work deemed suitable for their review to insure that such work has complied with the design guidelines established to preserve the integrity of the Historic District and all the structures which have been determined to merit special protection. It is the responsibility of this board to review all applications; provide preliminary review, when requested; provide written findings of fact; and grant certificates of compliance in order to maintain the integrity of the sub-districts according to the Design Guidelines as written.
- B. All permit applications may be reviewed and acted upon by the Board of Directors. Where the Preservation Board action is involved, the Board of Directors shall make its decision only after it has received the Preservation Board's approval or denial of the application.
- C. The Thousand Island Park Corporation Board of Directors shall appoint a Preservation Board of Directors composed of:
- One member of the Board of Directors who will serve as chairman and act as liaison between the two boards. This member shall only vote in the case of a tie.
  - One member of the steering committee of the Thousand Island Park Landmark Society who also must be a Thousand Island Park leaseholder.
  - Four additional Thousand Island Park leaseholders who also have concern for restoration, preservation, architecture and community planning.
  - Up to three advisors *shall be appointed by the Thousand Island Park Corporation Board of Directors, each for term of three years. At least two of these advisors are to be licensed architects and each shall have expertise in either zoning, construction, preservation, restoration, community planning or any related field. None of said advisors shall vote on any application. Advisors are encouraged to review applications before Board meetings and*



*offer their observations to the Board in writing. All applications involving new cottage or boathouse construction, significant additions and/or construction changes to a façade of any existing cottage will be specifically referred for an advisor opinion.*

Board members shall be appointed for a three-year term and may be reappointed. Meetings shall be scheduled at the discretion of the Chairman of the Board or a quorum of the Board. In the event of the chairperson's absence, the Corporation Secretary/General Manager will chair meetings of the Board.



## Article V: Design Guidelines

These building design guidelines are applicable to *the exterior features of all structures in the Park (2002)* and have been grouped into the following categories of design review that will constitute the criteria by which the appropriateness of all construction will be determined. These guidelines are based upon the concern that any additions to existing structures are compatible with those existing structures and any new construction is compatible with its neighbors and with the historic district.

Design guidelines specified.

### A. SITE PLANNING

Any new construction or addition (2002) should follow a pattern of site utilization similar to that already established. In particular, consideration should be given to the setback of the buildings from the street, their massing and spaces between them, especially because these factors contribute to the rhythm and continuity of the buildings as seen together. Where buildings are predominantly aligned creating a unified edge or wall space, the front, back and sides of new construction should be aligned with the general visual line of its neighbors.

### B. BULK, FOOTPRINT, PROPORTION AND SCALE

#### 1) Exterior Proportion:

The proportions of the exterior of any new construction should be compatible with the proportions of the surrounding structures. *The building should be compatible with adjacent buildings in its dimensional character, horizontal or vertical. This aspect of a building is established by several factors in addition to height and width; specifically, roof face and pitch, placement of doors and windows, porches and architectural detail. For an addition, the integrity of the original structure must be maintained along with original materials and trim. New additions that increase the footprint of the cottage must respect both the size limitations of the lot, original structure and design.*

In no event shall the footprint of a cottage (including porches and new additions) exceed 1600 square feet, regardless of the number of contiguous lots leased by the cottage owner. (This limitation is based upon the desire for maximum open space and the guideline heretofore followed of 50% lot coverage of a cottage lot 40' x 80' in size.) Any variance of the dimensional



limits contained in this section [B1] and/or B4 (height) and B6 (demolition) shall require Neighbor Notification and the approvals of both the Preservation Board and the Board of Directors.

2) Scale:

Any new construction should be of a scale compatible with that of surrounding structures. Also, the scale of spaces between buildings should be carefully considered. *The size of a building in relationship to open spaces, windows, doors, porches, etc. should be visually compatible with the surrounding buildings. Where current zoning allows building of greater scale than was historically constructed on the Park, design elements should attempt to reduce the sense of mass and scale so that new construction is compatible with surrounding buildings. (2002)*

3) Massing:

The massing of new construction should employ one of the traditional forms predominantly found within the district.

The integrity of older structures should be maintained. On older structures, adding bays or other massing interruptions to its plane should be well planned and well designed. Such additions should harmonize with the massing, style and details of the original buildings and its neighbors.

4) Height:

No new construction or addition shall be more than ten percent (10%) taller in either its façade or overall height than the main ridge of the tallest building within two hundred feet (200') of the property line. *At all times the views of others must be considered, whether they be views to the river, across the "Greens," up to the Tabernacle, etc., requires Neighbor Notification (2002).*

5) Roofs:

*The roof shape should be visually compatible with the adjacent buildings (2002).* All roofs on structures (2002) should be sloped. Where a design shows a preference for a certain type, shape and pitch, new roofs should be guided by the character already established. Roofs on additions to existing buildings should be appropriate to the period and style of the original structure. The roof pitch, design, materials and detailing of all additions should be compatible with the main roof, overhang and soffits.



6) Demolition, Relocation of Structures:

Generally prohibited particularly if historic, original, or architecturally significant. Requires Neighbor Notification and the approval of both the Preservation Board and the Board of Directors.

**C. EXTERIOR DETAILS AND MATERIALS**

1. Surface Materials: Wall Surface:

On an historic building the wall surface material shall be of wood *or shall replicate the original material while being* (2002) visually appropriate to the period and style of the building *and maintaining, at proper dimensions, sill boards, corner boards, cornices, crown moldings on windows and other trim* (2002). Aluminum and vinyl siding and trim is unacceptable *as is changing the texture of the siding, such as replacing clapboard with shingles* (2002). Repairs to match preexisting aluminum or vinyl siding may be approved.

2. Trim and miscellaneous detail:

On all structures and additions the trim and ornamentation shall be appropriate to the style and period of the building. Replacement trim must match as closely as possible. This includes: window trim, ornamentation, skirting, porch detailing, rafter tails, eave overhangs, soffits, etc. *Where severe deterioration has occurred, or trim is missing, application of simplified trim appropriate to the style of the building will be considered. It is not acceptable to remove trim without replacement of the same type nor can trim be masked with other elements such as screening.* (2002)



### 3. Roofs:

Not only must the roof shape be visually compatible with adjacent/connected buildings, but the materials used must either be mineral fiber roofing, asphalt shingles in appropriate colors to resemble wood or metal roofing (standing seam, *tin or copper*). Rolled roofing is unacceptable as is asphalt shingle in inappropriate colors such as white.

a. Skylights:

Skylights should have a flat configuration parallel and as close to the roof plan as possible. Skylights should not be placed on the front roof plane and/or street façade.

b. Solar Tubes:

Solar tubes should be as close to the roof plane as possible. Solar tubes should not be placed on the front roof plane and/or street face.

c. Chimneys and Stove Venting:

Wherever possible, original chimneys should be repaired and restored. Any new venting should be discreet and blend into the character of the building in placement, material and size. Any new chimney should be of a design appropriate to the design of the building, especially in its placement and size. Visual impact of chimneys should be minimized. *It is unacceptable to have unclad pipes or vents/chimneys in front plane of cottage (2002). Less than four inches (4") diameter through-wall venting for exterior vented heaters, on side or rear of cottage walls is acceptable (2002).*

d. Gutters and Downspouts:

*Originally, most buildings in the Park did not have gutters, relying instead on the steep roof slopes and wide overhangs to keep water away from walls and footings. It is acceptable to have half-round gutters with round leaders. These should be of copper, aluminum or galvanized metal painted to match trim. Metal roof rain diverters are also approved. Polyvinylchloride is not acceptable nor are other materials that are not painted to match (2002).*



4. Windows:

*Original, architecturally-appropriate windows shall be repaired rather than replaced, unless it can be demonstrated to the satisfaction of the Preservation Board that the window is not repairable. Any new or replacement windows shall be made of wood and appropriate to the period and style of the building (2017).*

*Exceptions such as metallic and non-metallic clad wood windows may be accepted on a case-by-case basis (2002). All non-ornamental windows shall be of clear glass. On a new addition to an old building, only windows that are in keeping with the original windows in terms of materials, size, proportion, scale and frame type shall be used. In all cases they shall be arranged in an orderly manner, as observed in buildings of similar age and style. Contemporary window types, such as sliding glass doors, picture windows, bay windows, flex-vents, horizontal tilt-out windows, etc., having little similarity to period windows are discouraged.*

The window size and placement on a new building shall satisfy the functional requirements of the building while harmonizing with the scale, proportion and rhythm of the window size and placement of similar buildings. Care should be taken with the amount of glass used in a wall of a new building.

While it is recognized that the windows in a new building do not have the technical or heating constraints of the past, and that they must meet contemporary functional requirements, an over-large ratio of glass to wall area would be inappropriate to the general architectural characteristics on Thousand Island Park.

Aluminum/vinyl clad combination storm/screen windows (triple track) are unacceptable for enclosing space in all color areas/districts. Their use will be accepted when they are applied over existing windows to be used as storm windows, providing that the aluminum/vinyl is painted or factory coated with a compatible color and the window is trimmed in wood. However, wooden storm/screen windows are preferred.



5. Entries:

*The openings of a building are an integral part of its design, and any alteration affects the whole structure (2002).* A door or doorway shall not be altered except to maintain or restore its character as is appropriated to the style and period of the building. The materials shall be of wood and appropriate glass. Sliding glass doors, metal or non-wood doors are not acceptable.

a. Screen/Storm Doors:

Aluminum screen/storm doors are not permitted in any districts. Wood screen/storm doors that are appropriate to the style of the building are allowed. *Decorative wood doors are acceptable if appropriate to building style. Colonial style doors with scalloped upper panel, and/or cross-buck lower panel are inappropriate.*

b. Shutters:

*Most cottages did not have shutters but they were, at times, a part of the design itself or were added to enclose the cottages in winter. If shutters are to be used, they should be made of wood and they should extend from just below the lintel to just above the sill and meet in the center when closed. They should be at least one inch (1") thick and they should be affixed to the window frames. Shutters should not be made of meal or vinyl. (2002)*

6. Porches:

The front porch is a conspicuous feature of many buildings. The front porch is mentioned as one of the important elements contributing to the visual charm of Thousand Island Park buildings and the preservation of such porches is important to the continued ambiance. Porches should not be of a size or placement that will detract from the integrity of a building. As with any addition, their detailing should be compatible with the period and style of the main structure. The relationship of the roof of the porch to the other massing of the building is an important consideration. Screening of porches shall be placed on the inside of railings in all districts. Year-round enclosure of porches, especially on the street front, is not acceptable.

a. Posts, Columns and Trim

*Wood, shingles, molded cement block (depending on the style of building and original materials) are acceptable, along with wooden posts which are sized and shaped appropriately for the style of building. Brick, concrete, and aluminum are not acceptable.*





b. Porch Ceilings:

*Tongue and groove or other forms of board including open wood rafters that are painted, oiled or stained is acceptable. Sheet rock or vinyl is not acceptable.*

c. Porch Floors:

*Wood tongue and groove or other forms of boarding that are painted, oiled or stained is acceptable. Artificial decking is not acceptable nor is cement or brick flooring.*

d. Railings:

*Railings must be compatible with the overall structure, original construction and its ornamentation. Considering the broad range of detailing around the Park, depending on the character of the structure, the following categories of railing systems are eligible for approval:*

- *Molded and shaped rails of wood, painted to match structure or trim;*
- *Turned or jigsaw balusters, of wood;*
- *Square 2" by 2" balusters set 4" on center of wood;*
- *Iron pipe rails are permitted on certain buildings.*

*It is unacceptable to have railings of stock lumber (e.g., 2" by 4" boards) or thin rectangular balusters or to have the baluster placed in front of or behind rails (2002).*

7. Decks: Patios, Platforms and Exterior Stairs:

All decks, patios, platforms and exterior stairs shall exhibit an attention to detail that is in keeping with the main structure design. They shall be designed and constructed of materials compatible with the building to which they are attached or as otherwise specified in the code, and shall be refined visually. They shall be painted and skirted to match main structure.

The placement and size of a deck and its railings, patio, platform, or ramp is an important consideration. They shall be located where they will be the most inconspicuous and will detract the least from the building's historical character. These placement requirements do not apply to handicapped access ramps.



Rail systems shall exhibit an attention to detail that is in keeping with the main structure design. On all buildings, the decks, patios, and platforms shall be kept from the street façade of the building and integrated into the overall building design.

*Exterior stairs need to follow the guidelines for porches and railings. Steps should align with the width of the doorway or original porch opening. The steps should be made of wood boards painted, oiled or stained to match the rest of the cottage. Railings and trim are to match the main structure in design with material painted to match. (2002)*

8. Piers, Foundation and Skirting:

*Most buildings on the Park are built on piers and above ground. Piers must be covered with decorative boards, siding, or framed lattice that corresponds with the rest of the structure with these coverings to be made of wood and painted or stained to match the building or trim. A few of our cottages have stone foundations and these stone foundations (usually of granite) need not be screened. It is unacceptable for a cottage to have unscreened piers, open skirting, vinyl or other artificial lattice or tarpaper covering. (2002)*

D. LANDSCAPING

*Plantings that will exceed four feet (4') in height require Preservation Board approval. In all cases, care needs to be taken that plantings do not block neighbors' views or otherwise disrupt the fabric of the street. Foundation plantings were not used in the 19<sup>th</sup> century and are generally not appropriate. Hedges were not planted in such communities. The principal forms of landscape decoration were contained flowerbeds, flowering shrubs, vines and trees.*

1. Fences and Hedges:

*Fences or hedges are seldom allowed and each application is decided on a case-by-case basis. Wooden fences may be allowed for screening fuel tanks or other storage areas. It is not acceptable to fence a front yard, use masonry walls, post-and-rail, vertical board, stockade fencing or wrought iron (2002).*

2. Driveways/Parking:

Driveways shall be constructed of either crushed stone/gravel of a natural color (brown or gray) or pavers spaced with grass. The width of the



driveway/parking area shall be in scale with the main structure *but no wider than two car widths.*

*Parking is only allowed along the side or rear of property and for no more than two vehicles (where appropriate space is available) at the cottage site (2002).*

**E. AIR CONDITIONING UNITS AND HEAT PUMPS:**

*Exterior compressor air-conditioning and/or heat pumps are discouraged and need approval of the Board of Directors and such permission will be contingent upon neighborhood and community impact. (2002)*

**F. SHEDS, GARAGES AND CARPORTS:**

*Sheds and carports (2002) are permitted in all districts provided they adhere to the design guidelines (see Article V). When permitted, sheds and carports must comply with regulations for new construction in placement, size, material and design for that area of the Park.*

*Garages are discouraged in all areas of the Park and may only be constructed and are only allowed with Board of Directors approval. (2002)*

**G. SIGNS**

Nameplate identification and house numbering signs, including signs indicating the age of a building or structure, shall be permitted in any district. No other signs shall be constructed, erected or maintained on any property or structure in any district except as follows:

1. Structures or properties used for permitted commercial uses may erect upon such property one (1) sign provided that it does not exceed four (4) square feet in area. No neon signs may be permitted, nor shall any sign be illuminated so as to cause light to fall upon adjacent buildings, properties, highways or waterways.
2. "For Rent" and/or "For Sale" signs (including realtor signs) may be placed upon any property during the time when such property is offered "For Rent" or "For Sale," provided that such sign does not exceed four (4) square feet in area.



**H. SATELLITE DISH ANTENNAS AND GROUND TELEVISION ANTENNA TOWERS:**

Satellite dish antennas exceeding 18” shall not be permitted in any district, nor shall it be permissible to construct ground TV antenna or satellite towers. Roof antennas and satellite dishes are allowed with minimum visual impact from the street. *After cable is available on the Park, no new applications for exterior antennas will be accepted (2002).*

**I. SIDEWALKS, WALKWAYS AND FOUNDATION PERIMETERS:**

Sidewalks, walkways and foundation perimeters shall not be constructed of materials other than wood, crushed stone of natural color (gray or brown), gravel or concrete of a natural cement color (gray). Pavers shall be square or rectangular in shape.

Sidewalks and walkways shall end at the lot line: extension beyond that point requires approval of the Board of Directors.

Maximum width of sidewalks, walkways and foundation perimeters shall be forty-eight inches (48”). Maximum height of sidewalks and walkways shall be six inches (6”).



## **Article VI: Application Process**

No building or structure hereafter shall be erected, reconstructed, altered or restored within the Thousand Island Park Historic District unless and until an application for a building permit is submitted, reviewed and approved as to the exterior architectural features which are subject to public view and a valid permit is prominently displayed at the construction site.

### **Work/Building Permits**

- A. No building or structure shall be erected or use instituted until a permit therefore has been issued by the Thousand Island Park Corporation.
- B. A work/building permit application must be filed with the Thousand Island Park Corporation Office at least one week prior to a scheduled Preservation Board meeting. **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**
- C. **INSTRUCTIONS TO APPLICANT:**
  - 1. Obtain an application form from the Corporation office, complete and attach the following items prior to submitting the application:
    - a. One (1) copy of the **DETAILED PLANS DRAWN TO SCALE** (on 8-1/2" x 11" paper only) with elevations depicting the exact work to be done including renderings of any exterior **alterations and exteriors** of any proposed new construction.
    - b. **PHOTOGRAPH(S) OF THE EXISTING STRUCTURE SHOWING THE AREA(S) TO BE ALTERED.**
    - c. A completed **SITE PLAN** showing location of all existing structures including measurements. When establishing measurements to meet the required front yards and structure setbacks, the measurements shall be taken from the street line or lot line to the point attached to the structure which projects out the furthest. This shall include such projecting facilities as chimneys, porches, attached accessory structures, fire escapes, etc.
    - d. One (1) copy of the detailed materials list, with samples, catalog pages as necessary to indicate all materials to be used.



- D. Any proposed new construction, addition, demolition or relocation of any structure shall require Neighbor Notification to leaseholders within seventy-five feet (75') of any property line of the project. Notification shall be in writing from the Park Manager advising of the submitted application and building plans. Any proposed new construction, addition, demolition, or relocation of any waterfront structure shall only require Neighbor Notification to immediate adjacent non-common leaseholders. No approval of the application may be made before fifteen (15) days after issuance of such notification unless all interested parties have signed off. In the event of an appeal by the applicant or any affected leaseholder, their positions shall be forwarded to the Board of Directors prior to a decision of said appeal being made thereon. If any objections raised on appeal before the Board of Directors involve major preservation code considerations, the Board of Directors may, at its discretion, refer the application back to the Preservation Board for further investigation, findings or specific recommendations.
- E. ANY CHANGES FROM THE ORIGINAL APPLICATION MUST RECEIVE PRESERVATION BOARD APPROVAL
- F. *A permit fee must accompany all applications.* The amount of the fee is 1% of the estimated construction cost with a minimum of \$10.00 and up to a maximum of \$450. All applications must be complete with all required attachments and details. ***No applications will be accepted or reviewed without payment of the permit fee.***

Work may require a New York State building code permit, a Jefferson County building code permit, a DEC or US Army Corps of Engineers permit, and/or a Town of Orleans permit, variance, special use or site plan review in addition to a Thousand Island Park Corporation building permit. Please check with the Zoning Code Enforcement Officer at the Town of Orleans (658-4309) to determine which of these, if any, are required.

- G. PERMIT MUST BE PERMANENTLY DISPLAYED AT THE WORKD SITE BEFORE WORK IS BEGUN AND THROUGHOUT THE ENTIRE PROJECT.



H. No building permit or certificate of compliance shall be issued for any building where said construction, addition, and exterior expansion and alteration or use thereof would be in violation of any of the provisions of this Code.

I. A building permit issued under this code shall expire one (1) year from the date of issue if construction is not started. Any permit on which work has been discontinued for a continuous period of twelve (12) months shall be termed abandoned and may not be reinstated without applying for a new building permit.

J. **APPLICATIONS FOR NEW CONSTRUCTION, ADDITIONS OR ACCESSORY STRUCTURES**

1. Applicants are strongly encouraged to submit to the Preservation Board during the summer season when the Board convenes for regularly scheduled meetings (from approximately mid-May through Labor Day). However, the Preservation Board accepts applications throughout the year. Meetings are held at the discretion of the Board in the “off season” by way of technology and information dissemination.

2. All applications for new construction REQUIRE ADDITIONAL PHOTOGRAPHS which show the setback of the surrounding buildings from the street, their massing and the spaces between them in relation to the subject of the application.

3. *Review Process.* The review process for new construction, additions or accessory structures of a cottage envisions early participation by the Board in the planning and design of the proposed project.

a. *Step One (Recommended) Concept Discussion* – It is recommended that the prospective applicant and his/her design consultant or professional attend a meeting of the Board to present and discuss the project plan, in concept only. At this meeting, the applicant shall have provided to the Board conceptual plans, a site plan and preliminary measurements. Unless the proposed project is prohibited by the Code, this discussion should include topics of scale, propriety of design, siting of the improvement and its context within the neighborhood or community. Issues raised during this discussion would be addressed in subsequent steps of the review process.



- b. Step Two (Required) Application and Preliminary Review – The applicant and his/her design professional or consultant will make formal application for review by the Board. During this phase, the applicant will submit accurately scaled schematic design drawings and address in writing all issues identified during the concept discussion or (if applicant did not attend a Step One Concept Discussion) any issues now required to be addressed before moving to Step Three. The Board may require additional submissions to be made by the applicant in connection with its review. Unless rejected by the Board at this stage, the applicant may receive preliminary approval at this time (with or without conditional changes to be made for Step Three approval); or the Board may, at its discretion, withhold taking any action until the submission of final plans in Step Three below.
- c. Step Three (Required) Final Review – At this time, the final scaled drawings and any required specifications shall be submitted to the Board for final review. The Board may reject, approve without conditions, or approve with conditions at this time; or it may continue this stage of the process if additional information is to be submitted or additional requirements are to be met by the applicant.
- d. Appeals – Appeals to the Board of Directors of any decision made by the Preservation Board by the applicant may not be made prior to completion of the process set forth in “Step Two” above, unless the application has been rejected prior thereto. Said appeal shall be in writing and shall be in accordance with Article VI (D) above, and the applicant shall specify the exact nature of the appeal, the specific action or disapproval appealed from and the specific nature of the relief requested. The Preservation Board will provide copies of internal memoranda, minutes of discussions and its findings to the Board of Directors for its review only; but nothing herein set forth shall be deemed to constitute open access to these records by the applicant. The Board of Directors has the authority to overturn an approval of the Preservation and Architectural Review Board and the authority to refer a denial back to the Preservation and Architectural Review Board for action in accordance with the Board of Directors’ decision.
- e. Violations and Penalties – In addition to the penalties set out in Article VIII, if construction proceeds without the requisite approvals or not in conformity with approved plans and specifications, the cottage owner may be required to demolish or remove the non-conforming construction, cause the construction to be corrected and/or pay the





*finis set forth in Article VIII. If such deviation is deemed to have been willful, any approvals previously given may also be revoked at the discretion of the Board of Directors and the Preservation Board.*

4. Neighbor Notification: Upon approval of the application by the Preservation Board, all leaseholders within seventy-five feet (75') of the property line of the residential project or the adjacent non-common leaseholders of a waterfront project shall be notified in writing by certified letter of the application. No action shall be taken on the application before fifteen (15) days after receipt of such notification. The applicant and all notified leaseholders shall have the right to have their positions forwarded to the Board of Directors prior to a decision being made thereon. If any objections raised before the Board of Directors involve major preservation code considerations, the Board of Directors may, at its discretion, refer the application back to the Preservation Board.
- K. When an application is of such complexity or importance that it is deferred or postponed because the Board determines that professional advice is required, the expense of obtaining such advice shall be borne by the applicant.
- L. Enforcing Officer – This code shall be enforced by the Thousand Island Park Corporation General Manager and Preservation Board Secretary, who is hereby appointed by the Board of Directors as the enforcing officer. The enforcing officer's authorities and duties shall be to:
1. Accept permit applications.
  2. Scale and interpret district boundaries on sub-districting map.
  3. Issue certificates of compliance upon Preservation Board approval.
  4. Refer appropriate matters to the Preservation Board and/or the Board of Directors.
  5. Issue Stop Work orders.
  6. Revoke a permit where there is false, misleading, or insufficient information. Revoke a permit and/or certificate of compliance where the applicant has not done what was proposed and approved on the application.



7. Report to the Preservation Board and the Board of Directors the status of applications and work involved, certificates of compliance and fees collected at regular board meetings.
8. Maintain a record of all certificates. Copies of the certificates shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected.

M. Certificate of Compliance – Evidence of the requested project approval and project completion shall be a Certificate of Compliance issued by the Thousand Island Park Preservation Board.



## Article VII: Maintenance

### Maintenance:

- A. Nothing in this code shall be construed to prevent the ordinary maintenance and repair of any structure or exterior architectural feature of a building within the Thousand Island Park Historic District which does not involve a change in design, material or outward appearance.
- B. No cottage or boathouse owner in Thousand Island Park shall permit the property, or portions thereof, to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature or deterioration of structure component or member which would, in the judgment of the Thousand Island Park Corporation, produce a detrimental effect upon the character of any building, neighborhood or Thousand Island Park.

Examples of such deterioration include, but are not limited to:

- (1) Deterioration of exterior walls, chimneys, roofs, porches, steps and trim.
- (2) Deterioration of vertical or horizontal supports, including beams, joists, foundations or footings, including (with respect to boathouses) docks, access stairways and pilings.
- (3) Ineffective waterproofing (non-painted surfaces), maintenance or repair of exterior walls, roofs, or foundations, including broken windows, siding or doors.



## Article VIII: Violations and Penalties

- A. Failure to comply with any provisions of this code shall be deemed a violation of the code and the rules and regulations of Thousand Island Park Corporation. The violator shall be liable to a fine of not less than \$100 nor more than \$250 for each week the violation continues following notification and a reasonable period of time to perform the necessary repairs.
- B. Any person who demolishes, alters, constructs or permits a property within the Thousand Island Park to fall into a state of disrepair in violation of this code shall be required to restore the property and its site to its appearance prior to the violation.
- C. Complaint of Violations:
- Whenever a violation of this code occurs, the enforcing officer, a park official, or any person may file a complaint in regard thereto. All such complaints must be in writing and shall be filed with the enforcing officer who shall properly record such complaint and immediately investigate and report thereon to the Board of Directors. The Board of Directors shall institute appropriate legal procedures to correct the violation or issue penalties. This shall be done by the issue of a Stop Work order, or an order to correct the violations. If the violation is not corrected within a specified time, the Corporation shall seek an injunction against the violator and require his/her appearance in court. The seeking of an injunction shall not preclude the Corporation from enforcing the penalty provisions and fines contained herein. Said fines shall be added to leaseholder's RTS bill, to accrue interest until paid.
- D. A violation of this code is an offense punishable by procedures established by resolution of the Board of Directors. Each week's continued violation shall constitute a separate offense.



## Article IX: Amendments

1. The Board of Directors may from time to time, on its own motion or on petition, amend, supplement or repeal the regulations and provisions of this code.
2. The Board of Directors shall refer all amendment proposals to the Preservation Board for review and recommendation, prior to the Board of Directors action thereon.

## Article X: Addendums

### A. SHEDS

Needs for storage vary over time and sheds have occasionally been permitted in the Park. They are discouraged, however, since they greatly affect the open spaces and flow created by the lot grid of the Park. Applications for sheds will be reviewed on a case-by-case basis and neighbor notification is required. When permitted, sheds shall comply with regulations for new construction in placement, size, material, and design for that area of the Park.

#### **Acceptable**

- Maximum dimensions:
  - 10 x 12 feet - 120 square feet
  - 7 feet tall (eave wall height)
- Siding, trim and roof pitch to match cottage

#### **Not acceptable**

- T-111 siding
- Cross buck doors
- Bathroom facilities
- Blocking neighbor's view
- Blocking fire vehicle access
- Used for sleeping quarter



## GLOSSARY

When used in this code, words in the present tense include the future and words of one gender include all genders. The singular number includes the plural and the plural includes the singular. The term “shall” is intended to be mandatory. Whenever a word or term is defined to “include” certain items or matters, such inclusion is intended to be by way of specification and not of limitation.

### **Definitions:**

**Addition:** New space that is attached to an opening onto an existing unit where nothing existed before.

**Accessory Structure:** A building, the use of which is customarily incidental to that of a principal building or use and which is located on the same lot as that occupied by the main building or use. An accessory building shall not be used as a sleeping facility.

**Accessory Use:** A use customarily incidental and subordinate to the principal use and conducted on the same lot therewith.

**Building:** See structure.

**Carport:** *a non-enclosed roofed structure used as an accessory to a main structure, providing for the storage of motor vehicles and in which no business, occupation or service is conducted (2002).*

**Code:** The word “code” shall refer to the Thousand Island Park Preservation Code.

**Community Facility:** A building, structure or use operated for the benefit of the general well being, health, safety, welfare, and enjoyment of the public. This shall include but not be limited to fire stations, libraries, community-owned buildings, schools, churches, *and waterfront structures (2002).*

**Deck:** A flat, floored, roofless area adjoining a house, with a minimum height of eighteen inches (18”). Railing is required.

**Driveway:** An access from a street to a parking area or garage.



**Enforcing Officer:** The enforcing officer is the General Manager and Secretary of the Corporation who is appointed by the Board of Directors to carry out the regulations of this code.

**Erect:** To construct, build, re-erect, reconstruct, rebuild or excavate for a building or structure.

**Family:** One or more persons living together as a single housekeeping unit.

**Floor Area:** The total horizontal area of all floors of a building, excepting the basement and attic thereof, measured along the outside faces of the exterior walls exclusive of garages, porches, and other similar accessory attachments.

**Garage:** A structure or enclosed space used as an accessory to a main structure, providing for the storage of motor vehicles and in which no business, occupation or service is conducted.

**Height:** The vertical distance measured from the average elevation of the main grade at the front of the building/structure to the highest point of the roof.

**Historic District:** The boundaries of Thousand Island Park, as listed in the State and National Registers of historic places, the architectural significance of which impacts a collective contribution to the evolving development of the best in American culture.

**Hotel:** Any building or structure used, maintained, advertised as or held out to the public as a place having individual sleeping or living quarters with related office, with or without restaurant facilities, designated primarily for travelers, and provided with accessory off-street parking facilities. The individual units of such uses are usually accessed from interior passageways.

**Landscape open spaces:** Open space which is covered and maintained in a permeable soil.

**Lot:** A parcel of land, *approximately 40 x 80 feet, (added 2002)* used and occupied, or capable of being used or occupied, by a building or structure and accessory buildings, structures, or uses customarily incidental to it.

**Lot, corner:** A parcel of land at the junction of, and fronting on, two or more intersecting streets.



**Lot coverage:** That percentage of the lot area covered or occupied by the buildings or any part of the buildings, excluding there from any projections permitted to extend into yard areas.

**Lot Depth:** The mean horizontal distance between the front and rear lot lines, measured in the general direction of the side lot lines.

**Lot Line:** Any line dividing one lot from another or from the street or waterway line. On a street, public or private, where there is no right-of-way line, the lot line shall be the same as the nearest edge of the paved or improved surface, including sidewalk.

- Lot Line, front: The lot line adjoining any street/highway right-of-way line. If a lot adjoins two or more streets or highways, it shall be deemed to have a front lot line respectively on each.
- Lot Line, rear: The lot line opposite the most distance from the front lot line.
- Lot Line, side: Any lot line other than the front or rear lot lines.

**Lot Width:** The horizontal distance between the side lot lines measured at the required front and rear setback lines.

**New Construction:** Any free standing unit built where nothing existed before.

**Non-Conforming:** Not in conformity with the provisions of this code at the time of the enactment thereof.

**Office and Professional Services:** Administrative offices and establishments providing professional services.

**Open Space:** That area which is unencumbered by buildings or other structures.

**Parking Space:** An off-street space available for the parking of one (1) motor vehicle *on the side or rear of a cottage (2002)* and having an area of not *more (2002)* than two hundred (200) square feet, having direct access to a street or highway.

**Patio:** An outdoor area adjoining a house.

**Permitted Use:** Any use permitted under the provisions for the sub-district in which the land, building, or structure is located.

**Platform:** A flat, floored, roofless area adjoining a house, with a maximum height of eighteen inches (18"). Railing is prohibited.





**Porch:** A structure attached to a building to shelter an entrance or to serve as a semi-enclosed space; usually roofed and generally open-sided.

**Principal Building:** A building in which the main or principal use of the lot on which said building is located is conducted.

**Principal Use:** The main or principal purpose for which any land, building, or structure is used or occupied.

**Railings:** A system including top rail and bottom rail.

**Restaurant:** A building or part thereof used or maintained as advertised or held out to the public to be a place where meals or foodstuffs are prepared and/or served to the general public for profit.

**Retail Stores and Boutiques:** A small commercial enterprise that is intended to sell or trade retail goods, products, or services.

**Shed:** A detached structure.

**Signs:** Any kind of billboard, signboard, pennant, or other shape or device or display, used as an advertisement, announcement or direction. Such a notice may be incorporated onto a building surface, free standing or attached.

**Skirting:** The covering between the ground and sill of a structure.

**Single Family Home:** A residence, seasonal or permanent, of one family.

**Story:** That portion of a building included between the surface of any floor and the surface of the next floor above it.

**Street:** A thoroughfare which affords primary means of access.

**Structure:** Anything constructed or erected, the use of which requires locations on the ground or attachment to something having location on the ground or river bottom. The term includes dwelling units, buildings, boathouses, docks, catwalks, access stairways, platforms, signs but not intended to include sidewalks, driveways and curbs.

**Sub-District:** A sub-district is a division of a historic district.



**Use:** The specific purpose for which any land, building, or structure is used, designed, arranged, intended or occupied.

**Yard:** An open space on the same lot with a building, or buildings, said space being unoccupied by structures and unobstructed from the ground upward except by trees or shrubbery, or as otherwise provided herein.

**Yard, Front:** The yard between the front building line and the front lot line and extending the full width of the lot.

**Yard, Rear:** The yard between the rear building line and the rear lot line and extending the full width of the lot.

**Yard, Side:** Unoccupied space extending from the front yard to the rear yard between the required side building line and the nearest side lot line.

