

*PRESERVATION CODE
AND
LAND USE REGULATIONS
OF
THOUSAND ISLAND PARK, NY*



TABLE OF CONTENTS

| | |
|--|----|
| Article I; Statement of Intent..... | 3 |
| Article II; Objectives..... | 4 |
| Article III; Sub-Districts..... | 5 |
| Article IV; Preservation and Architectural Review Board..... | 8 |
| Article V; Historic Preservation Permits..... | 10 |
| Article VI; Maintenance..... | 12 |
| Article VII; Violations and Penalties..... | 12 |
| Article VIII; Amendment..... | 13 |
| Appendix A - Reference Material | |
| Appendix B – Appropriate Treatment | |
| Appendix C – Preservation Board Decisions | |
| Appendix D - Application and Appeals Process | |
| Appendix E - Definitions | |

PRESERVATION CODE AND LAND USE REGULATIONS

Thousand Island Park, New York
Originally Adopted by
Thousand Island Park Corporation
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
October 20, 2021

Article I: Statement of Intent

Thousand Island Park was placed in the National Register of Historic Places in 1982. The purpose of the Preservation Code and Land Use Regulations (the Code) is to promote, enhance, and preserve the unique, cultural, educational, and historic nature of Thousand Island Park and its individual structures, both residential and commercial as well as all of the amenities that can be found within its borders. The governing Board of Directors of Thousand Island Park (Board of Directors) has declared that it is in the public interest to ensure that this valuable resource not be injuriously affected by activities inconsistent with the standards set forth in the Code, and that the rich history that is to be found here be

maintained and preserved to promote its use for the education, pleasure and quality of life enjoyed by its inhabitants and visitors.

Article II: Objectives

The objectives of these regulations are to:

1. Ensure the appropriate, best use of land to ensure harmonious growth, and the preservation and protection of the historic buildings and places in the Park, and the promotion of the wise use of the Park's natural resources of land, water, vegetation and air;
2. Ensure that any new construction, remodel, or exterior reconfiguration of existing structures conform to standards that reflect the architectural features of the Park's historic homes and structures as well as the protection of the glorious river vistas that the Park's grounds afford;
3. Maintain the safe flow of vehicular traffic as well as the efficient parking of stationary vehicles in as unobtrusive manner as possible to accommodate the Park's residents as well as its visitors;
4. Promote the wise and practical use and occupancy of buildings for the general good in accordance with these regulations;
5. Assist in the healthful and convenient distribution of population; and
6. Encourage and provide opportunities for the safe and comfortable use of all the recreational facilities available on the grounds of Thousand Island Park.

All in accordance with this Code and Regulation to accomplish these purposes, the land within the boundaries of Thousand Island Park has been divided into sub-districts which the Board of Directors may regulate upon advice of the Preservation and Architectural Review Board (Preservation Board) . Depending on location within these sub-districts the Board of Directors can regulate and/or limit the following:

- A. The physical dimension of any proposed structure including height, number of stories, size, location, fenestration, construction material, or other attribute that will affect the visual presentation of the structure;
- B. Use of land and water for trade, profession, residence and other purposes;
- C. Size of yards and other open spaces;
- D. The footprint of any proposed structure depending on its mass, proximity to its neighbors, or impact on the streetscape;
- E. Density of structures;
- F. Controls dictating the alteration or destruction (demolition) of buildings determined to be of historical or architectural significance and which contribute to the image, beauty,

ambiance, and reputation of the Thousand Island Park which justifies its inclusion in the National Historic Register of Historic Places.

Article III: Sub-Districts

For the betterment of the community, the following subdistricts have been defined:

1. Yellow: Business/Commercial Subdistrict

This subdistrict has historically been the commercial and business hub of the Park. This regulation aims to preserve this usage and the historic structures found within the district, along with the maintenance of architectural styles. The alteration of the exterior of all buildings within this district is restricted. This district sees a high volume of pedestrian and automobile traffic.

Permitted Uses: Post Office, Offices and Facilities owned by the Thousand Island Park Corporation, Retail Stores, Grocery, Restaurants, Hotel, Tabernacle, Library, Pavilion, Gazebo, Community Docks and Boat Ramps, Community Utilities

2. Pale Yellow: Other T.I. Park Corporation Uses

This subdistrict has historically been used by Thousand Island Park Corporation and is not for residential purposes.

3. Green: Recreational, Waterfront, Parks, and Open Green Areas Subdistrict

This subdistrict is designed to protect, preserve, and maintain the open green spaces that provide community access to the waterfront, sports, nature walks, etc., and open vistas that are essential and controlled by this regulation. Boathouses, docks, and recreational areas are situated within this subdistrict. Some of these structures have historical significance, and any alterations must conform to the strictest historic preservation standards (see The Secretary of Interior's Standards and Guidelines for Rehabilitation). Preexisting residential and community structures must be rebuilt following the strictest preservation standards. Leasing of parcels for construction within this area— boathouses, docks, community structures, or recreational areas—is to be strictly regulated to ensure low density and continued waterfront access for residents of the park.

Permitted Uses: Parks and Green Open Areas, Community Recreational Facilities, Swimming Areas, Boathouses, and Docks

4. Red: Historic Residential Subdistrict

This subdistrict was established to preserve the residential portions of the park. Most of the buildings within the district are of early construction and have historic value or significance. Preserving the varied architectural styles within the district is of great importance. Accordingly, the alteration of the exterior of buildings within the district is discouraged and therefore highly restricted. Setbacks and lot size regulations are to be strictly enforced, and any new construction must follow rigid building guidelines to ensure the area's integrity. All parking areas should be sheltered with screening.

Permitted Uses: Single-family Detached Dwellings

The boundaries of the above subdistricts are shown on a map, which is kept on file in the Corporation office and available online at tiparkcorp.com.

Article IV: Preservation and Architectural Review Board

Responsibilities of the Preservation Board and Board of Directors:

- A. Under the direction of the Board of Directors, the Preservation Board is charged with interpreting and ensuring compliance with this Code and its regulations.
- B. To ensure that the unique architectural styles, elements, and materials that exist in the Park are preserved and protected.

The Preservation Board shall review all Historic Preservation Applications to ensure that the work is compatible with the existing style of the structure or in the case of new construction it is compatible to features and styles that define the many historic structures evident in the Park. Architectural styles, elements and features are discussed and displayed in the Thousand Island Park Historic Preservation Handbook. Other reference material containing pertinent information can be found in Appendix A.

For restoration work, historic photos, old architectural drawings, or renderings (if available) may be used to justify the planned work. The Thousand Island Park Landmark Society maintains a library of historic photos which are available at the Landmark office.

A list of Thousand Island Park Corporation Licensed Contactors is maintained in the Corporation Office and available online at www.tiparkcorp.com. It is a requirement that a cottage owner employ a licensed contractor for any/all exterior work unless the work is to be performed by the cottage owner. Contractor Licensing Forms are available for pick-up in the Corporation Office or available online at tiparkcorp.com.

For the application process refer to Appendix D

- C. It is the responsibility of the Preservation Board to review all Historic Preservation Applications, provide preliminary and final review, provide written feedback to the applicant via the Thousand Island Park Corporation Office, and recommend actions to the Board of Directors relative to construction activities when deemed necessary.
- D. All Historic Preservation Permit Applications have the right to be reviewed and acted upon by the Board of Directors only after it has received the Preservation Board's determination. An applicant may seek redress of any decision through the Appeals Process (Appendix D).
- E. The Board of Directors shall appoint a Preservation Board composed of:
 - One member of the Board of Directors who will serve as chairperson and act as liaison between the two boards. This member shall only vote in the case of a tie.
 - One member appointed annually by 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 can be appointed by the Board of Directors. At least one of these advisors is to be a licensed architect and 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 the exterior of any existing cottage will be specifically referred for an advisor opinion.

- Preservation Board members shall serve at the pleasure of the Board of Directors for terms of three years and may be reappointed for up to three consecutive terms. Meetings shall be scheduled at the discretion of the chairperson 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: Historic Preservation Permits

Once A Historic Preservation Permit has been issued it shall be displayed in a clearly visible prominent location at the work site. The site shall be made available for inspection by the Corporation Office and/or the Preservation Board to ensure compliance. Applicants are encouraged to take construction photographs as the work progresses to create a record of evidence of compliance with terms of the Permit.

A. Violations and Penalties

In addition to the penalties set out in Article VII, if construction proceeds without the requisite approvals or not in conformity with conditions of the Historic Preservation Permit, the applicant may be required to demolish or remove the construction which is in violation, cause the construction to be corrected and/or pay the fines set forth in Article VII. 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/or the Preservation Board.

B. Enforcement

This code shall be enforced by the Thousand Island Park Corporation Office, under direction of the Board of Directors and the Preservation Board. Duties shall include:

1. Accept Historic Preservation Permit Applications (and/or Work/Building Permit Applications).
2. Determine boundary lines on sub-districting map.
3. Issue Preservation Permits 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 Preservation Permit (and/or Work/Building Permit) where there is false, misleading, or insufficient information. Revoke a Preservation Permit (and/or Work/Building Permit) where the applicant has not done what was proposed and approved upon the applicant's submission.

7. Report to the Preservation Board and the Board of Directors the status of Historic Preservation Applications and work involved.
8. Maintain a record of all Preservation Permits (and/or Work/Building Permits). Copies of Permits shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected.

REQUIREMENTS

- No building or structure shall be erected, or construction instituted until either a Historic Preservation Permit or a Work/Building Permit has been issued by the Thousand Island Park Corporation. In cases where a Historic Preservation Permit is not required a Work/Building Permit is required for any alteration proposed to the exterior of a building (See Article VI).
- Any deviation from the conditions of an issued Historic Preservation Permit must receive Preservation Board approval.
- 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 (315-658-9950) to determine which of these, if any, are required.
- Any 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 Permit.
- Neighbor Notification may be required in new construction, additions, or outbuilding Preservation Applications. The Preservation Board shall initiate the neighbor notification process via the Corporation office when deemed necessary by members of the Preservation Board. Neighboring leaseholders shall be notified of the application in writing and given fifteen (15) days from the date of the letter to respond. Respondents shall have the right to have their positions forwarded for Preservation Board review.

C. Compliance Certification

Applicants shall sign the application certifying the information provided in the application is complete and accurate and the project described will be completed as stipulated in the application.

Article VI: 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. Such work requires a Building/Work Permit. The applicant must submit a Building/Work application to the Corporation Office. Applications are available for pick-up in the office or online at tiparkcorp.com.
- 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 VII: 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 at the discretion of the Corporation Board following a written notification. The cottage owner shall be granted a reasonable timeframe to perform necessary alterations or 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, a park official, resident, or any person may file a complaint in regard thereto. All such complaints must be in writing and shall be filed with the Corporation Office who shall properly record such complaint and immediately investigate and report thereon to the Preservation Board and/or the Board of Directors. The Corporation Office shall issue a Stop Work order, or an order to correct the violations.

Article VIII: Amendment

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

APPENDIX A

REFERENCE MATERIAL

- Thousand Island Park Historic Preservation Handbook
<https://www.tiparkcorp.com/wpcontent/uploads/2019/09/TIPPreservationHandbook2014.pdf>
- The Secretary of Interior's Standards and Guidelines for Rehabilitation
<https://www.nps.gov/tps/standards/rehabilitation.htm>
- New York State Uniform Fire Prevention and Building Code
[https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=I2f2d57f0ac4311dd81fce471ddb5371d&originContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=I2f2d57f0ac4311dd81fce471ddb5371d&originContext=documenttoc&transitionType=Default&contextData=(sc.Default))
- Window Guidelines for Thousand Island Park – Steve Jordan
- www.tiparkcorp.com
- Erosion and Sediment Control Guidelines – NYDEC
https://www.dec.ny.gov/docs/water_pdf/2016nysstanec.pdf
- Historic Preservation Design Guidelines

APPENDIX B

Appropriate Treatment

Appropriate treatment consists of planned or constructed elements that in most cases will be required under the Code since they exemplify the objectives most appropriate for use in the Park. In certain cases, they may come with only a strong recommendation by the Preservation Board which will consider deviation from the requirements on a case-by-case basis. Architectural integrity, neighbor concerns, and humanitarian considerations may constitute an argument for the deviation. For further guidance and illustrations regarding various design elements, see the Historic Preservation Design Guidelines and the Thousand Island Park Historic Preservation Handbook.

<https://www.tiparkcorp.com/pdfs/AppropriateTreatment.pdf>

APPENDIX C

PRESERVATION BOARD DECISIONS

This Appendix will be reviewed by the Preservation Board at the end of each season and additions to the matrix will be made based on new decisions made that year. These decisions are recorded in the meeting minutes and in a digital recording made of meeting participation.

<https://www.tiparkcorp.com/pdfs/DECISIONSLOG.pdf>

APPENDIX D

APPLICATION AND APPEALS PROCESS

APPLICATION PROCESS

Work may need a State of New York building code permit, a Jefferson County building code permit, a DEC or Army Corps of Engineers permit, and/or a Town of Orleans building or sewer permit, variance, special use or site plan review in addition to a Thousand Island Park Corporation permit. Please check with the Zoning Code Enforcement Officer at the Town of Orleans (315-658-2057) and the Town of Orleans Clerk (315-658-9950) to determine which of these, if any, are required.

Thousand Island Park Corporation Building/Work Permits are required for projects proposing use of original/existing materials and bear no influence on the exterior of the preexisting structure. On the other hand, Thousand Island Park Corporation Preservation Permits are required when proposals include a scope of work bearing influence to the preexisting structure by way of alterations including but not limited to use of materials that differ from the original, design variations, additions, renovations and/or demolition.

I. **Building/Work Permits**

- a. Building/Work Permits require materials to be the same as the original/existing materials and are specific to repair work only. Building/Work Permit Applications are available for pick-up in the Corporation Office or online at tiparkcorp.com and shall be completed and submitted to the office. Along with the completed application, applicants shall submit one photograph of the existing structure from the street view perspective and one close-up photograph showing where the proposed construction or repair work is to take place.

II. **Historic Preservation Permits**

- a. Proposed changes to the exterior appearance of a structure require Preservation Board review and approval and must be submitted according to Preservation Board Application procedures set forth hereunto. Cottage owners must complete a Historic Preservation Application and submit it along with required drawings and photos to the Corporation Office at least one week prior to a scheduled Preservation Board meeting. Applications are available for pick-up in the Corporation office or online at tiparkcorp.com.

Applicants must submit detailed plans drawn to scale with elevations depicting the exact work to be done including renderings of any exterior alterations and exteriors of any proposed new construction. (For complex projects, working with a licensed architect is highly recommend). Where applicable, drawings must include square footage of existing cottage and square footage of proposed addition.

Photographs of all four elevations of the existing structure must accompany the Preservation Application, as well as a detailed materials list including samples and/or catalog pages.

A completed Site Plan identifying the locations of all structures on the lot or lots, as well as those on adjacent lots is required for large scale projects (it is recommended the applicant consult an architect to attain an acceptable Site Plan).

A Permit Fee must accompany all Preservation Applications. The amount of the fee is 1% of the estimated construction cost with a minimum of \$10.00 and a maximum of \$450.

PRESERVATION BOARD REVIEW PROCESS

- On more complex projects where alteration of existing elements is contemplated or a new structure is planned, the applicant shall submit a set of preliminary drawings or ideas to the Corporation Office for Preservation Board review. These documents should contain a sketch or drawing showing a site plan, photographs of similar structures or historic details, and other pertinent details to give the Preservation Board an accurate representation to what is being planned. To scale drawings are not required at this point. A conceptual approval may be granted after review by the Preservation Board.
- Once conceptual approval is obtained the applicant must submit a set of final drawings to the Preservation Board which would include but not be limited to a scaled drawing (or drawings), materials list including window and door schedule, and all pertinent representations of the exterior work that is to be done for final approval by the Preservation Board. Once final approval is granted, a Historic Preservation Permit will be issued by the Corporation Office.

HISTORIC PRESERVATION APPEAL PROCESS

- A Historic Preservation applicant may appeal any decision made by the Preservation Board unless the application had been previously rejected by the Board of Directors.

- An appeal shall be made in writing and shall specify the basis for the appeal including any photos, drawings or blueprints, or other documents relative to the case. The specific remedy or nature of the relief requested shall be clearly noted in the document.
- The Preservation Board will provide copies of internal memoranda, meeting minutes, and finding of facts to the Board of Directors for its review only; nothing herein set forth shall be deemed to constitute open access to these records by the applicant in accordance with confidentiality requirements.
- Throughout the appeals process the chairperson of the Preservation Board will be made available to the Directors to clarify the Preservation Board's position and to provide justification for the decision rendered.
- The Board of Directors has the authority to reverse a Preservation Board decision after all pertinent information has been considered and adjudicated by the full Board.
- The result of the Board of Directors decision will be communicated, in writing to the applicant within 30 days of the receipt of the written appeal. This decision will be considered final.

APPENDIX E

DEFINITIONS

See supporting document section at www.tiparkcorp.com

Introduction to Definitions:

One of the most important parts of our Code is the Definitions attached as an Appendix. Definitions are the very heart of the regulatory reach of our regulations and important to the Board when reviewing applications.

Note about Terms in this Code:

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.