

**PROTECTIVE COVENANTS**  
**CROSSROADS BUSINESS PARK**

Prepared by

Fulton County Industrial Development Agency

Adopted: July 21, 1999

## **CROSSROADS BUSINESS PARK**

### **PROTECTIVE COVENANTS**

The Fulton County Industrial Development Agency (“IDA”) hereby declares that the following protective covenants shall apply to all those parcels of land located in the CROSSROADS BUSINESS PARK, South Kingsboro Avenuww, Gloversville, Fulton County, New York, and shall be binding upon all grantees, transferees, lessees or occupants and their grantees, successors, heirs and assigns and shall be conditions, covenants, restrictions, reservations and easements upon said property as herein set forth, and shall be in addition to such other restrictions applicable by law.

#### **SECTION I: SHORT TITLE**

This document shall be known and may be cited as the “Crossroads Business Park Protective Covenants”.

#### **SECTION II: PERMITTED USES**

1. Uses permitted within the Crossroads Business Park shall include those allowed by the City of Gloversville Zoning Ordinances.

#### **SECTION III: SITE PLAN APPROVAL**

1. No buildings or structures shall be erected on any lot within the Crossroads Business Park, except in accordance with all regulations in this section. Changes or alterations to these Plans made subsequent to IDA approval must be resubmitted to the IDA for approval.
2. The IDA shall approve a Site Plan for all projects proposed for the Crossroads Business Park. Each Site Plan shall include:
  - a. The title title of the drawing, including name and address of applicant and person responsible for preparing said plan.
  - b. The Site Plan shall be a 1” = 50’ scale, with 2’ contours. Both existing and final contours shall be shown. The Plan shall show the topography of the lot and areas within 100’ of the lot.

- c. The surveyed location, area, dimensions, and street frontage of the lot including any existing or proposed public or private easements or rights of way.
- d. The location of all storm drainage, including the type, size, and surveyed elevations of all culverts and drain pipe as well as rim and inverts for all catchbasins. The Plan shall identify the quantity of runoff to be generated from the lot from a 25 year storm.
- e. Plans for grading, landscaping, and screening; including a planting schedule and a description of plant types and size proposed to be utilized.
- f. The location of all parking facilities, including the limits of paving, the number and size of spaces and backing area and the access into and out of the property. Identify total area of all parking roads and other paved or concrete areas.
- g. Key spot elevations, including centerline of pavement and edges of pavement at 50' stations.
- h. The location and height of all buildings and structures including the location of outdoor storage area, if any. Identify finished floor elevation of all buildings to be constructed on the property.
- i. Identify building elevations. The principal and accessory uses proposed for each building and the floor area occupied by each.
- j. The location, design and construction materials of sanitary sewers or sewage disposal system. Identify quantity and quality of wastewater to be generated on an average daily and a maximum daily basis.
- k. The location, design and construction materials of new water lines and/or location of groundwater well to service the project. If applicable, identify projected water pressure and volume needed on a daily basis for domestic/production and fire flow purposes.
- l. The location of fire hydrants on site, if any.
- m. The location of all utilities, including electric, gas, phone and others.
- n. Provisions for pedestrian access, if any.
- o. The location, size and design and construction materials of all signs.
- p. A signature line for the Chairman of the IDA to sign, verifying the IDA's approval of the site plan.

3. The Site Plan shall satisfy the following Development Standards:

A. Parking and Driveways:

- a. The location of off-street parking and private driveways shall be subject to review and approval of the IDA.
- b. All parking areas shall be paved with an asphalt surface.
- c. Handicapped parking areas shall be provided as required by all pertinent laws, rules and regulations.
- d. The number of parking spaces to be provided shall be approved by the IDA.

B. Loading and Unloading:

- a. All loading, unloading and deliveries shall occur off public streets.
- b. All loading and unloading areas shall have wither a concrete or an asphaltic concrete pavement of at lease minimum surfacing standards.
- c. Appropriate ingress, egress and circulation shall be provided in addition to
- d. All loading/unloading areas shall be screened so as to not be seen from public streets.

4. Open Storage:

- a. No open storage shall be permitted,
- b. Permission from the IDA for open storage may be provided under special circumstances.
  - 1). All stored materials are screened.
  - 2). No stored materials can be seen from a public street.

5. Billboards and Signs:

- a. No billboards or advertising signs other than those identifying the name, business and products of the person or firm occupying the premises shall be permitted, except that a sign offering the premises for sale or lease may be permitted.

- c. Unless approval in writing is received from the IDA, the sign shall project no more than one (1) foot from the building and cannot be above the roof line. Size of the sign shall not exceed one (1) square foot for every three (3) feet of the building frontage.
- d. Locational signs identifying parking, entrances, loading zones and the like, are also permitted.

6. Landscaping:

- a. All open portions of any lot not improved for parking, loading, driveways or walkways, shall be adequately drained and graded and shall be suitably landscaped with trees, shrubs or planted ground cover or by such other suitable means according to the site plan as approved by IDA.
- b. Yards abutting streets shall be landscaped with an effective combination of trees, ground cover and shrubbery. Other unpaved areas shall be landscaped in a similar manner. Types and sizes of trees, ground cover and shrubbery shall be shown on a landscaping plan and submitted to and approved by the IDA.

7. Waste Disposal:

- a. No waste material or refuse shall be dumped upon or permitted to remain upon any part of said property outside the building constructed thereon unless contained in an exterior waste disposal storage system approved by the IDA.

8. Drainage:

- a. All surface water created by roofs, parking lots, or other man-made structures shall be collected and, if necessary, stored by an on-site storm drainage system.
- b. The rate of runoff from a project site shall not exceed the predevelopment rate of runoff from the Site.

9. Utilities and Power Lines:

- a. All utility, electrical, telephone or other lines shall be placed underground between buildings and lot lines and buildings or other structures.

#### **SECTION IV: GENERAL MAINTENANCE**

1. Each property owner, lessee or occupant shall maintain the roads within its own property and the structures in good condition, and the grounds, roads, parking areas, grass, shrubs and trees in a clean and tidy manner.
2. Each property owner, lessee or occupant shall provide for the removal of trash and rubbish from its premises.
3. During construction, it shall be the responsibility of each property owner, lessee or occupant to ensure that construction sites are kept free of unsightly accumulations of rubbish and scrap materials, and that construction material, shacks and the like are kept in a neat and orderly manner. In the event that the owner, lessee or occupant (if the occupant has assumed such obligation under its lease of the property) fails to do so, IDA reserves the rights, after advance written notice, to have the necessary work performed and billed to the owner, lessee and/or occupant.

#### **SECTION V: SUBDIVISION**

1. The acquisition of any parcel of land in the Crossroads Business Park shall require a subdivision approval from the City of Groversville Planning Commission.

#### **SECTION VI: GENERAL PROVISIONS**


1. **Effective Date:** These covenants shall become effective upon the recording hereof in the Fulton County Clerk's Office.
2. **To Run With Land:** Except as otherwise set forth herein, the covenants herein set forth shall run with the land and shall bind the present owner, its successors and assigns; and all parties claiming by, through or under them.
3. **Life:** Each of the conditions set forth above shall continue and be binding upon the grantee, upon its successors and assigns and upon each of them and all parties and persons claiming under or through them, from the recording hereof in the Fulton County Clerk's Office.
4. **Separability:** Invalidation of any of these covenants or any part thereof by judgment, court order or operation of law shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.
5. **Amendment:** These covenants may be amended by duly authorized vote of the IDA, or its successor organization, upon recording thereof in the Fulton County Clerk's Office, taken after written notice and an opportunity to be

heard has been provided to all owners of record in the Crossroads Business Park.

6. Compliance With Applicable Laws, Rules and Regulations: All structures and modifications thereof are to be built in compliance with applicable laws, rules and regulations of the United States, New York State and City of Gloversville.

IN WITNESS THEREOF, the grantor, Fulton County Industrial Development Agency has caused this instrument to be signed in its name by its Chairman and attested by its Secretary by Order of its Board of Directors this 21<sup>st</sup> day of July, 1999.



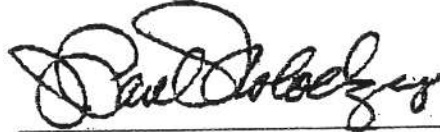
  
RICHARD SMITH  
CHAIRMAN

ATTEST:  
  
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STATE OF NEW YORK )  
COUNTY OF FULTON ) SS:

On this 30<sup>th</sup> day of August, 1999, before me personally came RICHARD SMITH, to me known, who being by me duly sworn, did depose and say that deponent resides at 1131 County Hwy 122, Gloversville, New York 12078, that deponent is the Chairman of Fulton County Industrial Development Agency, the corporation described in and which executed the foregoing instrument and that deponent knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that deponent signed said instrument by like order.



Notary Public

My comm. expires:

8/31/00