

10. Individual Standards for Selected Uses

In addition to Section V, Site Plan Section (XIII), and other requirements of this zoning ordinance, these development standards shall be met for the following uses requiring a special use permit:

Adult Entertainment –

1. All Adult Entertainment Uses shall comply with the following requirements:

- a. No adult entertainment establishment shall be located within the following designated areas¹:
 1. Within 500 feet from the nearest boundary line of any residential zoning district;
 2. Within 1000 feet from the nearest property line of any public or private school, any municipal building open to the general public; any church or other religious facility; any public park or recreation area and any principal or accessory private recreational facility use or club; and any group day care center, family day care center, nursing home and hospital.
 3. Within 1000 feet from the nearest property line of any other adult entertainment establishment.
- b. Not more than one (1) adult entertainment use or adult business uses shall be located in the same building or upon the same lot or parcel of land.
- c. Adult entertainment uses shall be on a minimum parcel size of three (3) acres and have a maximum building footprint of 5,000 square feet.
- d. All adult entertainment uses shall have a 250' front setback.
- e. Screening (minimum height of 6 feet) of the building containing an adult entertainment use and/or the accessory uses from all adjacent roads and all parking lots shall be provided for. Such screening may be a forever-live vegetated buffer, or stockade/weave fencing. Such stockade or weave fencing will be built and maintained at all times.
- f. An adult entertainment use shall not be allowed within a building containing other retail, consumer or residential uses, or within a shopping center, shopping plaza, or mall.

¹ The distances specified above shall be measured by a straight line at a 90 degree angle from the nearest property line of the premises on which the adult entertainment is to be located to the nearest boundary line of a residential zoning district, or to the nearest property line of any residential use, public or private school, church or other religious facility, public park or recreational area, group day care center, family day care center, nursing home, hospital or any other adult entertainment use, as the case may be.

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- g. The appearance of buildings for adult uses shall be consistent with the appearance of buildings in the adjacent area, and not employ unusual color or building design that would attract attention to the premises.
- h. There shall be screening of windows and doors to prevent the public's view of the interior from any public or private right of way or abutting property.
- i. Sign content shall identify the name of the establishment only. Only one free standing or mounted on the building wall identification sign shall be allowed for an adult use and shall not be larger than 12 square feet. All other signs whether on the exterior of the building or visible from the exterior of the building are prohibited.
- j. No adult entertainment business or establishment may have any flashing lights visible from outside the establishment. Furthermore, no sign shall rotate, be animated or contain reflective, fluorescent, or neon lighting elements.
- k. No pictures, publications, videotapes, movies, covers or other advertising items that fall within the definition of an adult bookstore, adult motion picture theater/media center, adult paraphernalia store, adult live nudity establishment or adult video store shall be displayed in the windows of, or on the building of, any adult entertainment use establishment.

Animal Agriculture in the Hamlet - B/R and R2 Districts

- 1. Application submission requirements for animal agriculture in these districts shall include:
 - a. Location of all structures, barns, manure storage areas, ponds, equipment sheds, silos, and pastures to be included in the area used for agricultural purposes.
 - b. Description of all fencing to be used.
 - c. Location and ownership identification and address for all adjacent lands as shown on the latest tax records.
 - d. Description of any farm road or access to fields, pastures and barnyards.
 - e. Location of any wetland, stream, floodplain, vernal pool, or other water body on the parcel.
 - f. Description of methods to remove or manage manure waste from animals.
 - g. Description of agricultural operation and kind and number of animals to be raised.
- 2 The Planning Board shall ensure that:
 - a. Adequate acreage exists for proper care and feeding of animals as per the table below:

1. Rabbits – No minimum acreage requirements if rabbits are kept in hutches.
2. Poultry, outdoor: ½ acre for 12 birds or less, one acre per 13 to 20 birds, no roosters.
3. It is recommended livestock should be stocked at one Animal Unit per acre.

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An Animal Unit is equivalent to a 1000 lb non-lactating cow.
4. Sheep, Goats – Maximum 5 adult animals per acre.
5. Alpacas and Llamas – Maximum 6 llamas and adult alpacas per acre.
6. Pigs – Finishing/market hogs (235 to 270 lbs.) – maximum 4 head per acre. Adult pigs (300-500 lbs) – Maximum 3 head per acre. One or two sows with litter per acre.
7. Cattle – 1 adult animal per acre.
8. Horses – 1 adult animal per acre.
9. Miniature equine – Maximum 4 adult animals per acre.
10. Mink, Raccoons – 10 animals/two acres not to exceed 10% of the lot area.

- b. Adequate methods are in place for addressing manure management.
 - c. Buffers are established by the agricultural operator to ensure that noise or odors from the agricultural operation are minimized.
 - d. Setbacks from property lines and wetlands, streams, and floodplains are established pursuant to sub-section 4, below.
3. The agricultural operator shall provide a minimum of fifty (50) foot buffer between all buildings and structures used to store feed, other materials or manure from adjacent properties to minimize impacts of noise or odor. Such buffers may consist of plant screening, woodlands, vegetated berms, fences, or natural topographic features. A minimum of one hundred (100) feet shall be provided between any area or structure used for the storage of animal wastes and wetlands and waterways. The Planning Board may require other setbacks if necessary to minimize noise, odor or risk of water pollution.
4. All livestock shall be fenced. No animal shall have direct access to a wetland regulated by the New York State Department of Environmental Conservation or the US Army Corps of Engineers, impoundment, stream, spring or well on the lot on which the livestock is located.
5. No roosters shall be allowed in hamlet districts.

Aquaculture and Fish Hatchery

- a. The operator shall maintain any required license that may be required by the NYS Department of Environmental Conservation, the NYS Department of Health or other agencies.
- b. Any water tank shall not be connected to any sewer system, if present.
- c. All waste water from the facility shall be treated as per New York State Department of Health requirements and shall not be released into streams, wetlands, or surface or ground water.
- d. The Planning Board shall ensure, prior to approval that an adequate water supply exists and that consumption of such water will not negatively impact wells in the vicinity of the facility.

- e. The Planning Board may require that all structures be soundproofed so as to minimize noise from pumps or other operations beyond the parcel boundary.

Antique restoration and Furniture Refinishing

- a. All chemicals used in the restoration process shall be stored indoors.
- b. All waste products resulting from the restoration process shall be properly disposed of in an acceptable waste management facility.
- c. No noxious fumes or odors shall be noticeable at property boundaries.

Assisted living/continuous care facility, Nursing home

- a. The building shall not exceed two stories in height. Multiple buildings containing dwelling units are permitted on a single parcel provided each building is separated by at least 25 feet. The maximum number of dwelling units within a single building shall be permitted at a density equivalent to four dwellings per acre, with a maximum of 20 units if the parcel size can accommodate that density.
- b. The building shall conform to the setback and lot coverage standards generally applicable within the zoning district.
- c. Applicants shall consult the Fair Housing Accessibility Guidelines (available online at www.hud.gov/fhefhag.html). The applicant shall comply with Section 804(f)(5)(C) of the Fair Housing Act of 1988 and the implementing regulations codified at 24 C.R. R. 100.205.
- d. Common open space areas of 500 square feet per dwelling unit shall be required on the parcel. Open space provided shall be accessible to all residents of the development.
- e. Sidewalks shall be provided for within the interior of the development to link residential buildings with other destinations, such as, but not limited to parking, mailboxes, trash disposal, adjoining sidewalks or open spaces, and on-site amenities such as recreation areas.
- f. Building design shall emulate the typical single-family residence in Ancram. No monotonous, "barracks"-style buildings shall be allowed. Buildings having facades wider than 80 feet shall incorporate wall plane projections or recesses. Ground-floor facades that face public streets shall have windows, entry areas, awnings or other such features for at least 60 percent of the horizontal length.
- g. No one building shall exceed 150 feet in length.
- h. Buildings shall be arranged so that they are aligned parallel to a sidewalk, or around common open space such as courtyards or greens. Buildings shall not face the rear of other buildings on the same lot or parcel.
- i. Entryways shall face a street, sidewalk, or common area.
- j. Parking areas and drives shall be located no closer than 25 feet to a residential building in order to accommodate sidewalks. The distance between parking areas and drives

may be reduced where the Planning Board determines that resident mobility needs demand closer placement.

- k. A landscaping plan, lighting plan, building elevations, and floor plans for each residential dwelling shall be submitted as part of the review.
- l. A centralized location, screened from view, shall be provided for on-site solid waste storage and recycling receptacles.

Auto Body Repair/Paint Shop

- a. All automotive repair work shall be conducted in fully enclosed building. All vehicles whether registered or not, stored on the premises in excess of seventy two (72) hours shall be shielded from view from the road or placed in an enclosed storage yard.
- b. The exterior display or storage of new or used automobiles, or of automobile parts, is prohibited. The following activities and equipment are permitted in the rear yard and at least 50 feet from the lot line:
 - 1) temporary storage of vehicles during repair and pending deliver to the customer;
 - 2) vacuuming and cleaning
- c. Where an automotive repair use adjoins a residential use, a minimum ten (10) foot high landscape screen shall be provided adjacent to the shared property line.
- d. Bay doors to the garage shall not front on any public right-of-way. Bay doors shall face the rear yard. The Planning Board may approve an alternative orientation to mitigate impacts to adjoining uses.
- e. Dumpster locations shall be screened from public view. All refuse shall be disposed of in appropriate waste containers and removed from the premises on a regular basis. Waste oil, grease and other solvents shall be disposed-of off-site and in accordance with all applicable federal, state and local laws.
- f. No parking shall be permitted within the front yard and shall be provided for to the side or the rear of the structure.

Baseball Practice Facility

- a. Sports fields, courts and baseball cages, including any slabs, fences, overhead light-standards, or other accessory fixtures, shall be setback at least fifteen (15) feet from all side property lines and at least 15 feet from the rear property line. .
- b. Fencing shall not exceed a height of twelve feet, and shall be constructed of materials which reduce noise associated with their use. All fencing for batting cages must be lined with a mesh-netting interior to capture balls and reduce noise during use. For all batting cages, padding and a hanging net in front of the rear backstop shall be provided behind home-plate to reduce noise resulting from balls hitting the back of the cage. All structural support posts and framing shall be padded to reduce noise.

- c. The following minimum standards shall be met in the installation of lights. In addition to the following standards, the Planning Board may impose other conditions which are deemed appropriate to minimize lighting impacts:
 - 1. Height. Light standards and fixtures shall not exceed twenty (20) feet in height, measured from the finished surface of the court.
 - 2. Hours of Illumination. Lights shall be turned off between ten p.m. and seven a.m. A timer shall be installed such that it automatically shuts off within one hour of non-use.
 - 3. Intensity Level. Lights shall not blink or flash. Lighting shall be shielded or recessed so that direct glare and reflections are confined to the maximum extent feasible within the boundaries of the site, and shall be directed downward and away from adjoining properties and public rights-of-way. The intensity of lighting shall be not more than one footcandle above ambient levels at property lines.
- d. Landscape Plan. A landscape plan shall be submitted.

Bed and Breakfast

- a. Bed and breakfasts shall be owner-occupied and their Certificate of Occupancy shall so stipulate. Further, all bed and breakfasts must also be consistent with all New York State Uniform Fire Prevention and Building Code standards.
- b. Off-street parking shall not be located in a front yard and shall be screened from roads and adjacent properties so as to provide no variation from the residential character of the site. Off-street parking spaces for members of the owner's family residing in the dwelling unit as well as one (1) parking space per room shall be provided.
- c. Each bed-and-breakfast shall be established, maintained and operated so as to preserve and complement the residential character and integrity of the surrounding area.
- d. A single exterior sign or display may be established on the site of the bed-and-breakfast. The sign or display shall not exceed six (6) square feet in area. No freestanding sign shall be located less than fifteen (15) feet from the front property line or less than five (5) feet from the side property line. Further, the sign or display shall be as unobtrusive as reasonably possible and may be externally illuminated.
- e. During Site Plan Review, the Planning Board shall consider the
 - 1. Adequacy and arrangement of vehicle traffic access and circulation,
 - 2. Location, arrangement, appearance and sufficiency of off-street parking,
 - 3. Location, arrangement, size and design of lighting and signs,
 - 4. Relationship and compatibility of proposed use (bed-and-breakfast) to uses of adjacent parcels in the immediate vicinity, together with their scale,
 - 5. Adequacy, type and arrangement of trees, shrubs, fences and other landscaping or improvement constituting a visual or noise-deterring buffer between the site and adjacent or adjoining uses.

Commercial Kennel and Veterinarian/Animal Clinic/Animal Hospital

The Planning Board shall review any such proposed use to determine that it will not adversely affect the existing character of the neighborhood or surrounding area. Any special use permit issued for a kennel shall be for a term of one year. Such permit shall be renewable by the Zoning Enforcement Officer provided all original special use permit conditions continue to be met. In particular the Board shall review any application for such use according to the following:

- a. The minimum lot size shall be five (5) acres.
- b. All kennels, animal enclosures, buildings, or fences shall have a setback equal to a distance of at least 10% of the square footage of the proposed structure, plus the applicable required side and rear setbacks established in Table 2 from the property line of any existing, adjacent residence. In no case shall the proposed structure be sited closer than the side and rear yard setbacks established in Table 2.
- c. All outdoor areas used by animals shall be located to the side or rear of the principal building on the site. Such areas shall be enclosed by fencing of a type of construction and height sufficient to confine any animal on the premises.
- d. In considering the application for a Special Use Permit for a kennel, the Planning Board shall consider the number, size, breed and temperament of animals to be sheltered in order to ensure the health, safety and general welfare of the community.
- e. Buildings in which animals are to be housed shall have adequate provisions for heat, ventilation and sanitation for proper maintenance of the health of the animals. Sufficient housing shall be provided to ensure that all animals can be confined inside a building simultaneously.
- f. Adequate provisions shall be made for sanitary disposal of animal waste supplies and to preclude offensive odors becoming a nuisance.
- g. In issuing the Special Use Permit approval for a Kennel, the Planning Board shall stipulate the maximum number and type of animals to be boarded, harbored or trained.
- h. All animals being boarded, harbored or trained in a kennel facility shall be confined indoors during hours of darkness.

Camp, Campground

- a. The minimum lot area shall be twenty five (25) acres.
- b. Multiple buildings for sleeping quarters and tents may be permitted on the lot. No building or structure shall be closer than one hundred (100) feet from any lot line and all activities shall be effectively screened as required by the Planning Board from adjacent lots.
- c. Amplifier systems shall be designed so as not to be audible beyond the property lines.

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- d. Sanitary and wastewater disposal systems shall be approved by the New York State Department of Health. Sufficient supply of pure drinking water shall be provided for each camp site. Camps must be kept in a clean and sanitary condition and free of physical or fire hazards at all times and must in all respects conform to the provisions of Chapter I, Part 7, of the New York State Sanitary Code entitled "Temporary Residences," which chapter and part are hereby incorporated herein by reference as though set forth herein at length. All camping grounds shall be provided with toilets, showers, sinks, and other sanitary facilities. Toilet facilities shall consist of not less than one flush toilet for every ten camp sites, one urinal for every ten camp sites, one shower with individual dressing accommodations for every ten camp sites, and one sink for every five camp sites.
- e. Adequate emergency access shall be provided throughout the camp site.
- f. No permanent dwellings shall be permitted except for one dwelling to be used by the owner or resident manager of the camp.
- g. Summer camps shall be operational only between Memorial Day and Labor Day.
- h. Any camping site within the campground shall contain not less than 1,600 square feet and shall not be less than 40 feet on its shortest dimension. No two temporary dwellings shall be so located that they are within 20 feet of each other. No camp site shall be located within 50 feet of any public highway or public street line or within 50 feet of any adjacent property line. All units shall be consecutively numbered with the number conspicuously posted on each camp site.
- i. Garbage receptacles. Each camping ground shall provide equipment sufficient to prevent littering of the grounds, in or around the grounds with rubbish, garbage and refuse, and must provide metal depositories with tight-fitting covers at convenient locations throughout the grounds. Such depositories shall be located so that no camp site will be more than 100 feet from a depository collected daily.
- j. Electric service and connections. All such connections and service outlets shall be weatherproof and shall be of the type approved by the New York Board of Fire Underwriters.

Compost Facility

- a. The applicant shall include plans and specifications to include:
 - 1. All works to be constructed;
 - 2. The design capacities of the facilities;
 - 3. Leachate management plan;
 - 4. A comprehensive odor management plan designed to prevent noxious odors from migrating off site; and,
 - 5. An operating and closure plan
- b. An impermeable surface for all areas of the compost facility with the exception of the compost curing area shall be provided for.
- c. The site shall include appropriate buffer zones of at least 100 feet from adjacent land uses and environmental features such as streams and wetlands.

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- d. No composting facility shall be developed within any floodplain.
- e. A leachate management system shall be provided for to remove sediment, reduce metals concentrations and destroy pathogens.
- f. The Planning Board may require an equipment wash area with oil/water separator and water treatment separate from the management system.
- g. The unloading and preparation area, and active composting areas must be an impermeable surface away from the main traffic flow pattern.
- h. A designated area where all water is directed to a treatment or sewage system shall be required.
- i. The hours of operation shall be limited to between 8:00 AM and 7:00 PM.
- j. The facility shall not generate noise exceeding 55 decibels at the property line.
- k. All exterior lights shall use full-cut off fixtures to eliminate glare at property lines.

Contracting Office – See Service Business. For equipment storage that may be associated with contractor uses, see Equipment Storage.

Day care/ Pre-school

- a. The lot area shall be not less than (1) acre.
- b. All buildings, structures, and areas of organized activity such as play areas, swimming pools, etc., shall be not less than 75 feet from any property line.
- c. Off-street parking areas shall be not less than 50 feet from any property line.
- d. Public address systems are prohibited.
- e. Only one (1) identification sign shall be permitted as per Supplemental Regulations, Section V(D), Signs.
- f. Landscaping and fencing shall be provided as required by the Planning Board.

ECHO (Elder) Housing

- a. Occupancy. An elder cottage shall not be occupied by more than two persons, who shall be persons 55 years of age or older, and at least one of such person shall be a family relation of the owner occupant of the dwelling. The family relationship may be waived by the Planning Board where the applicant can show a long standing relationship substantially equivalent to a familial relationship and the maintenance of the unit is not simply an economic relationship.
- b. The elder cottage shall not exceed 650 square feet in gross floor area and be no less than 250 square feet.

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- c. An elder cottage is permitted accessory to a single-family detached dwelling. No more than one elder cottage is permitted per lot.
- d. An elder cottage is permitted within a rear yard exclusive of the required setback.
- e. The exterior appearance of the elder cottage shall be in harmony with the existing single family detached dwelling.
- f. An elder cottage shall be constructed so as to be easily removable.
- g. The special use permit shall be renewed annually. The owner of the dwelling to which the elder cottage is accessory shall submit a letter substantiating that circumstances of the original application have not changed. Special permit approval shall terminate 120 days after the death or permanent change of residence of the original occupant or occupants of the elder cottage.
- h. The site plan application shall include the following:
 - 1. Name and age of proposed occupants of the elder cottage and relationship to owner of the dwelling to which the elder cottage will be accessory.
 - 2. Proposed location and size of the elder cottage.
 - 3. Photos, sketches, or other materials which describe the floor plan and exterior appearance of the proposed elder cottage.
 - 4. A signed agreement consenting to remove the elder cottage upon special permit expiration, including consent for the Town to enter on the property and to remove the elder cottage if the owner fails to timely remove it, said cost to be borne by the owner.

Educational Facility

- a. There shall be a minimum of 5 acres, plus two acres for each 100 pupils.
- b. Adequate roads for ingress and egress shall be provided, which roads shall create no unusual traffic hazard or traffic congestion.
- c. The maximum permitted building height may be increased from 35' to 45', provided that the minimum property line setback for buildings shall be three times the building height of the tallest building.
- d. Appropriate buffer screening shall be designed and installed within setback areas adjoining or facing residential properties.
- e. All lighting shall use fully shielded cut off fixtures. No glare shall extend beyond property lines.

Equipment and Material Storage associated with home-based businesses, contracting business, and other businesses that require outdoor storage of equipment and materials.

- a. The outside storage of goods, supplies, parts, materials, or heavy equipment including the use of portable on-demand storage units, must be located in the rear yard only and hidden visually from adjacent residential uses or shall be stored in an enclosed structure.
- b. Outside storage areas shall not exceed twenty five (25%) percent of the total area of the site for commercial uses where allowed, and thirty percent 30% for home based businesses.
- c. Parking shall be located behind a principal building, if one exists, or if one does not exist, shall be provided in a parking area completely screened from view from the public road and from adjacent residential uses.
- d. The Planning Board shall evaluate impacts related to noise, traffic, hours of operation, and lighting requirements and shall minimize negative impacts on adjacent uses.

Firing Range (indoor)

- a. The parcel size shall be a minimum of 2 acres.
- b. No building or structure housing a firing range shall be within five hundred feet of the property line. The minimum setbacks may be increased by the Planning Board or if so warranted by the design standards of the National Rifle Association.
- c. The design of the facility shall clearly show that safety of persons on and off the site is ensured. This shall mean that no projectile of any kind may be permitted to leave the site. Unless this safety requirement is clearly indicated by the design plans, a permit shall not be issued.
- d. The intensity level of sounds if requested by the Planning Board, shall not exceed fifty-five (55) decibels at the common lot line when adjacent to residential uses and residential districts. The sound levels shall be measured with a type of audio output meter approved by the United States Bureau of Standards.
- e. There shall be no guns sold on site unless the owner of the property is selling and has a Federal Firearms License by the Federal Law.
- f. The Planning Board may specify hours of operation.

Food and Beverage Uses (banquet hall, restaurant, café, bar, take out, ice cream parlor, etc.)

- a. Parking is not permitted in the front yard and shall be situated to the side or rear of the structure. Parking lots located to the side of the structure shall be screened from view by vegetation.
- b. An applicant shall clearly demonstrate that the use will be compatible with the adjoining uses, particularly with regard to traffic circulation, parking, and appearance. No more than two (2) curb cuts per lot frontage shall be allowed.

- c. Sufficient screening shall be provided to buffer the site from noise so that the food or beverage use does not increase the ambient noise conditions and so that there is no noise impacts on adjacent residences.
- d. All lighting shall use fully shielded cut off fixtures. No glare shall extend beyond property lines.
- e. Where a residential building is proposed to be converted to a restaurant, exterior alterations shall be made in a manner that preserves the essential residential character of the building. All new construction shall also meet commercial design standards pursuant to Section V (l).
- f. All bars and taverns shall meet all requirements of the New York State Alcohol and Beverage Liquor Law.

Food Processing/Distribution Facility – See Light Industry/Manufacturing Facility.

Foundry

- a. The building area shall be limited to 1,000 gross square feet;
- b. The entire operation shall be conducted within a building; and
- c. No outside storage is permitted.

Garbage/Trash Removal Service

- a. No garbage or trash shall be stored on-site. All garbage or trash collected by the service shall be delivered to a legal waste management facility licensed for such material.
- b. Sufficient screening shall be provided to buffer the site from noise and odors so that the garbage/trash removal service does not increase the ambient noise conditions and so that there is no noise or odor impacts on adjacent properties.
- c. All lighting shall use fully shielded cut off fixtures. No glare shall extend beyond property lines.
- d. The site shall be fully screened to prevent views of the operations. Screening can include fencing, vegetated berms, or use of natural vegetation.

Gasoline Station, Service Stations and Related Uses including garage, convenience store, or other multiple uses associated with filling or service station.

- a. Filling stations (and that portion of a convenience store that may have gas facilities) shall be permitted only on lots having at least one (1) acres of area and having at least two hundred fifty (250) feet of road frontage.
- b. Principal buildings shall be oriented to the street.

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- c. Except for any access drive, the area to be used by motor vehicles as well as any structure shall not encroach on any required yard area.
- d. No fuel pump shall be located closer than twenty (20) feet from any side lot line nor closer than thirty five (35) feet from any street line, as measured from the outside of the fuel island. Pumps shall be sited to the side or rear of the structure and not between the building and the street.
- e. All repair work and storage shall be conducted within a completely enclosed building. The maximum height of that building shall be twenty five (25) feet.
- f. Canopies (the protective cover that is not enclosed on any of its four sides and is provided for a service area designated for the dispensing of gasoline, oil, antifreeze, and similar products) shall not exceed 16 feet in height or the height of the principal building, whichever is less. Canopies shall be architecturally integrated with the principal building through the use of the same or compatible materials, colors and roof pitch. Any lighting fixtures that are a part of the underside of the canopy shall be recessed into the underside of the canopy so as not to protrude below the canopy ceiling surface more than 2 inches.
- g. The Planning Board may limit the number of gas pumps to ensure consistency in scale between the gas filling station and adjacent land uses.
- h. There shall be no glare of gas pump island canopies outside the boundaries of the site. All gas pump island canopy lights shall be recessed with no bulb, lens or globes extending below the casing or canopy ceiling.
- i. No signs shall be allowed on the canopy mansard, fascia or roof area covering gas pumps.
- j. There shall be no amplified sound audible at property lines. The Planning Board may prohibit the outdoor use of amplified sound for gas stations if, in their opinion, such sound could disturb adjacent residences.
- k. All pumps, pump islands, tanks, piping and canopies shall be removed when fuel dispensing activity has been inactive for a period of twelve (12) months.
- l. The gas pump island canopy shall reflect the design of the building and be consistent with the main structure's roofline.
- m. Construction, maintenance and inspection of any gas filling station shall use all applicable federal, state and county environmental protection and mitigation requirements relative to installation, use and removal of tanks and pumps.
- n. The Planning Board shall require a traffic impact analysis.
- o. Applicants shall prepare and maintain on site, an acceptable Spill Prevention, Control and Countermeasure Plan prepared under the supervision of a professional licensed engineer.
- p. Employees shall be up-to-date in Spill Prevention training.

- q. The Planning Board may limit hours of operation or limit acceptable hours of fuel delivery where a gas station is adjacent to residential uses.
- r. Applicants shall evaluate site conditions and provide information, analysis, and evidence that the proposed gasoline filling station will not degrade the quality of groundwater. Mitigation measures if needed, including, but not limited to use of encased above ground tanks shall be implemented to reduce or eliminate risks to groundwater.

Golf Course (private or public, 9 or 18 hole)

- a. A special use permit shall be required to operate a golf course, including all uses and structures accessory thereto. The following uses shall be permitted as accessory uses to a golf course: clubhouse (including dining rooms, common rooms, pro shop, social rooms, kitchen and locker rooms), snack bar/refreshment stand, a groundskeeper residence, putting greens, practice range, parking, maintenance facility, garage, cart storage facility, and water supply impoundments. The proposed golf course shall be integrated with any existing development and land uses adjacent to the site, including safe locations for golf holes (tees, holes and greens), and practice areas, as related to adjacent roads, residential development, and other neighboring improvements.
- b. Where a golf course site is adjacent to, contains, or incorporates flood plains, open water, watercourses, trails, flyways, and conservation areas, the applicant may be required to provide and maintain an adequately designed walking trail easement within the property open to the public in furtherance of the Town's goal of linking open spaces in the community. The pedestrian easement shall be located so it does not interfere with play and shall be appropriately isolated from the general operation of the golf course. The easement shall be held by the Town of Ancram, a land trust, or another non-profit environmental organization as allowed by New York State Law.
- c. Assurances shall be provided by the applicant that the necessary infrastructure and utilities, including sanitary disposal system, potable water and irrigation water are available from on-site municipal or private systems. The provision of infrastructure and utilities shall not have a detrimental impact on groundwater or surface water resources.
- d. The golf course shall have two safe and adequate access points from one or more public roads. One of the two accesses may be provided for emergency access only, if, in the determination of the Planning Board, said arrangement provides adequate access. The two means of access shall be connected internally and may be achieved by use of a stabilized surface sufficient to allow passage by emergency vehicles.
- e. Adequate provisions shall be made for solid waste collection and storage. All solid waste storage shall be adequately screened and buffered.
- f. All signs shall meet all requirements of Section V (D).
- g. Amplifier systems shall be designed so as not to be audible beyond the property lines.

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- h. The number of parking spaces shall be as few as necessary to serve the golf course and accessory uses. The number shall be determined by a parking needs study to be conducted by the applicant and submitted at the same time as the special use permit application.
- i. A minimum vegetative buffer shall be maintained between any watercourse or wetland and any turf area which is to be treated chemically. The Planning Board shall retain an ecologist and/or other specialist(s) to review the plans and recommend appropriate buffer sizes which will depend on the specific nature of the watercourse or wetland to be protected. The buffer shall be of sufficient size and design to protect the surface water from chemicals carried by stormwater runoff. The Planning Board may consider alternative methods of protecting wetlands and water courses, e.g., diversion of runoff via swales, where it determines that said methods protect watercourses, wetlands and other natural water bodies.
- j. Adequate provisions shall be made by the golf course operator to handle the crowd generated by special events open to the public such as tournaments, and to satisfactorily mitigate off-site impacts including traffic management, parking, trash removal and waste disposal, security and safety and utility demand. The golf course may be required to post a performance guarantee for these purposes. All local permissions and permits required for a special event shall be obtained prior to the event.
- k. The course shall be designed, to the extent possible, in a manner that preserves existing woodland and wooded corridors. Clearance of woodland shall not exceed 50 percent of the total acreage of the lot on which the golf course shall be situated.
- l. Turf management and water quality. As part of the application for site plan approval, the applicant shall submit a turf management plan and an integrated pest management plan specific to the operation and maintenance of the proposed golf course. These plans shall be prepared in accordance with any guidelines established by the New York State Department of Environmental Conservation and shall also take into consideration guidelines established by the United States Golf Association. These plans must include best management practices to prevent or minimize adverse impacts of chemical applications on the groundwater and surface water resources to which the golf course contributes drainage.
- m. Assurances shall be provided that any adverse impacts on groundwater or surface water quality resulting attributable to the golf course will be mitigated. The applicant shall provide for the monitoring of water quality of groundwater and surface water resources. The monitoring program, including the timing and frequency of testing and the identification of chemical parameters to be tested shall be established at the time the integrated turf management plan and integrated pest management plan are approved as part of the application. The applicant may be required to install permanent water quality monitoring devices to monitor water quality on an ongoing basis. The Planning Board and the applicant shall mutually agree to an independent consultant who shall be responsible for carrying out the monitoring program and the cost of the monitoring shall be borne by the applicant/owner of the golf course facility. The results and findings of any water quality monitoring shall be submitted

by the owner to the Town to ensure compliance with the conditions of special use permit approval.

Gravel Mining:

- a. All large and small mines, except as exempted in sub-section (b) of this section, shall require a special use permit and site plan approval by the Planning Board. However, for certain mining activities, the New York State Mined Reclamation Law (MLRL) establishes that New York State Department of Environmental Conservation (NYS DEC) is responsible for the regulation and permitting of mining activities and reclamation of same for operations that extract one thousand (1,000) tons or seven hundred fifty (750) cubic yards or more of a mineral during twelve (12) consecutive calendar months. The NYS DEC is the entity responsible for administering a MLRL permit for mining.
- b. Exemptions. The following activities shall not require a gravel mining special use permit, but may require a permit from the ZEO:
 1. The removal of up to seven hundred and forty nine (749) cubic yards of earth material in twelve (12) consecutive months as set forth above.
 2. Operations in connection with construction of improvements, changing of contours, and grading of lots in an approved subdivision, or on a parcel associated with an approved Site Plan provided that no more than seven hundred and forty nine (749) cubic yards of earth materials are removed from the lot.
 3. Construction of a pond where no more than eight thousand (8,000) cubic yards of material are removed from the site.
- c. For Small Mines (no more than 749 cubic yards) where no NYS DEC MLRL Permit is required but a permit from the ZEO is required, the following standards shall be met:
 1. No mining may take place within seventy five (75) feet of any property boundary nor within two hundred (200) feet from any public roadway.
 2. To guard against erosion, no mining may take place on slopes greater than 33%.
 3. If land disturbance is to be one acre or larger, a stormwater and erosion control plan shall be developed and filed with New York State pursuant to the SWPPP requirements of [SPDES General Permit for Stormwater Discharges from Construction Activity - GP-0-10-001](#).
 4. The hours of operation shall not exceed twelve (12) hours in any one day nor commence before 7:00 a.m. on any day nor extend beyond 7:00 p.m. on any day, nor shall there be any operation conducted on Sunday.
 5. No sharp pits, depressions or soil erosion problems shall be created and no slopes or banks shall exceed whatever slope is necessary in order to obtain stability.
 6. No dumping or other disposal of either solid or liquid waste shall be allowed as part of the mining operation.

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- d. For Large Mines (750 cubic yards or more) subject to NYS MLRL requirements, the applicant shall simultaneously apply to both the NYS DEC and the Planning Board. As per the NYS MLRL, the Town of Ancram can address:
 - 1. Whether mining is permitted in the location indicated on the MLRL permit application.
 - 2. The appropriate setbacks from roads and property boundaries.
 - 3. The location and design of barriers to restrict access to the mine.
 - 4. Dust control measures.
 - 5. Hours of operation.
 - 6. Any other issue as may be referenced in and appropriate under the MLRL.
- e. In addition to any other Site Plan, Special Use or DEC Mining Permit Applications that may be required, an application for a local mining approval shall also show the following:
 - 1. The full names, signatures and addresses of the owner, lessee, operator and applicant and the written consent of the mortgagee, if any.
 - 2. Proof of ownership of the property and the names and addresses of all parties having an interest in any entity involved as the owner or operator of the site, such as a limited liability company, corporation or limited partnership which owns or has an interest in the property. If the property is owned in whole or in part by a corporation or limited liability company, the applicant shall provide the names and addresses of all officers, stock shareholders or members of each entity.
 - 3. Description of proposed operations. A statement clearly detailing the nature and extent of operations, including the type and amount of material to be filled, re-graded or removed, the manner in which it will be accomplished, the proposed hours of operation, and a time schedule for the completion of the various stages of the operation.
 - 4. Site Plan Map. A Site Plan map drawn to scale, prepared by an engineer or surveyor licensed to practice in the State of New York, showing all improvements on the property as well as the proposed area for mining and other improvements to be constructed in connection with the mining operation.
 - 5. Boundaries of property. The boundaries of property where the excavation is proposed and the area to be excavated, filled or re-graded.
 - 6. Existing contours. Existing contours in the area of operations and the proposed contours after completion of the work, which contours shall be prepared from an actual field survey, shall be based on a bench mark note and described on the map and shall be drawn to a scale of not less than one hundred (100) feet to the inch and with a contour interval not to exceed two (2) feet. If necessary, the Planning Board may require more detailed contours.

7. Existing and proposed water bodies and drainage. Existing and proposed watercourses, water bodies, erosion control and drainage on the premises.
 8. Surrounding area. Surrounding streets and property lines and names of property owners, natural features, existing and proposed structures, a phasing plan, if any, and the environmental assessment form necessary to comply with SEQRA.
 9. Other. Such other maps, plans, boring tests, feasibility studies and engineering data as may be required by the Planning Board in order to determine and provide for the proper enforcement of these regulations.
- f. The Planning Board shall determine the length of any mining permit issued, however, no mining permit shall be issued for more than five years. If it is contemplated that the mining operation will take more than 5 years, then the applicant shall apply to the Planning Board for renewal of the permit before the expiration of the 5 year period.
 - g. With respect to mines which currently are being operated in the Town of Ancram pursuant to valid permits which have not expired, the owner of any such property shall be entitled to continue the operation of same pursuant to the provisions of a valid permit currently in effect through the time that such permit expires. Thereafter, any application for renewal of an existing valid permit shall be subject to the provisions of this ordinance.

Greenhouse or Hothouse

When a greenhouse or hothouse is illuminated, no glare shall extend beyond the parcel boundary. All exterior lighting shall use fully shielded fixtures to ensure that light is directed downwards. In the Ag District, there shall be a setback equal to a distance of at least 10% of the square footage of the proposed structure, plus the applicable required side and rear setbacks established in Table 2 from the property line of any existing adjacent residence. In no case shall the proposed structure be sited closer than the side and rear yard setbacks established in Table 2.

Group Home:

- a. An appearance shall be maintained that is closely similar to nearby dwellings; and
- b. No sign shall identify the use.
- c. In any residential district, no open or enclosed parking area shall encroach on any required front yard.

Home Occupation

General Standards for Low and High Impact Home Occupations

- a. No home-based business shall generate significantly greater traffic volumes or increased traffic hazards than would normally be expected in a residential district.
- b. The home-based business must be clearly incidental and subordinate to the residential use.

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- c. The home-based business shall be allowed to be conducted within the dwelling unit or accessory structure.
- d. The residential character of the single-family dwelling or accessory building and the lot shall not be altered to accommodate a home-based business.
- e. The equipment used by the home-based business and the operation of the home-based business shall:
 - 1. Not create any vibration, heat, glare, dust, odor, or smoke discernible at the property lines,
 - 2. Not generate noise exceeding 55 decibels at the property line from 8:00 A.M. to 6:00 P.M.,
 - 3. Not generate any noise discernible by the human ear at the property lines from 6:00 P.M. to 8:00 A.M.,
 - 4. Not create electrical, magnetic or other interference off the premises,
 - 5. Not consume utility quantities that negatively impact the delivery of those utilities to surrounding properties, or
 - 6. Use or store hazardous materials in excess of the quantities permitted in a residential structure.
- f. Conditions of approval established by the Planning Board may specify:
 - 1. Hours of operation;
 - 2. Maximum number of customer/client visits that may occur in any one (1) day; and
 - 3. The maximum number of customers/clients that can be present at any one time.
- g. Retail sales shall be limited to goods made and/or prepared on site.
- h. No other business shall be permitted to share, let or sublet space for professional use.
- i. All lighting, noise, sign and parking requirements of this ordinance shall be met.

Low Impact Home Occupations

- a. No external evidence of such use shall be permitted except for one sign not exceeding two square feet in area.
- b. No more than fifteen percent (15%) of floor area of the dwelling unit or 500 square feet of an accessory building may be used in connection with a low impact home occupation, whichever is lesser.
- c. There shall be no exterior storage of materials to be used in conjunction with a home occupation.
- d. There shall be no heavy earth moving equipment, tractor trailers, or other similar specialized vehicles upon the property utilized for the home occupation.
- e. Only the person or persons who occupy the dwelling and two (2) additional persons may be employed by the low impact home occupation at any one time.

High Impact Home Occupations

- a. No more than twenty-five percent (25%) of the floor area of the dwelling unit or 1000 square feet of an accessory building may be used in connection with a high impact home occupation, whichever is lesser.
- b. All storage of equipment, materials, goods, or supplies shall also meet all requirements for such use pursuant to this subsection V. All exterior storage used in conjunction with a high impact home occupation must be screened from view or stored within structures and not visible from the public way or adjacent properties.
- c. Only the person or persons who occupy the dwelling and four (4) additional persons may be employed by the high impact home occupation at any one time.
- d. Adequate parking shall be provided for all home occupants, employees and customers so as not to cause parking congestion or a visual disturbance to the character of the neighborhood.

Hospital/ Lab, medical clinic/ Health Facility

- a. There shall be proper disposal of all wastes associated with medical uses pursuant to New York State Department of Health and all other applicable County, State and federal laws.
- b. Setback Requirements. All structures shall be located two hundred (200) feet from any lot line. However, if parking in the front is required for emergency access or use by the handicapped, then such parking shall be screened from view of the street.
- c. The total building area shall not exceed a lot coverage of twenty percent.
- d. Primary access to such use shall not be a minor street or any other street designed to serve primarily as access to abutting residential properties.
- e. Any lighting shall use fully shielded fixtures and be arranged as not to cause glare on adjacent properties.

Hydrogen Fuel Cell Facility For Distribution Only

- a. These facilities shall be for distribution for motor vehicles only.
- b. The applicant shall supply, and the Planning Board shall review all hydrogen delivery options (e.g., pipelines, tanker trucks), routes for fueling stations, natural gas or other fuel supplies for large supplementary power fuel cells, and availability of local hydrogen suppliers for backup power fuel cells. The Planning Board may require a traffic impact analysis or a road evaluation to mitigate negative impacts to roads.
- c. The applicant shall meet all U.S. Department of Transportation hazardous material transportation requirements.

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- d. There shall be a minimum of 500' between a hydrogen fuel cell facility and all adjacent land uses.
- e. All federal, Department of Energy, and NYS building code requirements for hydrogen fuel delivery and dispensing shall be met.
- f. There shall be a minimum of 25 foot separation distance between all buildings and structures and the fuel storage/dispensing area/air intake areas on the parcel.
- g. The Planning Board may also apply any of the standards for gas stations pursuant to this sub-section.

Inn/Motel/Hotel/Lodging

- a. The minimum lot area shall be two (2) acres. One or more principal buildings may be located on a lot. A principal building shall be separated from another principal building a distance of no less than twenty-five (25) feet.
- b. Guest sleeping rooms shall not contain full kitchen facilities and shall not be used as apartments for non-transient tenants.
- c. The following accessory uses shall be permitted:
 - 1. One (1) apartment, with or without kitchen facilities, for the use of the hotel or motel manager or caretaker and his family within the lodging facility.
 - 2. A coffee shop/dining room. Such facilities shall be located within the principal building.
- d. The Town promotes adaptive reuse of buildings, and encourages the preservation of any historical structures.
- e. The lot shall be of adequate size and shape to provide one (1) parking spot for each guest room, employee and property owner, located to the rear of the residence where possible.
- f. The Planning Board may require fencing, earth berms, evergreen vegetation or other buffers to reduce visual conflicts with neighbors.
- g. No guest, employee or owner parking shall be located on the street.
- h. No more than one (1) free standing sign to identify the property is permitted.
- i. Meals offered to the general public shall be allowed as an accessory use. When meals are also offered to the general public all parking shall be in accordance with Section V (C) of these regulations.

- j. Recreational facilities for the sole use of guests are permitted as accessory uses including pool, playground, tennis or other game courts, game or recreation rooms, office and lobby.

Laundromat/Dry Cleaner/Laundry Commercial

- a. A dry cleaning facility shall meet all requirements of 6NYCRR Part 232 (Perchloroethylene Dry Cleaning Facilities) prior to final issuance of a special use permit.
- b. All Laundromat or commercial laundry facilities shall:
 - 1. Ensure that an adequate water supply exists to meet the needed capacity. The Planning Board may require additional water capacity testing both on and off-premise to ensure adequate water exists and that such use does not impact nearby wells.
 - 2. Ensure that use of large quantities of water from a well on premises does not negatively impact water capacity from nearby wells;
 - 3. Provide engineered plans for on-site waste water treatment to ensure adequate treatment of water used in the facility and that discharges to streams, wetlands, floodplains, or groundwater are prevented.

Light Industry/Manufacturing

- a. The minimum lot area for any manufacturing uses shall be two (2) acres and the lot shall have no less than one hundred (100) feet of frontage on a county or state road. The manufacturing building shall be set back no less than one hundred (100) feet from any lot line.
- b. No sales to the general public shall be permitted from the premises.
- c. All uses, processes and storage shall be within a fully enclosed structure, and no tanks or other apparatus incidental to the processing or manufacturing shall be visible outside of a manufacturing building. The façade of buildings and structures shall be compatible with the rural character and adjacent development.
- d. The applicant shall submit a list of any other permits that may be required for the operation as well as a list of the goods and materials to be stored and manufactured.
- e. Parking shall not be permitted in the front yard.
- f. There shall be no glare emitted beyond the property boundaries. All lights shall use full cut-off shielded fixtures. The location and all on-site lighting shall be approved by the Planning Board.
- g. The Planning Board may require a wall, fence, landscaping or other buffer to be installed where a property adjoins a residential use. Said buffer shall be no less than ten (10) feet in width.
- h. The Planning Board may require a noise analysis, and if needed, noise mitigation to maintain the area's existing ambient noise levels.

Membership Club –

- a. Membership clubs shall not exceed 10,000 square feet in size.
- b. The Planning Board may require an applicant to furnish adequate evidence that noise levels, lighting, traffic, and other potentially negative effects of club activities will not disturb adjacent properties. Such evidence must take into account the nature of the club and its activities, the general demeanor of participants, the frequency of the activities, and the day and time of the activities.
- c. The Planning Board may establish hours of operation to minimize potentially negative effects of noise, lighting, traffic, and other features related to club use and activities on adjacent properties.
- d. There shall be no glare emitted beyond the property boundaries. All lights shall use full cut-off shielded fixtures.

Moveable Vendor

- a. All signs, carts, chairs, or other equipment shall be removed at the end of each business day.
- b. No moveable vendor shall do business in a location that will impede sight lines, cause traffic congestion, create a parking hazard, or prevent access to a driveway or road. The Planning Board shall review proposed location of the moveable vendor and may establish a specific location that will be permitted.
- c. The Planning Board may establish appropriate times for doing business.
- d. No moveable vendor shall have lights or noises that create a nuisance.

Non-Commercial Wind Power – See Town of Ancram Non-Commercial Wind Power Facilities Law

Outdoor Wood Furnace

- a. All new outdoor wood boilers including those that are partially or completely enclosed in a non-residential building shall meet all requirements of NYS ECL Part 247 (Outdoor Wood Boilers).
- b. All outdoor wood boilers used for residential purposes shall apply for and receive a special use permit prior to issuance of a building permit.
- c. In addition to all requirements of ECL Part 247, the following requirements shall be met:
 1. The outdoor wood boiler shall be equipped with a properly functioning spark arrester;
 2. The outdoor wood boiler shall be located in the rear yard.;
 3. The outdoor wood boiler shall not be located within 1000 feet of parks maintained or operated by the Town of Ancram or any schools. This shall not include foot or

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bicycle paths unless the same are wholly located within a park maintained or operated by the Town of Ancram.

- d. Notwithstanding any of the above, in no event shall the emissions of the outdoor wood boiler exceed any mandatory emissions standard promulgated by any agency, division, department or office of the Federal or New York State Government.
- e. All outdoor wood boilers in existence prior to the enactment of this Zoning Ordinance shall be allowed to continue operation. All existing outdoor wood boilers that do not meet these requirements shall be considered a nonconforming use. For any outdoor wood boiler installed prior to the date of enactment of this ordinance, an outdoor wood boiler permit must be obtained within 10 years of this ordinance's adoption. It shall be a violation for any person to operate an outdoor wood boiler for which a building permit has expired under this Section.
- f. Seasonal Restrictions. Notwithstanding anything herein, no person shall operate an outdoor wood boiler from May 15th to September 15th.
- g. Suspension of permit.
 1. A permit issued pursuant to this Local Ordinance may be suspended as the Building Inspector may determine to be necessary to protect the public health, safety and welfare of the residents of the Town of Ancram if:
 - a. Emissions from the outdoor wood boiler exceed standards established in ECL Part 247.
 - b. The outdoor wood boiler creates a nuisance or otherwise violates an applicable local (including county), state or federal law, ordinance, statute, rule or regulation. A suspended permit may be reinstated once the condition which resulted in suspension is remedied and reasonable assurances are given that such condition will not recur.

Private Airfield, Aircraft Hanger

- a. A minimum of 50 acres is required.
- b. There shall be a no-disturbance buffer located 500 feet of the property line to protect nearby neighbors.
- c. A site plan shall be provided to the Planning Board illustrating the runways, location of overhead utilities, lighting, parking areas, and accessory buildings.
- d. The Planning Board may apply conditions related to noise, hours of operation, maximum number of planes to be stored on the premises, and an identification and proof of permits required from outside agencies.
- e. An airspace analysis by the Federal Aviation Administration (FAA) for operation under visual flight rules shall be submitted with the application for a special use permit.

- f. Landing areas shall be designed to comply with the Airport Design Guide of the FAA and any State requirements.
- g. Each landing, takeoff and utility area used by self-powered aircraft shall be provided with a dustproof surface.
- h. There shall be a finding by the Planning Board that such airport shall not cause a hazard to, or be detrimental to nearby properties and buildings, both in the Town and adjacent municipalities, considering the location of buildings in the vicinity of the airport and take-off patterns and lights.

Private animal training arena, horse or track course (indoor or outdoor): See Stable

Professional Office

- a. No professional office use shall be larger than 5,000 square feet in building footprint size.
- b. All commercial design standards of Section V (I) shall apply.
- c. Parking is not permitted in the front yard.
- d. Applicants must clearly demonstrate that the use will be compatible with the adjoining uses, particularly with regard to traffic circulation, parking, and appearance.
- e. No more than two curb cuts per lot frontage shall be allowed.
- f. Where a residential building is proposed to be converted to a professional office, exterior alterations shall be made in a manner that preserves the essential residential character of the building.
- g. All parking, lighting, landscaping, and other requirements of this zoning ordinance shall also be met.

Recreational Facility (Indoor)

- a. Parking shall not be permitted in the front yard.
- b. One or more recreational uses are allowed on a lot.
- c. The Planning Board may require that facilities be screened through use of vegetation, fencing or a combination thereof from adjoining residential properties.
- d. Hours of operation. The hours of operation may be limited to minimize impacts associated with noise, lighting, traffic and similar potential effects which may be disruptive to adjoining uses.
- e. Site lighting. A lighting plan shall be provided and designed so as not to affect adjoining residential properties.
- f. Noise. Adequate evidence shall be furnished by the applicant demonstrating that noise levels will not likely disturb nearby residential properties. Such evidence must take into account the nature of the activity, the general demeanor of the participants, the

frequency of the activity and the time and day of the proposed activity. Public address systems are prohibited.

- g. Waste. The site plan shall demonstrate that wastes, including runoff containing fertilizer, pesticides, as well as solid waste will be contained, treated and disposed of in accordance with applicable local, county, state and federal regulations.
- h. Special considerations. Because the range of recreational activities allowed as components of commercial recreation establishments are broad and the characteristics and intensity of use may vary, the approving Board may impose such additional requirements as may be necessary to provide adequate protection to adjoining and nearby properties, considering the proposed activity, the proposed location and the nature of the adjoining community.

Recreational Facility (outdoor – skating, skateboarding, pool, gym, miniature golf, etc.)

- a. No portion of any outdoor commercial recreation facility area shall be located closer than one hundred (100) feet to any property line. Parking shall not be permitted in the front yard.
- b. Consideration shall be given to locating outdoor facilities away from residential property lines. The Planning Board may require that these facilities be screened through use of vegetation, fencing or a combination thereof from adjoining residential properties.
- c. Hours of operation. The hours of operation may be limited to minimize impacts associated with noise, lighting, traffic and similar potential effects which may be disruptive to adjoining uses.
- d. Site lighting. A site lighting plan shall be provided pursuant to Local Law #4 of 2008 as may be amended from time to time, and designed so as not to affect adjoining residential properties. The Planning Board may approve a light fixture that exceeds the height set forth in Appendix A for an outdoor recreation use provided it finds that there will be no detrimental impact on adjoining uses.
- e. Noise. All requirements of Local Law #4 of 2008 as may be amended from time to time and (Site Plan) Section XIII shall be met. Adequate evidence shall be furnished by the applicant demonstrating that noise levels will not disturb nearby residential properties. Such evidence must take into account the nature of the activity, the general demeanor of the participants, the frequency of the activity and the time and day of the proposed activity.
- f. Waste. The Site Plan shall demonstrate that wastes, including runoff containing fertilizer, pesticides, as well as solid waste will be contained, treated and disposed of in accordance with applicable local, county, state and federal regulations. The Planning Board shall approve the location of any portable toilet device or other temporary waste disposal system that may be allowed in conjunction with an outdoor recreation facility.
- g. Special considerations. Because the range of recreational activities allowed as components of commercial recreation establishments are broad and the characteristics and intensity of use may vary, the Planning Board may impose such additional requirements as may be necessary to provide adequate protection to adjoining and

nearby properties, considering the proposed activity, the proposed location and the nature of the adjoining community

Recycling Facility

- a. Recycling collection facilities shall operate totally within an enclosed building. Outside storage shall not be permitted.
- b. The collection facility area shall at least be enclosed by an opaque block wall or solid wood fence at least six feet in height and planted with vegetation for landscaping on all street frontages.
- c. Collection facilities shall be setback at least 150 feet from lot lines.
- d. Storage for flammable materials shall be in nonflammable containers.
- e. Parking shall be provided for six vehicles or the anticipated peak customer demand load, whichever is greater. One additional parking space for each commercial vehicle operated by the facility shall be provided.
- f. The facility shall not exceed noise levels of 55 dBA as measured at the property line. g. If the facility is located within 500 feet of a residential use, it shall not operate between the hours of 7:00 p.m. and 7:00 a.m.
- h. All on-site signs shall be in conformance with the standards set forth in this zoning ordinance, and shall clearly identify the responsible operating parties and their telephone numbers.
- i. Additional Development Requirements. Additional development standards may be required as conditions of approval.
- j. Storage of recyclable materials outside of containers or mobile/recycling unit when attendant is not present is prohibited.
- k. Containers shall be clearly marked to indicate the type of material accepted for collection.

Retail

- a. No retail use shall be larger than 5,000 square feet in building footprint size.
- b. All commercial design standards of Section V (I) shall apply.
- c. Parking is not permitted in the front yard.
- d. Applicants must clearly demonstrate that the use will be compatible with the adjoining uses, particularly with regard to traffic circulation, parking, and appearance.
- e. No more than two curb cuts per lot frontage shall be allowed.

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- f. Where a residential building is proposed to be converted to a retail business, exterior alterations shall be made in a manner that preserves the essential residential character of the building.
- g. All parking, lighting, landscaping, and other requirements of this zoning ordinance shall also be met.

Retreat Center

- a. Allowed uses that may be allowed as part of a retreat center include public and private recreational facilities, including but not limited to tennis courts, golf, spa, hiking trails, basketball, and volleyball; lodging units including but not limited to hotels, cottages, campgrounds, or camping unit; offices and infrastructure support services that are ancillary and accessory to the operation of the resort; and meeting rooms and conference facilities.
- b. There shall be no more than forty percent (40%) total building coverage of a site.
- c. No single building shall be larger than ten thousand (10,000) square feet (building footprint). No individual office or business service within the retreat center shall occupy more than two thousand (2,000) square feet. Entrances to any ancillary business, office or business service shall be from within a principal or accessory structure.
- d. All uses shall be screened from adjacent residential uses within or abutting the retreat center by a buffer yard a minimum of 15 feet and maximum of forty (40) feet in width containing canopy trees, understory trees, and shrubs along the perimeter of the lot line abutting the residential use. A vegetated buffer yard of fifteen (15) feet shall be provided to screen all retreat uses from all public roadways. The Planning Board shall determine the appropriate buffer size within this range based on the nature of the proposed use, the nature of the adjacent properties, the topography and other appropriate factors. Existing tall vegetation shall be retained and maintained to the extent possible so as to permit such vegetation to fulfill or contribute to the buffer and screening requirements. In lieu of compliance with the above buffer yard and screening requirements, an applicant may submit a detailed plan and specifications for landscaping and screening which will afford the same degree of buffering or screening provided by the above requirements. The use of natural vegetative covers existing within the buffer should be encouraged. Where the Planning Board requires a fence or wall as part of the buffer, plantings shall be incorporated within the buffer area as functional and aesthetic augmentation to such fence or wall.
- e. A traffic study shall be required if the number of additional vehicle trips per day to be generated by the retreat will exceed one hundred (100) on any existing public roadway. The applicant must provide for any road improvements, traffic access management, and traffic control to accommodate increased traffic generated by the use. The number of egress and ingress curb cuts shall be minimized. Roads within the retreat are to remain private but accessible to all fire and emergency services. The local fire department and ambulance service shall review and approve all access plans to ensure safety and access for emergency services.
- f. Building Height. No building shall be more than three stories in height.

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- g. Public Utilities and Service Impacts. The retreat, at completion, shall not exceed the capacities of any public water supply, stormwater management facilities, sewers, solid waste disposal facilities, public safety, and emergency services of the Town. The applicant shall be responsible for demonstrating this to the satisfaction of the Town.
- h. Setbacks. Because of the intensity of use in a retreat center, the Planning Board may require the following minimum distances from exterior property lines:
 - 1. Principal structures - 100 feet
 - 2. Accessory structure - 60 feet
 - 3. Service structure - 100 feet
 - 4. Outdoor game courts and swimming pools which are generally available to all guests- 200 feet
 - 5. Parking lots and interior drives, excluding exterior points of access 100 feet
 - 6. Any portion of an equestrian facility, including structures, barns, stalls and corrals - 200 feet
- i. Parking requirements shall be established in conjunction with site plan approval and special use permits based on information documenting usage of on-site facilities by guests or visitors and as contained in an approved traffic and parking analysis. The minimum number of parking spaces shall be provided for so as to prevent overbuilt parking lots. Use of pervious surfaces within parking areas shall be used to the maximum extent practical.
 - 1. All parking areas and driveways located within two hundred (200) feet of adjacent residential property shall be screened with a minimum three foot high, solid, decorative wall or a landscaped berm providing equivalent screening or a combination of both.
 - 2. Landscaped islands shall be provided every one hundred (100) feet within surface parking areas. Shade tree planters shall be provided between every four (4) stalls.
 - 3. No loading, truck parking, trash containers or outdoor storage area shall be visible from adjacent residences.
- j. Lighting. All parking and driveway areas shall be located so as to prevent lights from shining onto adjacent residential property.

Sawmill

- a. The hours of operation shall be limited to between 7:00 AM and 7:00 PM. The Planning Board may require sound mitigation measures if necessary.
- b. No sawmill activity or storage shall be within 100 feet from the stream edge or any wetland as defined by state or federal law.
- c. All sawmill by-products shall be disposed of on a regular basis. No storage of logs, lumber, sawdust, bark, scrap wood, or equipment of any kind shall be permitted within any yard setback area.

- d. Vehicular access to the sawmill shall be via a minimum twelve (12) foot wide access drive that includes a fifty (50) foot paved apron adjacent to the street, beyond which the access drive can have a stone surface.
- e. All aspects of the sawmill operation (except access drives) shall be set back no less than two hundred (200) feet from all property lines, and five hundred (500) feet from any residentially-zoned and used property. The Planning Board may require a visual screen comprised of evergreen trees to be planted along any site boundary line that abuts one or more residential lots.

Self-storage

- a. The lot size shall be a minimum of 2 acres and a maximum of 5 acres. The minimum front setback shall be thirty five (35) feet. The total area covered by buildings shall not exceed 70% of the site.
- b. No security fencing, security gate, or other obstruction to vehicle access shall be permitted in the required front yard or in any required transitional yard. Security fencing shall not include electrically charged, barbed wire or razor wire, and shall not be placed in a required front yard setback area.
- c. No door opening for any storage unit shall be constructed facing any residential use.
- d. Door openings for storage units shall face the interior of the site unless impracticable.
- e. An on-site office for a manager may be approved by the Planning Board as part of the business.
- f. The roof shape and materials shall be pitched and compatible with the design and materials of neighboring buildings and shall meet all design and siting requirements as set forth in Section V (I). Accommodations for resident managers are permitted provided all design standards of Section V (I) are met.
- g. Views of the storage facility from public rights-of-way shall be fully buffered and screened.
- h. All parking shall be to the rear of the building or to the side, and if on the side, must be adequately screened.
- i. Storage units shall not be used for: the servicing or repair of motor vehicles, boats, recreational vehicles, motorcycles, trailers, lawn mowers and other similar equipment; or for office, retail, manufacturing or other similar uses. The storage of hazardous, toxic, or explosive substances is prohibited.
- j. No activities such as miscellaneous garage sales or auctions shall be conducted on the premises. However, the owner shall have the ability to have a sale for foreclosure purposes.
- k. All storage uses shall be inside an enclosed building. No outside storage is permitted.

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- l. Spacing between structures shall be a minimum of twenty (20) feet and emergency access shall be provided to at least three (3) sides of all structures. Access drives shall be designed to handle automobiles, vans, light trucks, and other two-axle vehicles.
- m. All outdoor dumpsters shall be screened.

Self-storage Pod

- a. The storage trailer must be structurally sound and pose no detriment to public health, safety, convenience or property values.
- b. The storage trailer must meet the same side, front and rear setback and coverage requirements as would a conventional structure. No storage trailer shall be sited in front of a principal structure.
- c. The storage trailer shall be located so that it does not take up parking spaces required for other uses on the site and does not obstruct emergency access or other essential circulation patterns.
- d. The aggregate area covered by storage trailers shall not exceed 10 percent of the total floor area of all buildings on the site.
- f. A self-storage pod placed for less than 120 days shall be allowed in all zoning districts but shall require a zoning permit from the Zoning Enforcement Officer. A self-storage pod placed for 120 days or longer shall require a special use permit from the Planning Board.

Service Businesses:

- a. Parking is not permitted in the front yard.
- b. Applicants must clearly demonstrate that the use will be compatible with the adjoining uses, particularly with regard to traffic circulation, parking, and appearance.
- c. No more than two curb cuts per lot frontage shall be allowed.
- d. Where a residential building is proposed to be converted to a service business, exterior alterations shall be made in a manner that preserves the essential residential character of the building.
- e. Where a new building is constructed for a service business use, the design standards of Section V (I) (Supplemental Commercial Design Standards) shall be required.
- f. When a service business is a home occupation, all requirements of Section V(J)(10) (Home Occupation) shall also be met.
- g. All parking, lighting, landscaping, and other requirements of this zoning ordinance shall also be met.

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- h. No structure used for a service business use shall exceed 5,000 square feet of building footprint.
- i. When a personal service is proposed as a low or high impact home occupation, all requirements of this section (J)(10) related to home occupations shall be met.
- j. When a personal service is proposed as a stand-alone structure that is not part of a home occupation, all requirements for retail uses shall be met.

Sewage treatment Facility/Water Treatment Facility

- a. Full visual screening of the facility shall be provided for.
- b. All lighting shall use fully shielded cut off fixtures. No glare shall extend beyond property lines.
- c. A comprehensive odor management plan shall be provided for so that all odors are controlled and do not become nuisances.
- d. All chemicals and other materials used at the treatment facility shall be stored in a fully enclosed structure.

Shopping Center

- a. The area covered by impervious surfaces shall be minimized to the greatest extent practicable. Pervious parking lots may be required by the Planning Board.
- b. All parking requirements of Section V (C) shall be met.
- c. A buffer, no less than 15 feet and no more than 40 feet, shall be placed between commercial and residential sites. The Planning Board shall determine the appropriate buffer size within this range based on the nature of the proposed use, the nature of the adjacent properties, the topography and other appropriate factors. The use of natural vegetative covers existing within the buffer should be encouraged. Where the Planning Board requires a fence or wall as part of the buffer, plantings shall be incorporated within the buffer area as functional and aesthetic augmentation to such fence or wall.
- d. Building tops or first-story cornices shall be aligned to generally match those on adjacent buildings.
- e. All building entrances, pathways and other pedestrian areas shall be lit to two-foot candles with pedestrian-scale lighting.
- f. If adjacent to other commercial uses, it is encouraged to create opportunities for shared parking.
- g. The site layout should result so that a pedestrian need not walk across more than 64 lineal feet of parking and driveway area.
- h. The site shall be designed in such a way that it is well integrated with adjacent land uses.

- i. Existing architectural character of the neighborhood shall guide building design. Building facades shall be designed to a human-scale, not auto-scale, for aesthetic appeal, pedestrian comfort, and compatibility with the design character of the neighborhood. At least 50% of the building's front façade shall have windows, doors or window displays provided. The Ancram Hamlet Improvement Plan included in the 2009 Community Development Strategic Plan should be used as a guide for design of shopping centers.
- j. Sidewalks are provided with awnings or canopies for weather protection.
- k. Parking shall be to the side or rear when possible. Landscape buffering shall be provided for between parking lot and the street. Surface parking shall not exceed 110% of the minimum parking requirement for the land use.
- l. The building footprint of any single building within a shopping center shall be no more than 5,000 square feet. The total square footage of all buildings combined shall not exceed 20,000.
- m. All lighting shall use fully shielded cut off fixtures. No glare shall extend beyond property lines.

Shooting Preserve

- a. The minimum lot area shall be 200 acres.
- b. DEC license required. No special use permit for a shooting preserve shall be issued until the applicant has obtained a shooting preserve license issued by the Department of Environmental Conservation pursuant to §11-1903 of the Environmental Conservation Law. Licensed shooting preserves that exist at the time of enactment of this local ordinance shall be considered a non-conforming use and shall be allowed to continue operation without issuance of a Town of Ancram special use permit pursuant to this section.
- c. Setbacks. All shooting shall take place a minimum distance of 1,000 feet from any lot line. An exception to this requirement may be allowed with written permission from the adjoining landowner(s).
- d. Buildings. A shooting preserve is permitted a principal building for the conduct of the business and assembly of members.
- e. The Planning Board may impose such conditions and restrictions on the operation of the shooting preserve which, in its discretion, are necessary to mitigate nuisances such as noise and protect the public safety.
- f. As a condition of special use permit approval, the applicant shall agree to the conduct of annual inspections by the ZEO.
- g. The Planning Board may impose restrictions and conditions including, but shall not necessarily be limited to, the following:
 - 1. Limitations on hours of operation and discharge of firearms.
 - 2. Increased setback requirements.

3. Requirement of vegetative screening, buffering and/or berm.
 4. Limitations on areas within the preserve property in which firearms may be discharged.
 5. Limitation on the number of shooting preserve members.
 6. Prescribed siting, configuration or orientation of activities involving discharge of firearms and/or storage of ammunition.
- h. Application materials. In addition to any special use or site plan review application requirements, applications for a shooting preserve shall include a narrative of all proposed shooting preserve activities, a statement as to the nature and extent of the proposed shooting preserve operation, and a copy of the shooting preserve license issued by the Department of Environmental Conservation.

Slaughterhouse

- a. No person shall operate a slaughterhouse or custom processing facility unless that person has first obtained any and all required State or Federal licenses or permits, including USDA certification, where required.
- b. However, the processing of a person's own animals including transportation in intrastate commerce of the animal's products, is allowed without special certification if they are exclusively for use by the owner or members of the owner's household, non-paying guests or employees.
- c. The butchering or processing of any wild game taken by permit issued by the New York State Department of Environmental Conservation is a permitted accessory use in all districts of the Town.
- d. All slaughterhouses shall meet the following conditions:
 1. The slaughter of animals shall take place inside a closed building in a confined area to prevent the transmission of sound associated with the slaughter to the outside. The maximum area for the keeping or slaughtering of animals shall not exceed sixty percent of the individual lot or parcel site.
 2. Parking for all traffic utilizing the business shall be provided for on-site and off public roads.
 3. The main entrance to the facility must be located on a state highway or county road.
 4. Disposal of waste shall be in accordance with all applicable state and county laws and regulations. The facility must have all necessary federal and state permits and approvals and comply with all health and safety regulations. This is meant to include, but is not limited to all sewage, processed and unprocessed animal parts, manure, entrails, blood, hides, and bones.
 5. No feedlot shall be allowed on-site.
 6. Live animals may be held on the site for no more than twenty-four hours.

7. All loading and unloading areas shall be screened from view from adjacent properties and public streets. All exterior storage areas shall be fenced and fully screened from adjacent property and public streets.
8. Animals shall be enclosed in gated enclosures with a minimum height of six feet. Fencing shall be sufficient to provide adequate screening and contain animals securely on the property at all times.
9. In the Ag District, there shall be a setback equal to a distance of at least 10% of the square footage of the proposed structure, plus the applicable required side and rear setbacks established in Table 2 from the property line of any existing, adjacent residence. In no case shall the proposed structure be sited closer than the side and rear yard setbacks established in Table 2.

Solar Energy Panels

- a. For roof mounted panels, an engineer or architect shall verify roof will support the system load.
- b. For pole mount or remote mount system, the application shall:
 1. Provide electrical schematic showing main system components and where they are physically located, including batteries (if included in the installation).
 2. Provide a DC disconnect to be located externally (and labeled) as near the utility meter as possible. If DC disconnect cannot be located within six feet of the utility meter, a label at the meter will indicate the location of the external disconnect, which shall also be labeled.
 3. Have a DC disconnect at the location of the array for remote arrays. Some remote arrays may be roof mounted on a different building than the one using the power from the array.
 4. Describe cable routing from the PV array to the exterior DC disconnect on the building using the power.
 5. Provide scaled drawing showing location of buried cables.
 6. Provide a plot plan showing where property lines and adjacent structures are in relation to the pole mount or remote system. All buildings on the property shall be shown. The Planning Board will evaluate if any glare resulting from the arrays may become a nuisance to adjacent structures or to drivers on nearby roads.
 7. Provide a setback of 20' for all pole or remote mounted solar systems.
 8. Provide screening between any ground mounted solar panel(s) and public byways, and between the solar panel(s) and adjacent properties to the maximum extent practical.
- c. Installation will comply with the Building Code of New York State and the National Electric Code. Labels shall be permanent.

Stable, Training Arena (Indoor and Outdoor), Training Track/Course

- a. All horse-related operations including animal waste management or manure storage areas shall be set back a minimum of 100 feet from all wells, and streams, and wetlands, and 200' from all adjoining property lines. All other setbacks required from Table 2 shall also be met.
- b. Horses shall not be stabled or corralled in the area of any septic leach field system.
- c. Proof of sufficient parking and utility capacity (water and sewer) shall be shown to accommodate public events, horse shows, rodeos and competitive events held in connection with a stable.
- d. The use of outdoor public-address systems may be permitted, provided that the sound shall not be audible beyond the property line.
- e. The site plan shall illustrate methods for manure storage and processing. Appropriate structures such as covered concrete platforms or containers shall be required if manure is stored on site to prevent seepage into the ground.
- f. One stable stall shall be provided for each horse housed on the site unless it is demonstrated that a stable stall is not appropriate for the horse.
- g. All lighting shall use fully shielded cut off fixtures. No glare shall extend beyond property lines.

Stump Grinding/Mulching Facility – All requirements for Sawmill shall apply.

Tannery (on or off farm)

- a. No waste materials from the tannery shall be allowed to leak into streams, wetlands, wells, or groundwater. The applicant shall indicate what processes are to be used to completely destabilize and treat waste materials.
- b. All tannery operations including tanning, storage of hides, storage of chemicals or salt, waste treatment, and loading/unloading areas shall be sited at least 1000 feet from any stream, wetland, well, floodplain, or public water supply. All setback requirements from Table 2 shall also be met.
- c. All materials used in the tanning process shall be stored indoors.
- d. All federal and State regulations relating to tanneries shall be met and no approval of a special use permit shall be issued until the applicant has received permits from all other agencies as may be required.

Transmission Towers – See Town of Ancram Local Law Telecommunication Towers

Warehouse

- a. The warehouse building shall be set back no less than one hundred (100) feet from any lot line. The building shall not exceed 20,000 square feet.
- b. No security fencing, security gate, or other obstruction shall be situated in such a manner as to obstruct sight distances.
- c. Electrically charged, barbed wire or razor wire fencing is not permitted.
- d. Outdoor storage and display shall not be permitted in connection with a warehouse.
- e. No sales to the general public shall be permitted.
- f. One business identification sign shall be permitted.
- g. The applicant shall submit a list of the goods and materials to be warehoused on the property. The Planning Board shall consider the nature of the materials (e.g., materials which are hazardous, flammable, noxious, odoriferous, etc.), and may impose restrictions on the storage of those materials, or prohibit their storage at the property.
- h. Parking shall not be permitted in the front yard.
- i. A lighting plan shall be submitted for review and approval by the Planning Board. The location and hours of operation of all on-site lighting shall be approved by the Planning Board. Public address systems are prohibited.
- j. The Planning Board may require a wall, fence, landscaping or other buffer be installed where a property adjoins a residential use. The buffer shall be no less than 15 feet and no more than 40 feet. The Planning Board shall determine the appropriate buffer size within this range based on the nature of the proposed use, the nature of the adjacent properties, the topography and other appropriate factors. The use of natural vegetative covers existing within the buffer should be encouraged. Where the Planning Board requires a fence or wall as part of the buffer, plantings shall be incorporated within the buffer area as functional and aesthetic augmentation to such fence or wall.

Water Tower

- a. The Planning Board may require a visual assessment to determine if the water tower is visible from other off-site locations.
- b. Water towers shall be the lowest height feasible, and shall be sited so that it is not visible above the treeline to the maximum extent practical.
- c. Water towers shall be painted a natural color to blend into the environment.
- d. Fencing or restriction to ladders shall be provided for to prevent access to climbing.