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DRAFT TOWN PUTNAM VALLEY  
 Proposed Summary Schedule of Uses (02/14/17)

	PD	CD	R-3	R-2	R-1	LP	CN	CC-1	CC-2	PC	AG	RA
<b>Residential Uses</b>												
Single-family detached		P	P	P	P	P						P
Single-family cluster detached		P	P	P	P	P						
Single-family zero lot line						SP						
*Multifamily			<u>P</u>	P	P	P						
*Residential above commercial							P	P	P	<u>P</u>		
Community residential facility		SP										
Accessory Apartments		SP	SP	SP	SP	SP						SP
<b>Community and Civic Uses</b>												
Adult day care/nursing/rest home			SP	SP	SP	SP		SP				
Child day care/nursery/family care			SP	SP	SP	SP	SP	SP	<u>SP</u>			
Club house or lodge		SP					SP	P	SP	SP		
*Hospital			SP							<u>SP</u>		
Houses of worship	SP	SP	SP	SP	SP	SP						
Library/Museum		P	P	P	P	P	P	P	P	P		
Municipal buildings	P	P	P	P	P	P	P	P	P	P		
*Convalescent homes		<u>SP</u>	SP	SP	SP	SP						
Post office							P	P	P	P		
Educational/philanthropic uses	SP											
Schools, public	P	P	P	P	P	P						
Schools, private	SP	SP	SP	SP	SP	SP						
*Schools, business or trade	SP	SP	SP	SP	SP	SP	<u>SP</u>	SP	SP	SP		
Utility service, local	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		
Utility facilities, regional							P	P	P	P		
<b>Light Retail, Commercial, Office Uses</b>												
Administrative and business office							P	P	P	P		
Antiques store		SP	SP	SP	SP	SP	SP	P	P	P		
*Apparel and accessories							P	P	P	<u>P</u>		
*Dance/artistic studios, galleries							<u>SP</u>	SP	SP	SP	P	
Bakery, retail							P	P	P	P		

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	PD	CD	R-3	R-2	R-1	LP	CN	CC-1	CC-2	PC	AG	RA
<b>Light Retail, Commercial, Office Uses (Cont'd)</b>												
Bed-and breakfast/boardinghouse		SP	SP	SP	SP	SP					SP	
Catering establishments						SP	P		SP	P		
Cocktail lounge/bar						SP	P		SP			
*Data processing and computer related services						<u>P</u>	P		P	P		
Delivery/messenger services						P	P		P	P		
Conference center												
*Consumer repair services						<u>SP</u>	P		P	<u>P</u>		
*Convenience storage						<u>SP</u>	P		P	P	<u>P</u>	<u>P</u>
Convenience store, with gas pump						P	P		P			
Convenience store, no gas pumps						P	P		P			
Delicatessen						P	P		P	P		
Dry cleaning services, drop-off						<u>SP</u>	<u>P</u>		<u>SP</u>	<u>P</u>		
Dry cleaning services, on-site							SP					
*Exterminating services						<u>SP</u>	SP		<u>SP</u>			
*Financial services						<u>P</u>	P		P	P		P
Florist						P	P		P	P		
Funeral home							P		P	P		
Hardware store						P	P		P			
*Home occupation/office		P	P	P	P	P					<u>P</u>	<u>P</u>
*Home business or trade		SP	SP	SP	SP	SP					<u>SP</u>	
Hotel/motel/inn		SP	SP	SP	SP	SP						
*Kennel, commercial		SP	SP	SP	SP	SP				P		
Laundry service, storefront						<u>SP</u>	<u>SP</u>		<u>SP</u>	<u>SP</u>		
*Laundromat, on-site						<u>SP</u>	SP		SP	SP		
Liquor sales						P	P		P	P		
<u>Massage Therapy</u>							<u>SP</u>		<u>SP</u>	<u>SP</u>		
Medical offices						P	P		P	P		
Medical centers/complex							P			P		
Nurseries, retail						P	P		P	P		
Personal convenience services						P	P		P	P		

**DRAFT TOWN JUTNAM VALLEY**  
Proposed Summary Schedule of Uses (02/14/17)

	PD	CD	R-3	R-2	R-1	LP	CN	CC-1	CC-2	PC	AG	RA
Communication tower	SP	SP								SP		
Construction material sales								SP	SP	SP		
<i>Contractor yard</i>							<u>SP</u>	<u>SP</u>	<u>SP</u>			
Amateur ham radio/antennae		P	P	P	P	P	P	P	P			
Research and Development												
Heavy Retail,												
<b>Commercial Uses (cont'd)</b>												
Farm operations	P	P	P	P	P						P	
Forest management/timber harvesting	SP	SP	SP	SP	SP	SP				SP		P
* Assembly of component parts							<u>SP</u>	<u>SP</u>	P	SP		
Medical technical research (instrumentation)										SP		
Research laboratories										SP		
Saw milling operations										SP		
* Veterinary hospitals		SP	SP				<u>SP</u>	<u>SP</u>	<u>SP</u>		<u>SP</u>	
Animals/domestic		P	P	P	P	P						
<b>Automotive, Vehicles/Equipment</b>												
<i>Automotive limo, taxi</i>							<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>		
Automotive rentals, sale							SP	SP	SP	SP		
* Automotive repair/services							<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>		
* Automotive gas station							<u>SP</u>	SP	SP	SP		

NOTE: \* Indicates use in which there is a proposed change

NOTE: blue color in italics and underlined is proposed to be added

NOTE: red color in italics (no underline) is proposed to be deleted.

**DRAFT TOWN PUTNAM VALLEY**  
Proposed Summary Schedule of Uses (02/14/17)

	PD	CD	R-3	R-2	R-1	LP	CN	CC-1	CC-2	PC	AG	RA
*Pet grooming services							<u>P</u>	P	P			
<b>Light Retail, Commercial, Office Uses (cont'd)</b>												
*Photography							<u>SP</u>	SP	SP	SP		
<u>Photography-Digital</u>							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Printing establishments							P	P	P	P		
Professional office and services							P	P	P	P		
Restaurant, fast food							<u>SP</u>	SP	SP	<u>SP</u>		
Restaurant, general		SP	SP	SP	SP	SP	SP	P	P	P		
Retail, individual (general)							P	P	P			
Retail, mini mall, shopping center							SP	SP	SP	<u>SP</u>		
*Roadside stands		SP	SP	SP	SP						<u>SP</u>	
<b>Parks, Recreation, Entertainment</b>												
*Amusement arcades							<u>SP</u>	SP	<u>SP</u>			
*Athletic and health clubs and health spas		SP	SP	SP	SP		<u>SP</u>	P	<u>P</u>	SP		
Commercial stables and riding academies		SP	SP	SP							SP	
Camps		SP	SP	SP								
Golf courses and country clubs		SP	SP	SP	SP					SP		
*Golf driving ranges		<u>SP</u>	<u>SP</u>	SP	SP					<u>SP</u>		
*Park and recreational services, public/private		P	P	P	P	P				<u>SP</u>		
Recreational sports and entertainment, indoor								SP	SP	SP		
*Recreational sports and entertainment, outdoor		<u>P</u>	<u>SP</u>	SP	SP	SP	SP			<u>SP</u>	SP	
Theatres/cinemas		<u>SP</u>	<u>SP</u>				<u>SP</u>	P	P			
<b>Research and Development, Heavy Retail,</b>												
<b>Commercial Uses</b>												
*Agricultural/farm sales, service										P	<u>SP</u>	
Bio-technical research										SP		

Draft Revisions: Permitted Use Changes  
Zoning Article III: Chapter 165-10 through Chapter 165-13

2-14-17

Changes from existing chapter are indicated in red

§ 165-10 Regulations applicable to all districts.

A. Conformity required. Except as hereinafter provided:

(1) No building shall be erected and no existing building shall be moved, altered, rebuilt, added to or enlarged, nor shall any land or building be used, designed or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such building or land is located.

(2) No building shall be erected to exceed in height the limit hereinafter designated for the base zoning district in which such building is located, whether such height be designated in number of stories, number of feet or otherwise.

(3) No building shall be erected nor shall any open space surrounding any building or otherwise required by this article be encroached upon or reduced in any manner, except in conformity to the yard, lot area, open space, building location and off-street parking and loading regulations hereinafter designated for the base zoning district in which such building or open space is located.

(4) No yard or other space in connection with any building or use on a lot shall be considered as providing the required yard, buffer or open space for a building on any other lot.

(5) No easement, right-of-way or paper road shall be used in computing required yards, lot size or land area per dwelling unit specified by this article.

B. Bodies of water included in districts. Zoning districts shall include land under streams, lakes or ponds lying within the district or under any addition thereto by natural or artificial means.

C. Performance standards. Land uses, structures and parking facilities shall comply with the performance standards as listed in § 165-73.

D. Where a deed describes a lot as bounded by a lake, pond, river, stream or brook, underwater land beyond said shoreline shall not be included in the calculation of lot area, minimum open area, or for any setback purposes.

[Added 8-20-2014 by L.L. No. 2-2014]

[2] Where a deed describes a lot as bounded by a lake, pond, river, stream or brook, underwater

land beyond said shoreline shall not be included in the calculation of lot area, minimum open

area, or for any setback purposes.

[2]:

Editors Note: Former Subsection D, Unlisted uses, was repealed 7-19-2006 by L.L. No. 4-2006.

[1]: Editor's Note: The Summary Schedule of Uses is included at the end of this chapter.

**§ 165-11 Provisions for open space districts.**

**A.**  
PD Preservation District.  
(1)

Purpose and intent. The PD District encompasses large tracts of land that at the time of the adoption of this chapter were publicly owned, owned by a quasi-public entity or were tax exempt. Land within the PD Districts is primarily used for permanent open space purposes or very low density/intensity recreational purposes. The purpose and intent of the PD District is to:  
(a) Implement the Master Plan proposals for a comprehensive network of permanent, multifunctional, publicly and privately owned open spaces within the town.  
(b)

Preserve, protect and enhance the value of natural resources in all respects, including topographical and geological features, vegetation, wildlife, watersheds and wetlands, areas of scenic beauty and other land and community resources whose retention is necessary for the continued maintenance of the quality of the environment.  
(c)

Discourage development on land with ecologically important resources, land subject to flooding, areas with excessive slopes or other land features that could, if not properly protected, endanger human life or property.  
(d)

Provide sufficient space to meet the present and prospective needs for various active and passive recreational activities.  
(2)  
Permitted uses.  
(a)

Municipal buildings.  
(b)  
Schools, public.  
(c)

Parks and recreation services, public or private.  
(d)  
~~Recreation, sports, entertainment facilities, outdoor.~~  
(e)

Farm operations.  
[Amended 8-19-2009 by L.L. No. 8-2009[1]]  
[1]:  
Editor's Note: This local law also repealed former Subsection A(2)(f), which permitted animal husbandry.  
(f)  
Animal husbandry.  
(3)

Special permit uses. The following uses may be permitted subject to a special use permit as provided for in Article IX of this chapter.

(a) Educational or philanthropic uses.

[Amended 4-19-2006 by L.L. No. 3-2006]

(b) Utility service, local.

(c) Schools, private.

(d) Schools, business or trade.

(e) Commercial stables and riding academies.

(f) Camps.

(g) Golf courses, driving ranges and country clubs.

(h) Communication towers.

(i) Forestry management/timber harvesting.

(j) Houses of worship.

[Added 4-19-2006 by L.L. No. 3-2006]

(k) Recreation sports and entertainment, outdoor.

(l) Theatres/cinemas

(4) Accessory uses. The following uses, accessory and incidental to permitted uses, may be permitted as provided in Article VII of this chapter.

(a) Off-street parking of passenger and commercial vehicles in the open or in private garages, in accordance with the provisions of Article X of this chapter.

(b) Maintenance, security or utility structures serving the specific needs of the principal use.

(c) Recreation buildings or uses serving the specific needs of the use, including customary recreational, refreshment and service buildings and uses. Excluded are air-supported structures.

(d) Indoor storage facilities incidental to the principal use.

(e) Other accessory uses that are incidental to the principal use of the site.

(5) Lot and bulk regulations.

The bulk, height and yard (setback) requirements, minimum lot sizes, minimum street frontage and related standards for the PD District shall be as set forth in § 165-14 of this article.

(b) Minimum distance between structures shall be 100 feet.

**§ 165-12 Provisions for residential districts.**

A.  
CD Conservation District.

(1) Purpose and intent. The CD District is intended to implement Master Plan provisions for single-family residential development while maintaining substantial areas of open space, protecting natural resources and preserving environmental features.

(2) Permitted uses.

(a) Single-family detached residences.

(b) Single-family cluster detached residences.

(c) Libraries or museums.

(d) Municipal buildings.

(e) Schools, public.

(f) Home occupation or offices.

(g) Parks and recreation services, public or private.

(h) Amateur/ham radio antennae.

(i) Farm operations.

[Amended 8-19-2009 by I.L. No. 8-2009[1]]

[1]:

Editor's Note: This local law also repealed former Subsection A(2)(j), which permitted animal husbandry, and redesignated former Subsection A(2)(k) as Subsection A(2)(i).

(j) Animals, domestic.

(3) Special use permits. The following uses may be permitted subject to a special use permit as provided for in Article IX of this chapter.

(a) Community residential facilities.

(b) Accessory apartments.



- (c) Clubhouse or lodge.
- (d)
- (e) Schools, private.
- (f) Schools, business or trade.
- (g) Utility services, local.
- (h) Antiques stores.
- (i) Bed and breakfast establishments/boardinghouses.
- (j) Home businesses or trades.
- (k) Hotels, motels or inns.
- (l) Commercial kennels.
- (m) Restaurants, general.
- (n) Roadside stands.
- (o) Athletic clubs, health clubs and health spas.
- (p) Commercial stables and riding academies.
- (q) Camps.
- (r) Golf courses, driving ranges and country clubs.
- (s) Recreation, sports and entertainment facilities, outdoor.
- (t) Communication tower.
- (u) Forest management/timber harvesting.
- (v) Veterinary hospitals.
- (w) Houses of worship.
- (x) Houses of Worship
- (y) Theatres/Cinemas

[Added 4-19-2006 by L.L. No. 3-2006]

(4)

Accessory uses. The following uses accessory and incidental to permitted uses and specially permitted uses, may be permitted as provided for in Article VII of this chapter.

(a)

Off-street parking of passenger and commercial vehicles in the open or in private garages, in accordance with the provisions of Article X of this chapter.

(b)

Swimming pools, tennis and deck or paddle tennis facilities, in accordance with the provisions for such uses as set forth in Article VII of this chapter.

(c)

Maintenance, security or utility structures serving the specific needs of the principal use.

(d)

Recreation buildings or uses serving the specific needs of the use, including customary recreational, refreshment and service building and uses. Excluded are air-supported structures.

(e)

Indoor storage facilities incidental to the principal use.

(f)

Other customary accessory structures subject to the applicable provisions of Article VII hereof, such as playhouses, greenhouses, porches, sun decks, house decks, trash containers, outdoor air conditioners, compressors and the like, provided that said use, building or structure is incidental to the principal use of the site.

(g)

Lot and bulk regulations.

(a)

The minimum lot size, height, lot and bulk regulations, minimum frontage and related standards for the CD District shall be as set forth in § 165-14 of this article.

(b)

The minimum distance between structures shall be 60 feet.

B.

R-3 Low-Density Residence District.

(1)

Purpose and intent. The R-3 District is a low-density residentially zoned district. The land included in this district is considered to have substantial environmental constraints that significantly affect the development potential and development pattern of the land. The purpose and intent of the R-3 District is to:

(a)

Provide for the establishment and control of low-density residential areas located and maintained in accordance with the Master Plan.

(b)

Encourage the preservation of the rural character of the community.

(c)

Encourage the permanent preservation of open space, agricultural lands and other natural resources.

(d)

Maintain the existing rural character and land use pattern of the town.

(e) Encourage development that consumes less open land.

(f) Protect adjacent open space from negative impacts.

(2) Permitted uses.

(a) Single-family detached residences.

(b) Single-family detached residences.

(c) Single-family cluster detached residences.

(d) Libraries or museums.

(e) Municipal buildings.

(f) Schools, public.

(g) Home occupations or offices.

(h) Parks and recreation services, public or private.

(i) Amateur/ham radio antennae.

(j) Farm operations.

[Amended 8-19-2009 by L.L. No. 8-2009[2]]

[2]:

Editor's Note: This local law also repealed former Subsection B(2)(j), which permitted animal husbandry, and redesignated former Subsection B(2)(k) as Subsection B(2)(j).

(k) Animals, domestic.

(l) Multifamily

(3)

Special permit uses. The following special permit uses may be permitted as provided for in Article IX of this chapter.

(a)

Accessory apartments.

(b)

Adult day care, nursing homes or rest homes.

(c)

Child day care, nursery schools or family care.

(d)

Hospitals.

(e)

Convalescent homes.

(f)

(a) Schools, private.

(b) Utility services, local.

(c) Antiques stores.

(d) Bed-and-breakfast establishments/boardinghouses.

(e) Home businesses or trades.

(f) Hotels, motels or inns.

(g) Commercial kennels.

(h) Restaurants, general.

(i) Roadside stands.

(j) Athletic clubs, health clubs and health spas.

(k) Commercial stables and riding academies.

(l) Camps.

(m) Golf courses and country clubs.

(n) Golf driving ranges.

(o) Recreation, sports and entertainment facilities, outdoor.

(p) Forestry management/timber harvesting.

(q) ~~Veterinary hospitals.~~

(r) Houses of worship.[3]

[Added 4-19-2006 by L.L. No. 3-2006]

[3]:

Editor's Note: Former Subsection B(3)(w), Senior citizen multifamily residences, added 6-5-2002 by L.L. No. 3-2002, was repealed 11-17-2004 by L.L. No. 6-2004.

(4)

Accessory uses. The following uses, accessory and incidental to permitted uses and specially permitted uses, may be permitted as provided for in Article VII of this chapter.

(a)

Off-street parking of passenger and commercial vehicles in the open or in private garages, in accordance with the provisions of Article X.

(b) Swimming pools, tennis and deck or paddle tennis facilities, in accordance with the provisions for such uses as set forth in Article VII of this chapter.

(c) Maintenance security or utility structures serving the specific needs of the use.

(d) Recreation buildings or uses serving the specific needs of the use, including customary recreational refreshment and service buildings and uses. Buildings or uses serving the specific needs of the use, excluding air-supported structures.

(e) Indoor storage facilities incidental to the principal use.

(f) Other customary accessory structures subject to the applicable provisions of Article VII hereof, such as playhouses, greenhouses, saunas, porches, sun decks, house decks, trash containers, outdoor air conditioners and the like, provided that said use, building or structure is incidental to the principal use of the site.

(5) Lot and bulk regulations. The minimum lot size, height, lot and bulk regulations, minimum street frontage and related standards for the R-3 District shall be as set forth in § 165-14 of this article.

C.  
R-2 Moderate-Density Residence District.

(1) Purpose and intent. The R-2 District includes land that is generally located adjacent to existing areas of concentrated population. The purpose and intent of the R-2 Moderate-Density Residence District is to provide for the establishment and regulation of residential areas developed with single-family detached and semi-attached units in a single-family neighborhood environment.

(2) Permitted uses.

(a) Single-family detached residences.

(b) Single-family cluster detached residences.

(c) Multifamily residences.

(d) Libraries or museums.

(e) Municipal buildings.

(f) Schools, public.

(g) Home occupations or offices.

(h) Parks and recreation services, public or private.

(1) Amateur/ham radio antennae.  
(2) Farm operations.  
[Amended 8-19-2009 by L.T. No. 8-2009[4]]  
[4]:  
Editor's Note: This local law also repealed former Subsection C(2)(k), which permitted animal husbandry, and redesignated former Subsection C(2)(l) as Subsection C(2)(k).  
(3) Animals, domestic.  
Special permit uses. The following uses may be permitted to a special use permit as provided for in Article IX of the chapter.

- (a) Accessory apartments.
- (b) Adult day care, nursing homes or rest homes.
- (c) Child day care, nursery schools or family care.
- (d) Convalescent homes.
- (e) Schools, private.
- (f) Utility services, local.
- (g) Antiques stores.
- (h) Bed-and-breakfast establishments/boardings:
- (i) Home businesses or trades.
- (j) Hotels, motels or inns.
- (k) Restaurants, general.
- (l) Roadside stands.
- (m) Athletic clubs, health clubs and health spas.
- (n) Golf courses and country clubs.
- (o) Golf driving ranges.
- (p) Recreation, sports and entertainment facilities, outdoor.
- (q)

(f) Forestry management/timber harvesting.

(g) Houses of worship. [5]

[Added 4-19-2006 by L.L. No. 3-2006]

[5]:

Editor's Note: Former Subsection C(3)(r), Senior citizen multifamily residences, added 6-5-2002 by L.L. No. 3-2002, was repealed 11-17-2004 by L.L. No. 6-2004.

(4)

Accessory uses. The following uses accessory and incidental to permitted and specially permitted uses, may be permitted as provided for in Article VII of this chapter: all accessory uses permitted in the R-3 Districts.

(5)

Lot and bulk regulations. The minimum lot size, height, lot and bulk regulations, minimum street frontage and related standards for the R-2 District shall be as set forth in § 165-14 of this article.

D.

R-1 Medium-Density Residence District.

(1)

Purpose and intent. The R-1 District covers the existing concentrated population nodes. The purpose and intent of the R-1 Medium-Density Residence District is to provide for the

establishment and regulation of residential areas developed with single-family and two-family homes or zero-lot-line homes, townhouses, attached or detached, located and maintained in

accordance with the Master Plan.

(2)

Permitted uses.

(a)

Single-family detached residence.

(b)

Single-family cluster detached residences.

(c)

Single-family zero-lot-line residences.

(d)

Multifamily residences.

(e)

(Reserved)[6]

[6]:

Editor's Note: Former Subsection D(2)(e), Senior citizen residences, was deleted 6-5-2002 by L.L. No. 3-2002.

(f)

Libraries or museums.

(g)

Municipal buildings.

(h)

Schools, public.

(i)

Home occupations or offices.

(j)

(k) Parks and recreation services, public or private.

(j) Amateur/harm radio antennae.

(i) Farm operations.

[Amended 8-19-2009 by I.L. No. 8-2009]

(m) Animals, domestic.

(3) Special permit uses. The following special permit uses may be permitted as provided for in Article IX of this chapter.

(a) Accessory apartments.

(b) Adult day care, nursing homes or rest homes.

(c) Child day care, nursery schools or family care.

~~(d)~~ Convalescent homes.

(e) Schools, private.

(f) Utility services, local.

(g) Antiques stores.

(h) Bed and breakfast establishments/boardinghouses.

(i) Home businesses or trades.

(j) Hotels, motels or inns.

(k) Restaurants, general.

(l) Roadside stands.

(m) Athletic clubs, health clubs and health spas.

(n) Golf courses and country clubs.

(o) Golf driving ranges.

(p) Recreation, sports and entertainment facilities, outdoor.

(q) [7] Forest management/limber harvesting.

[7]:



Editor's Note: Former Subsection D(3)(q), which permitted animal husbandry by special permit, was repealed 8-19-2009 by L.T. No. 8-2009. This local law also redesignated former Subsection D(3)(r) and (s) as Subsection D(3)(g) and (t).

(r) Houses of worship. [8]

[Added 4-19-2006 by L.T. No. 3-2006]

[8]:

Editor's Note: Former Subsection D(3)(s), Senior citizen multifamily residences, added 6-5-2002 by L.T. No. 3-2002, was repealed 11-17-2004 by L.T. No. 6-2004.

(4)

Accessory uses. The following uses accessory and incidental to permitted and special permit uses may be permitted as provided for in Article VII of this chapter: all accessory uses and accessory structures permitted in the R-2 and R-3 Districts.

(5)

Lot and bulk regulations. The minimum lot size, height lot and bulk regulations, minimum street frontage, and related standards for the R-1 District shall be as set forth in § 165-14 of this article.

E.

LP Lake Peekskill Residence District.

(1)

Purpose and intent. The LP District is the residential district with the highest density and covers the areas surrounding Lake Peekskill. The purpose and intent of the LP Lake Peekskill District is to provide for the regulation of mixed single-family and multifamily residential areas and resemble a village atmosphere. Regulations for development in the LP District are intended to reflect existing residential densities and patterns and should be restricted to those areas with an adequate supply of water and adequate parking.

(2)

Permitted uses.

(a)

Single-family detached residences.

(b)

Single-family cluster detached residences.

(c)

Multifamily residences.

(d)

(Reserved) [9]

[9]:

Editor's Note: Former Subsection E(2)(d), Senior citizen residences, was repealed 11-17-2004 by L.T. No. 6-2004.

(e)

Libraries and museums.

(f)

Schools, public.

(g)

Home occupations or offices.

(h)

Parks and recreation services, public or private.

- (j) Amateur/ham radio antennae.
- (i) Animals, domestic.
- (h) Special permit uses. The following special permit uses may be permitted as provided in Article IX of this chapter.
  - (a) Single-family zero-lot-line residences.
  - (b) Accessory apartments.
  - (c) Adult day care, nursing homes or rest homes.
  - (d) Child day care, nursery schools or family care.
  - (e) Convalescent homes.
  - (f) Schools, private.
  - (g) Utility services, local.
  - (h) Antiques stores.
  - (i) Bed and breakfast establishments.
  - (j) Home businesses or trades.
  - (k) Hotels, motels or inns.
  - (l) Restaurants, general.
  - (m) Recreation, sports and entertainment facilities, outdoor.
  - (n) Forest management/timber harvesting.
  - (o) Houses of worship.
- [Added 4-19-2006 by L.L. No. 3-2006]
- (4) Accessory uses. The following uses accessory and incidental to permitted and specially permitted uses may be permitted as provided for in Article VII of this chapter.
  - (a) Off-street parking of passenger and commercial vehicles in the open or in private garages, in accordance with the provisions of Articles VII and X of this chapter.
  - (b)

Swimming pools, tennis and deck or paddle tennis facilities, in accordance with the provisions for such uses as set forth in Article VII of this chapter.

(c)

Indoor storage facilities incidental to the principal use.

(d)

Other customary accessory structures subject to the applicable provisions of Article VII hereof, such as playhouses, bathhouses, greenhouses, saunas, porches, sun decks, house decks, trash containers, outdoor air conditioners and the like, provided that said use, building or structure is incidental to the principal use of the site.

(5)

Lot and bulk regulations. The minimum lot size, height, lot and bulk regulations, minimum street frontage, and related standards for the LP District shall be as set forth in § 165-14 of this article.

### § 165-13 Provisions for nonresidential districts.

A.

CN Neighborhood Commercial Districts.

(1)

Purpose and intent. The purpose and intent of the CN District is to:

(a)

Encourage the integration of the small-scale shopping area into the neighborhood which it serves.

(b)

As the name implies, these districts would provide limited services to the small business districts. These areas are designed to serve the adjacent residential community and should not compete with the general commercial uses and services found in the CC-1 and CC-2 Districts.

(2)

Permitted uses.

(a)

Residences above commercial stores.

(b)

Libraries or museums.

(c)

Municipal buildings.

(d)

United States Government Post Offices.

(e)

Utility services, regional.

(f)

Administrative and business offices.

(g)

Apparel and accessory stores.

(h)

Bakery shops, retail.

(i)

Convenience stores with gas pumps.

- (j) Convenience stores without gas pumps.
- (k) Delicatessens.
- (l) Florists.
- (m) Liquor sales, retail.
- (n) Medical offices.
- (o) Nurseries, retail.
- (p) Personal convenience services.
- (q) Professional offices and services.
- (r) Retail stores, individual/general.
- (s) Amateur/ham radio antennae.
- (t) Hardware stores.
- (u) Dance/artistic studios, galleries.
- (v) Data processing and computer related services.
- (w) Dry cleaning services, drop-off.
- (x) Financial services.
- (y) Photography-digital.
- (z) Delivery/messenger service.
- (aa) Printing establishments.

(3) Special permit uses. The following special permit uses may be permitted as provided for in Article IX of this chapter.

- (a) Child day care, nursery schools or family care.
- (b) Clubhouse or lodge.
- (c) Utility services, local.
- (d)

- (e) Antiques stores.
- (f) Catering establishments.
- (g) Cocktail lounge/bar.
- (h) Dry-cleaning services, storefront.
- (i) Laundry services, storefront.
- (j) Restaurant, general.
- (k) Retail, mini mall/shopping centers.
- (l) Automotive, sales or rental.
- (m) Schools, business or trade.
- (n) Consumer repair services.
- (o) Convenience storage.
- (p) Exterminating services.
- (q) Kennel, commercial.
- (r) Laundromat-on-site.
- (s) Photography.
- (t) Restaurant-fast food.
- (u) Amusement arcades.
- (v) Athletic and health clubs and health spas.
- (w) Theatres and cinemas.
- (x) Contractor yard.
- (y) Assembly of component parts.
- (z) Veterinary hospitals.
- (aa) Automotive limo and taxi.

Automotive repairs/service

(bb)

Automotive gas station

(4)

Accessory uses CN District. The following uses, accessory and incidental to permitted uses and specially permitted uses, may be permitted as provided for in Article VII of the chapter.

(a)

Off-street parking and loading in accordance with the provisions of Article X of this chapter.

(b)

Maintenance, security or utility structures serving the specific need of the use.

(c)

Indoor storage facilities incidental to the principal use.

(d)

Other customary accessory structures subject to the applicable provisions of Article VIII hereof,

such as trash receptacles, dumpsters and other large trash containers, air conditioners, air

condensers, temporary outdoor displays and the like, provided that said use, building or structure

is incidental to the principal use of the site.

(5)

Lot and bulk regulations. The minimum lot size, height, lot and bulk regulations, minimum street

frontage and related standards for the CN District shall be as set forth in § 165-14 of this article.

B.

CC-1 Community Commercial-One District.

(1)

Purpose and intent. The purpose and intent of the Community Commercial-One District (CC-1)

is to provide for a variety of highly regulated and intense commercial activities within the

Oregon Corners portion of the Central Business District (CBD). The CC-1 District is designed to

accommodate most of the retail and service needs of the residents in the town. The CC-1 District

is intended to establish the commercial character of the Town through its well-balanced mixture

of land uses, architecture, street environment and pedestrian orientation.

(2)

Permitted uses.

(a)

Residence above commercial stores.

(b)

Clubhouses or lodges.

(c)

Libraries or museums.

(d)

Municipal buildings.

(e)

United States Government Post Offices.

(f)

Utility facilities, regional.

(g)

Administrative and office buildings.

(h)

- (i) Antiques stores.
- (j) Apparel and accessory stores.
- (k) Bakery shops, retail.
- (l) Catering establishments.
- (m) Cocktail lounges or bars.
- (n) Data processing and computer-related services.
- (o) Consumer repair services.
- (p) Convenience storage facility.
- (q) Convenience stores with gas pumps.
- (r) Convenience stores without gas pumps.
- (s) Delicatessens.
- (t) Financial services, financial institutions and banks.
- (u) Florists.
- (v) Funeral homes.
- (w) Hardware stores.
- (x) Liquor sales, retail.
- (y) Medical offices.
- (z) Medical centers or complexes.
- (aa) Nurseries, retail.
- (ab) Personal convenience stores.
- (ac) Pet grooming services.
- (ad) Professional offices and services.
- (ae) Restaurant, general.

- (m) Retail stores, individual/general.
- (l) Athletic clubs, health clubs and health spas.
- (kk) Theaters or cinema.
- (j) Amateur/ham radio antennae.
- (i) Dance/artistic studios, galleries
- (h) Dry cleaning services, drop-off
- (g) Photography-digital
- (f) Delivery/messenger services
- (e) Special permit uses. The following special permit uses may be permitted as provided for in Article IX of this chapter.
  - (a) Adult day care, nursing homes or rest homes.
  - (b) Schools, business or trade.
  - (c) Utility services, local.
  - (d) Artistic and dance studios and galleries.
  - (e) Photography studios.
  - (f) ~~Dry-cleaning services, storefront.~~
  - (g) Laundry services, storefront.
  - (h) Dry-cleaning services, on-site.
  - (i) Laundromat, on-site.
  - (j) Exterminating services.
  - (k) Printing establishments.
  - (l) Retail mini malls or shopping centers.
  - (m) Restaurants, fast-food.
  - (n) Amusement arcades.



Purpose and intent. The purpose and intent of the CC-2 District is to provide for a variety of commercial activities that are of moderate intensity in scale and traffic generation, of a character similar to but more restricted than the CC-1 District. The uses within this district are to serve the convenience and needs of the greater Putnam Valley community and must be compatible with

(1) CC-2 Community Commercial-Two District.

(2) Lot and bulk regulations. The minimum lot size, height, lot and bulk regulations, minimum street frontage and related standards for the CC-1 District shall be as set forth in § 165-14 of this article.

(c) Eating facilities for the use of employees and visitors of the principal use.

(b) Research, design and development laboratories, excluding wet laboratories, provided that said use is clearly incidental to the principal use.

(a) All accessory uses and accessory structures as permitted in the CN District.

Accessory uses. The following uses accessory and incidental to permitted and special permit uses as provided for in Article VII of this chapter.

(z) Automotive, limo

(y) Veterinary hospitals

(x) Assembly of component parts

(w) Contractor yard

(v) Massage Therapy

(u) Kennel, commercial

(t) Child day care, nursery or preschool. [Added 6-17-1998 by L.L. No. 7-1998; amended 11-18-1998 by L.L. No. 12-1998]

(s) Automotive gas station.

(r) Automotive repair or service.

(q) Automotive sales or rentals.

(p) Construction material sales.

(o) Recreation, sports and entertainment facilities, indoor.

the residential character and environment of the adjacent neighborhood. These uses generally result in limited traffic generation. The Lake Peekskill portion of the Central Business District (CBD), the Adams Corners Business District and the east side of Bryant Pond Road/Taconic State Parkway intersection (Smith's Corners) shall be included in the CC-2 Commercial District.

- (2) Permitted uses.
- (a) Residences above commercial stores.
- (b) Libraries or museums.
- (c) Municipal buildings.
- (d) United States Government Post Offices.
- (e) Utility facilities, regional.
- (f) Administrative and business offices.
- (g) Antiques stores.
- (h) Apparel and accessory stores.
- (i) Bakery shops, retail.
- (j) Data processing and computer-related services.
- (k) Consumer repair services.
- (l) Convenience storage facilities.
- (m) Convenience stores with gas pumps.
- (n) Convenience stores without gas pumps.
- (o) Delicatessens.
- (p) Financial services, financial institutions and banks.
- (q) Florists.
- (r) Funeral homes.
- (s) Liquor sales, retail.
- (t) Medical offices.

- (u) Nurseries, retail.
- (v) Personal convenience stores.
- (w) Pet grooming.
- (x) Professional offices and services.
- (y) Restaurants, general.
- (z) Retail stores, individual or general
- (aa) Theaters or cinema.
- (ab) Amateur/ham radio antennae.
- (ac) Assembly of component parts.
- (ad) Hardware stores.
- (ae) Dance/artistic studios, galleries
- (af) Dry cleaning services-drop-off
- (ag) Photography-digital
- (ah) Athletic clubs and health spas
- (ai) Delivery and messenger services
- (aj) Printing establishments
- (3) Special permit uses. The following special permit uses may be permitted as provided for in Article IX of this chapter.
  - (a) Child day care, nursery schools or family care.
  - (b) Clubhouses or lodges.
  - (c) Utility services, local.
  - (d) Artistic and dance studios and galleries.
  - (e) Catering establishments.
  - (f)

Cocktail lounges or bars.

(g)

Photography studios.

(h)

~~Dry-cleaning services, storefront.~~

(i)

Laundry services, storefront.

(j)

~~Printing establishments.~~

(k)

Retail mini malls or shopping centers.

(l)

Recreation, sports and entertainment facilities, indoor.

(m)

Automotive sales or rentals.

(n)

Automotive repair service.

(o)

Automotive gas station.

(p)

Construction material sales.

(q)

Schools, business or trade.

(r)

~~Child care center, nursery school~~

(s)

~~Exterminating services~~

(t)

~~Kennel commercial~~

(u)

~~Laundromat, on-site~~

(v)

Massage therapy

(w)

Amusement arcades

(x)

Contractor yard

(y)

~~Veterinary hospital~~

(z)

~~Automotive, limo~~

(4)

Accessory uses. The following uses accessory and incidental to permitted and specially permitted uses may be permitted as provided for in Article VII of this chapter: all accessory uses and accessory structures permitted in the Community Commercial-One District (CC-1).

(5) Lot and bulk regulations. The minimum lot size, height, lot and bulk regulations, minimum street frontage and related standards for the CC-2 District shall be as set forth in § 165-14 of this article. [1]

[1]: Editor's Note: Former Subsection C(6), Commercial Floating District, which immediately followed this subsection, was deleted 6-26-2002 by L.L. No. 8-2002.

D. PC Planned Commercial Park District.

(1) Purpose and intent. Except for limited accessory uses, the Planned Commercial Park District provides for employment locations characterized by office and compatible research, laboratory (dry lab) and prototype development functions. These activities are often on a site providing substantial visual amenities, compatible with surrounding residential areas, as well as with other open space and recreation uses.

(2) Permitted uses. No building or premises shall be used and no building shall be erected, altered or added to, unless otherwise provided in this chapter, except for the following:

- (a) Libraries or museums.
- (b) Municipal buildings.
- (c) United States Government Post Offices.
- (d) Utility facilities, regional.
- (e) Administrative and business offices.
- (f) Artistic and dance studios and galleries.
- (g) Catering establishments.
- (h) Data processing and computer-related services.
- (i) Conference centers.
- (j) Convenience storage facilities.
- (k) Financial services, financial institutions and banks.
- (l) Hotels, motels or inns.
- (m)

- (m) Medical offices.
- (n) Medical centers or complexes.
- (o) Nurseries, retail.
- (p) Professional offices and services.
- (q) Restaurants, general.
- (r) Agricultural/farm sales and services.
- (s) Residential above commercial
- (t) Apparel and accessories
- (u) Consumer repair services
- (v) Photography-digital
- (w) Printing establishments
- (3) Special permit uses. The following special permit uses may be permitted as provided for in Article IX of this chapter.
- (a) Clubhouses or lodges.
- (b) Schools, business or trade.
- (c) Utility services, local.
- (d) Photography studios.
- (e) Printing establishments.
- (f) Athletic clubs, health clubs and health spas.
- (g) Golf courses, driving ranges and country clubs.
- (h) Recreation, sports and entertainment facilities, indoor.
- (i) Bio-technical research.
- (j) Communication tower.
- (k) Construction material sales.

(l) Forestry management/timber harvesting.

(m)

Assembly of component parts.

(n)

Medical technical research (instrumentation).

(o)

Sawmilling operations.

(p)

Research laboratories.

(q)

Automotive sales or rentals.

(r)

Automotive gas station. [2]

(s)

Hospital

(t)

Restaurant-fast food

(u)

Retail, mini-mall, shopping center

(v)

Parks and recreational services, public/private

(w)

Recreational sports and entertainment, outdoor

(x)

Automotive, limo

[2]:

Editor's Note: Former Subsection D(3)(s), Senior citizen multifamily residences, added 6-5-2002 by L.T. No. 3-2002, which immediately followed this subsection, was repealed 11-17-2004 by L.T. No. 6-2004.

(4)

Accessory uses. The following uses accessory and incidental to permitted and specially permitted uses may be permitted as provided for in Article VII of this chapter:

(a)

Eating facilities for the use of employees and visitors of the principal use.

(b)

Maintenance and utility facilities incidental to the principal use as provided in Article VII of this chapter.

(c)

Other customary accessory uses incidental to the principal use on the site.

(d)

Retail sales.

(5)

Lot and bulk regulations. The minimum lot size, height, lot and bulk regulations, minimum street frontage and related standards for the PC District shall be as set forth in § 165-14 of this article.

**§ 165-14 Height, lot and bulk regulations by district:**

The height, lot and bulk regulations set forth the basic requirements for the districts identified. More restrictive limitations may be imposed in a particular geographic area pursuant to the provisions of Articles VI and VIII of this chapter. The height, lot and bulk regulations are set out in the table entitled "Height, Bulk and Lot Regulations." [1]

Editor's Note: The Height, Bulk and Lot Regulations Table is included at the end of this chapter.

**A. AG Agricultural District.**

(1) Permitted uses: farm operations as defined in Agriculture and Markets Law § 301(11), Convenience storage, home occupation/office,

(2) Special permit uses: bed-and-breakfasts, commercial stables, camps and outdoor recreational facilities, home business or trade, roadside stands, agricultural/farm sales, service, veterinary hospitals,

(3) Accessory uses: residential uses to house the owner of the farm operation, his/her immediate family, and those exclusively employed by him/her in connection with the farm operation.

(4) Lot and bulk regulations.

(a) All lots shall contain at least seven acres; all principal and accessory structures other than fences and walls shall be no closer than 50 feet to any lot line; all structures designed for the housing, care and/or feeding of livestock shall be no closer than 100 feet to any lot line; and no structure (except for silos) shall exceed 35 feet in height.

(b) Any lot which lawfully existed on the effective date of enactment of this Article VIIA, which fails to meet the minimum lot area requirement for a lot in the AG District, shall be considered a legal nonconforming lot and may be employed for farm operations subject to all other dimensional regulations specified herein. Any abutting nonconforming lot(s) located in the AG District, which is/are owned by the same owner or owners, shall be considered as one merged lot for the purposes of this chapter.

(5) Site development plan review in agricultural districts. Activities which comprise farm operations in agricultural districts shall be subject to the site development plan approval procedures outlined in this Subsection A(5), rather than § 165-16 or 165-21 of this Code, unless the proposed activity poses a threat to public health or safety, including ground and surface water, in which case the provisions of §§ 165-16 and/or 165-21, as applicable, shall apply. A proposal for a new structure with a footprint of less than 800 square feet or for an addition that expands the existing footprint by no more than 800 square feet and is used for farm operations shall be exempt from this section in its entirety.



- (a) Site development plan submission requirements:
  - (11) Application form, required fees and escrow.
  - (12) A scaled drawing of the site and location map showing boundaries and dimensions and identifying contiguous properties and any recorded easements and roadways, prepared by a New York State licensed architect, engineer, or land surveyor.
  - (13) Existing contours showing elevations at ten-foot intervals; a United States Geologic Survey (USGS) topographic quadrangle map is acceptable.
  - (14) Illustration of regulated wetlands, wetland buffers, water bodies and/or watercourses and buffers associated with the water bodies and/or watercourses delineated in accordance with Chapter 144 of the Putnam Valley Town Code.
  - (15) Illustration of existing and proposed water supply and sewage disposal systems.
  - (16) Proposed location and arrangement of buildings and structures on site, including means of ingress and egress, parking, circulation of traffic, and signage, exterior dimensions of buildings and structures along with any available blueprints, plans or drawings.
  - (17) A description of the project including the intended use of the land and proposed buildings, structures, signs and any anticipated changes in the existing topography and natural features of the site to accommodate the changes.
  - (18) A soil erosion and sediment control plan shall be prepared in conformance with state requirements and Chapter 155 of the Code of the Town of Putnam Valley.
  - (19) A stormwater pollution prevention plan under Chapter 102 of the Putnam Valley Town Code.
  - (10) Additional information as required by the Planning Board.
  - (b) Procedure:
    - (11) Application shall be submitted to the Planning Board and shall be placed on the next available agenda.
    - (12) An application will be deemed complete when all the information and documentation required under Subsection A(5)(a) above has been received and reviewed by the Planning Board.
    - (13) The Planning Board may require a public hearing for applications in which there is substantial public interest. The public hearing shall be conducted at the Planning Board's next regular meeting following the day it deems the application complete. The Planning Board shall mail a notice of said hearing to the applicant, all abutting property owners, and those property owners within 200 feet of the subject site at least 10 days prior to said hearing and shall give public

notice of said hearing in a newspaper of general circulation in the Town at least five days prior to the date thereof.

[4]

The Planning Board shall approve the proposed farm operation upon the applicant's demonstrating that:

[a]

The proposed project constitutes a farm operation within the meaning of Agriculture and Markets Law § 301(11).

[b]

The proposed project does not pose a threat to public health or safety, including unnecessary degradation to streams, wetlands, water bodies, and/or groundwater.

[5]

The Planning Board shall issue its decision at its next meeting after it deems an application complete. If the Planning Board requires a public hearing under this section, it shall issue its decision no later than 30 days after such public hearing.

[6]

The Planning Board may impose reasonable conditions upon the approval specified in Subsection A(5)(b)[4] above.

B.

Residence Agricultural District.

(1)

Permitted uses: all uses allowed in the AG Zone, as well as single-family detached residences on individual lots.

(2)

Special permit uses: accessory apartments.

(3)

Accessory uses: those accessory uses specified in § 165-12A(4) of this chapter, to the extent that same apply to single-family detached residences as a permitted principal use.

(4)

Lot and bulk regulations: Except as provided in § 165-26.5, each lot shall meet the bulk

requirements for a lot in the base zoning district, i.e., the zoning district in which the subject parcel was located prior to its incorporation into the Putnam County Agricultural District and the Agricultural District established by this Article VIIA.

#### § 165-26.4 Exemptions.

This article shall not apply to farm operations on properties located in agricultural districts to the extent that the excavation and/or removal of material is exempt from permitting requirements of the New York State Department of Environmental Conservation ("DEC") under 6 NYCRR § 420.1(K).

#### § 165-26.5 Future subdivisions.

Future subdivisions of all lots now or hereafter included within the AG and/or RA Districts shall be subject to the following criteria and shall require Planning Board approval under the procedures applicable to lots outside the AG and/or RA Districts.

A. The maximum number of lots into which any AG or RA lot may be subdivided may not exceed that number of lots into which the AG or RA lot could have been subdivided prior to that lot's inclusion in the AG District. This calculation shall be made by the Town's planning, engineering and wetland consultants based on submission of requisite documentation provided by the applicant prior to any site disturbance, shall be certified by the Town's planning, engineering and wetland consultants, and shall be filed with the Town Clerk.

B. Where the above calculations cannot be made because an AG parcel has already been disturbed to facilitate farm operations, all lots resulting from any future subdivisions of that parcel shall conform to the bulk requirements of the CD Zoning District, except that no lot shall contain fewer than 10 acres of net lot area.

End

**DRAFT DEFINITIONS**

## DRAFT REVISIONS: DEFINITIONS

### Zoning Article II, Chapter 165-9 Terms Defined

02/14/17

Added or revised definitions are shown in red and are shown in *italics*.

As used in this chapter, the following terms shall have the meanings indicated:

#### ABANDONED NONCONFORMING USE

See "use."

#### ABUTTING

Having lot lines or district boundaries in common.

#### ACCESSORY APARTMENT

A secondary self-contained dwelling unit within a dwelling that is clearly subordinate to the principal dwelling unit. An accessory apartment is a temporary special use regulated by this chapter.

#### ACCESSORY BUILDING OR STRUCTURE

A building without living quarters or cooking facilities which is incidental and subordinate to the principal building on a lot.

#### ACCESSORY USE

See "use."

#### ACRE

A measure of land totaling 43,560 square feet.

#### ACTUAL USE

A lawful use of any land, building or structure existing at the time of enactment of this chapter, or any amendment supplemental thereto, which does not conform with the requirement of the base zoning district.

ADDITION

Any construction which increases the size of a building or structure in terms of site coverage, height, length, width or gross floor area.

ADEQUATE COVERAGE

That coverage which is consistent with the FCC mandate that personal wireless service providers build out their systems so that adequate service is provided to the public.

ADULT BOOKSTORE

A person, establishment or business, whether retail or wholesale, having as more than a minimal portion of its stock-in-trade recordings, books, magazines, periodicals, films, video tapes/cassettes or other viewing materials for sale or viewing on or off the premises which are distinguished or characterized by their emphasis on matter depicting, describing or relating to sexual activities or sexual anatomical areas. For purposes of this definition, "minimal portion" means 10% of gross sales or receipts for any calendar year.

ADULT ENTERTAINMENT CABARET

A public or private establishment which presents topless dancers, bottomless dancers, strippers, male or female impersonators or exotic dancers or other similar entertainments and which establishment is customarily open to the public generally, but excludes any minor by reason of age.

ADULT MOTEL

A motel which is open to the public generally, but excludes minors by reason of age or which makes available to its patrons in their rooms films, slide shows or videotapes which, if presented in a public movie theater, would be open to the public generally, but would exclude any minor by reason of age.

ADULT MOTION-PICTURE THEATER

An enclosed or unenclosed building, structure or portion thereof used for presenting materials distinguished or characterized by primary emphasis on matter depicting, describing or relating to sexual activities or sexual anatomical areas for observation by patrons.

ADULT USE ENTERTAINMENT

Any activity covered by the definitions of "adult bookstore," "adult motion picture theater," "adult entertainment cabaret," "adult motel" and "massage establishment."

ADULT DAY CARE, REST HOME AND NURSING HOME

A building or group of buildings containing dwellings where the occupancy of the dwellings is restricted to persons 55 years of age or older. A rest home or home for the aged that does not provide acute hospital care, convalescent or nursing facilities. This definition shall also include any program for the care of persons older than 18 years of age who are incapable of functioning independently by reason of physical or mental incapacity and who are returned after daytime care to their homes for the night.

AGRICULTURAL/FARM SALES

A retail facility devoted to the sale of goods and/or services to those engaged in the operation of farms.

AIR STRUCTURE

Any nonrigid structure supported by an air-pressure device and utilized for recreational, storage or other purposes.

ALTERATION

Any change in the supporting members of a building, such as bearing walls, columns, beams, girders or floors, or any other change which is not merely a repair or replacement of an existing part, or any change in the exterior enclosure of the building other than a repair or replacement of an existing part.

AMATEUR/HAM RADIO ANTENNAE

Poles, towers or antennae used in the operation of citizen-band and/or amateur radios licensed by the Federal Communications Commission, provided that:

A.

The location and construction of such antennae, and any guy wires and support anchor structure, shall not pose a hazard to, nor endanger the public or surrounding property;

B.

The antennae meet all manufacturer's specifications and are properly grounded; and

C.

No antennae, guy wires or support anchor structures shall be placed on the property in such a manner that they would interfere with the normal access to or egress from the property for residents, guests or emergency service personnel.

ANIMAL/DOMESTIC

The keeping of animals not living primarily within the residence, subject to the following provisions:

A.

One horse, pony or head of livestock may be kept on a lot of not less than two acres, and one additional horse, pony or head of livestock may be kept for each additional 1/2 acre by which the lot exceeds two acres, provided that any building in which a horse, pony or head of livestock is kept not extend within less than 100 feet of any street line or property line and 100 feet from a regulated wetland, watercourse or water body.

B.

A total of not more than 20 chicken, fowl, rabbits or similar type animal may be kept on a lot of not less than one acre, and an additional number of chicken, fowl, rabbits or similar type animals may be kept for each additional 1/2 acre, provided that any building in which such chickens, fowl, rabbits or similar animals are kept not extend within less than 100 feet of any street line or property line and 100 feet from a regulated wetland, watercourse or water body.

ANTENNA

A device which is attached to a tower or other structure for transmitting and receiving electromagnetic waves.

ANTIQUES STORE

A facility for the retail sale of merchandise generally considered to be out-of-date, old-fashioned, obsolete or antiquated due to the passage of time since its manufacture or creation.

APARTMENT

A self-contained dwelling unit consisting of a room or group of rooms with at least a bathroom, cooking facilities and sleeping and living quarters.

A.

STUDIO or EFFICIENCY APARTMENT

-- A self-contained dwelling unit consisting of a room or group of rooms containing at least a bathroom, cooking facilities and a sleeping and living area.



B.

ONE-BEDROOM APARTMENT

-- A self-contained dwelling unit consisting of a group of rooms containing one bedroom, a bathroom, kitchen and a living room.

C.

TWO-BEDROOM APARTMENT

-- A self-contained dwelling unit consisting of a group of rooms containing two bedrooms, a bathroom, kitchen and living room.

D.

THREE-BEDROOM APARTMENT

-- A self-contained dwelling unit consisting of a group of rooms containing three bedrooms, a bathroom, kitchen and living room.

APARTMENT HOUSE

A building arranged, intended or designed to be occupied by three or more families independently of one another.

APPAREL/ACCESSORIES

Clothing and items of attire associated with clothing.

APPLICATION REVIEW

A joint meeting or meetings of the Town Board, the Planning Board and the Zoning Board of Appeals with the applicant which reviews the completeness of the application. This review is an option available to the applicant.

APPROPRIATE FEES

A list of charges, adopted annually by resolution of the Town Board, to be paid by applicants for Town permits, variances and services pursuant to various local laws and ordinances. Such fees shall be based upon the administrative and inspection costs incurred by the Town in providing the services, regulating the issuance of permits and granting of variances.

AQUIFER

An underground bed or stratum of earth, gravel or porous stone that contains water.

ARCADE/AMUSEMENT

Any indoor place in which is maintained or operated for the amusement, patronage or recreation of the public which houses any controlled amusement devices, including but not limited to pinball, electronic amusement games, football, electronic baseball, electronic football and shuffleboard and the like.

ASSEMBLY OF COMPONENT PARTS

The process of collecting, joining or fitting together of goods not manufactured in said facility as ingredients of a finished product.

ATHLETIC CLUB

Any business engaged in providing, on premises, its clientele with a regimen designed for physical fitness, bodybuilding, body-shaping, aerobics and the like.

ATTACHED

Having one or more walls in common with a principal building, or joined to a principal building by a covered porch, breezeway or passageway, the roof of which is a part or extension of the principal building.

AUTOMOTIVE GAS STATION

An area of land, including buildings and other structures thereon, that is used to dispense motor vehicle fuels, oils and accessories at retail, where repair service is incidental and no storage or parking space is offered for rent.

AUTOMOTIVE LIMOUSINE/TAXIS:

A building and/or area arranged, intended or designed to be used for the rental, lease or dispatch of motor vehicles.

AUTOMOTIVE REPAIR AND SERVICE

An area of land, including building and other structures thereon, that is used in the repair of, and service to, motor vehicles, including but not limited to body work, painting, frame straightening and detailing.

AUTOMOTIVE REPAIR, LIMITED

Any premises used for dispensing motor vehicle fuels and oil, tires, accessories and services for automobiles, at retail, including making of minor repairs but not including such repairs as: spray painting; body, fender, clutch, transmission, differential, axle,

spring and frame repairs; major overhauling of engines, requiring removal therefrom of cylinder head or crankcase pan; or repairs of radiators requiring removal thereof.

#### AUTOMOTIVE SALES/RENTALS

A business enterprise engaged in the retail sale and rental of automobiles where repair service is incidental to the primary use.

#### AVAILABLE SPACE

The space on a tower or structure to which antennas of a personal wireless service provider are both structurally able and electromagnetically able to be attached.

#### BAKERY, RETAIL

A place for the baking and subsequent sale to the general public of breads, cakes, pastries, pies and the like.

#### BAKERY, WHOLESALE

A bakery on a scale larger than that of a retail bakery used mainly for the sale of finished baked goods to a distributor of the product.

#### BANKS

An establishment for the custody, loan, exchange or issue of money or securities, for the extension of credit, and/or facilitating the transmission of funds or securities.

#### BASEMENT

A habitable part of a building wholly or partly below ground level.

#### BASE STATION

The primary sending and receiving site in a wireless telecommunications network. More than one base station and/or more than one variety of personal wireless service provider can be located on a single tower or structure.

#### BASE ZONING DISTRICT

A zoning district established by this chapter to prescribe basic regulations governing land use and site development irrespective of any additional environmental management district regulations that may also be applicable.

BED-AND-BREAKFAST

A dwelling in which the owner or operator resides and, as a subordinate use, provides overnight accommodations with limited food service to transient guests.

BILLBOARD

A sign or structure which directs attention to an idea, product, business activity, service or entertainment which is conducted, sold or offered elsewhere than upon the lot on which such sign is situated.

BIO-TECHNICAL RESEARCH

A building or group of buildings in which the principal activity is devoted to those aspects of technology concerned with the application of biological and engineering data to problems relating to man and machine.

BOARDINGHOUSE

A dwelling where persons, for fixed periods of time, are supplied with and charged for sleeping accommodations.

BOATHOUSE

A permanent structure used solely for the personal storage of watercraft and associated materials.

BUFFER ZONE

A strip of land along the perimeter of the parcel identified on a site plan, established to separate one type of land use from another. No structure, parking or loading is permitted in any buffer zone. Buffer zones are to be landscaped and kept as open space, except that driveways and walkways providing access through the buffer zone to a structure or parking on the lot are permitted.

BUILDABLE ACRE

An acre of land area unencumbered by wetlands, watercourses, water bodies, rock outcroppings in excess of 20,000 square feet, steep slopes in excess of 20% and other such environmental features.

BUILDING

Any combination of materials forming any construction. The term "structure" shall include the term "building" and, among other things, freestanding signs, radio and television antennas, satellite dishes, towers and antennas, except for roof antennas;

A roofed space, open on three sides, one story in height, covered with a flat or hipped roof and ordinarily used as a shelter under which not more than two vehicles are driven or temporarily parked.

CARPORT

A tract of land on which are located a series of shelters, permanent or temporary, which are used to house a number of individuals and where facilities for cooking, eating, sanitation and community activities are used in common by such occupants, regardless of whether operated for gain or otherwise.

CAMP

An establishment open to the public where alcoholic refreshments are served in conjunction with dancing or live entertainment.

CABARET

Standards that control the height, density, intensity and location of structures.

BULK AND LOT REGULATIONS

See "lot."

BUILDING LOT

See "building area."

BUILDING ENVELOPE

The total horizontal area of a lot covered by buildings, decks, balconies, roofed or covered areas, or other structures, but excluding incidental projecting eaves and roofs.

BUILDING COVERAGE

A calculated area defined as the land area unencumbered by wetlands, watercourses, water bodies, rock outcroppings in excess of 20,000 square feet, steep slopes in excess of 20% and other such environmental features.

BUILDING AREA

pergolas; porches; outdoor bins; outdoor air condensers; platforms; sheds; docks; wharves; swimming pools; tennis and handball courts; solar panels; and transmission and telephone lines.

CATERING ESTABLISHMENT

A business enterprise engaged in the preparation and sale of food and beverages for off-premises consumption.

CELLAR

An uninhabitable part of a building wholly or partly below ground level.

CENTRAL BUSINESS DISTRICT

The Central Business District (CBD) is the area considered to be the downtown of the Town of Putnam Valley. This generally includes the Oregon Corners and Lake Peekskill business areas.

CHANNEL

The segment of the radiation spectrum from an antenna which carries one signal. An antenna may radiate on many channels simultaneously.

CHILD DAY-CARE CENTER, NURSERY OR PRESCHOOL

Any individual, association, corporation, partnership, institution or agency whose activities include the operation of a home or facility providing care for a child on a regular basis away from the child's residence for less than 24 hours a day by someone other than the parent, stepparent, guardian or relative within the third degree of consanguinity of the parents or stepparents of such child, as per Social Services Law § 390, with the exemptions and classifications therein.

CHURCH

See "houses of worship."

CLUBHOUSE OR LODGE

A building, or portion thereof, used by a club or a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, a constitution and bylaws.

CLUSTER DEVELOPMENT

An arrangement of attached or detached structures situated on a site by a development design technique that concentrates buildings in specific areas, often on lots with reduced dimensions, while maintaining overall density, and preserves in perpetuity large areas of open space, environmentally sensitive areas, and prominent site features.

COCKTAIL LOUNGE/BAR

An establishment, licensed by the State of New York, engaged in the sale of alcoholic beverages to persons of at least the age of 21 years for on-premises consumption during the hours of operation determined by the Zoning Board of Appeals.

CO-LOCATION

The practice of placing more than one base station and/or more than one variety of personal wireless service provider on a single tower or structure.

COMMERCIAL

A business venture designed to produce a profit.

COMMERCIAL STABLE

A structure designed for the feeding, housing and exercising of horses that are not owned by the owner of the premises.

COMMON AREA

Any area held, designed and designated for the common use of the owners or occupants of a clustered development, townhouse project, subdivision or other planned development.

COMMUNICATION EQUIPMENT SHELTER

A structure located at a base station designed principally to enclose equipment used in connection with personal wireless service transmissions.

COMMUNICATION TOWER

A freestanding or building-mounted structure, including appurtenances and antennas, intended for airway communication purposes, such as a television antenna, satellite dish or receiving and transmitting facility for which no FCC license is required.

COMMUNITY RESIDENTIAL

A facility for mentally disabled persons as defined by the Mental Hygiene Law and the rules and regulations issued under this chapter.

CONFERENCE CENTER

A building or group of buildings with meeting facilities, hotel rooms and food and beverage service. See also "hotels."

CONSTRUCTION MATERIALS

Those materials, such as but not limited to lumber, brick, roofing materials, etc., normally associated with the construction or repair of commercial or residential buildings.

CONSUMER REPAIR SERVICE

An establishment devoted to the repair and incidental sale of household appliances, fixtures and other personal items.

CONTRACTOR

A person or firm engaged in a trade as a business for the purpose of providing electrical, plumbing, excavation, and general residential or commercial construction.

CONTRACTOR OFFICE

A structure used by a person or firm engaged in a trade as a business for the purpose of providing electrical, plumbing, excavation, and general residential or commercial construction services performed at off-site locations.

CONTRACTOR YARD

A use accessory to a contractor office use and located on the same lot or parcel, in which equipment and other materials and facilities customarily required in a contractor's trade are stored and maintained, but excluding the storage of materials or equipment for on-site or off-site sale.

CONVALESCENT HOME

A building used for the accommodation and care of persons recuperating from illness, surgery, bodily disorder or the effects of accident or trauma.

CONVENIENCE STORAGE

A building or group of buildings in a controlled access and fenced compound containing individual compartmentalized and controlled access stalls or lockers for the storage of personal items and household goods. Such facilities shall not be greater than one story in height. Individual compartments shall not be greater than 12 feet by 20 feet, nor shall they exceed eight feet in height.



CONVENIENCE STORE

A retail facility designed to accommodate the needs of the adjacent neighborhood with the sale of newspapers, dry goods and various other sundries as well as food and beverages for off-premises consumption.

COUNTRY CLUB

The principal or accessory use of a parcel of land, buildings or other facilities, including but not limited to swimming pools, tennis and paddle tennis facilities, etc., for the purpose of recreation and where the members of the facility control its assets and management.

DANCE/ARTISTIC STUDIOS/GALLERIES

A building or buildings or portion thereof used by a teacher or instructor of art, sculpture, performing arts or the like as a place of work, a location for instruction or for the display or exhibit of such work.

DATA PROCESSING

Any operation designed for converting raw information into a usable or storable form using computers or similar type apparatus.

DAYCAMP

A tract of land on which are located buildings or other structures or facilities used primarily for entertaining groups of 10 or more children during the day, such children being returned to the homes of their parents or guardians at the end of the day.

DECK

A supported, unroofed, aboveground platform.

DELICATESSEN

A business engaged in the sale of food, prepared food, food products and beverages primarily for off-premises consumption.

DELIVERY OR MESSENGER SERVICE

A private, for-profit enterprise not affiliated with any governmental agency, providing for the receipt and delivery of mail, parcels and facsimile transmissions.

A building designed or used exclusively as the living quarters for one or more families that includes permanent provisions for living, sleeping, eating, cooking and sanitary facilities.

DWELLING

A retail establishment at which no dry cleaning takes place but where customers may leave and pick up goods that were dry cleaned elsewhere.

DRY CLEANING, STOREFRONT

An establishment at which fabrics are cleaned by the use of chemicals and liquids other than water.

DRY CLEANING, ON-SITE

A private thoroughfare, paved or unpaved, for driving a motor vehicle between a building, garage or parking area and a road shown on an approved map.

DRIVEWAY

A structure contiguous to or extending into a body of water so that boats may lie alongside. Safety rails (not exceeding three feet in height above the surface of the dock) which may have benches attached thereto and a single pole or post (not exceeding 10 feet in height above the surface of the dock) on which are mounted lifesaving rings, rescue rope, and the lifesaving rings, rescue rope and the like may be part of said structure.

DOCK

The diameter of a tree measured at 4 1/2 feet above the ground.

DIAMETER AT BREAST HEIGHT (DBH)

An application and review procedure by the Planning Board for residential development whereby an applicant provides documentation and plans pursuant to Article IV of this chapter.

DEVELOPMENT APPROVAL PLAN (DAP)

A structure or dwelling unit fully separated from any other building or joined to another building by structural members not constituting an enclosed or covered space.

DETACHED STRUCTURE OR DWELLING UNIT

DWELLING UNIT

One or more rooms with provisions for living, sleeping, eating, cooking and sanitary facilities arranged for the use of one person or family.

EASEMENT

A privilege or right of use or enjoyment granted on, above, under or across a particular tract of land by one owner to another.

EDUCATIONAL OR PHILANTHROPIC USES

Facilities used by a nonprofit organization:

A.

To instruct or train; or

B.

For the promotion of benevolent projects.

EFFECTIVE RADIATED POWER

Effective radiated power is a measure of how well an antenna concentrates RF energy; it is not the power radiated from the antenna.

ELECTROMAGNETICALLY ABLE

The determination that the new signal from and to the proposed new antennas will not significantly interfere with the existing signals from and to other facilities located on the same tower or structure as determined by a qualified professional telecommunications engineer. The use of available technologies to alleviate such interference shall be considered when making this determination.

EMF

Electromagnetic frequency radiation.

ENCLOSED

A roofed or covered space fully surrounded by walls, including windows, doors and similar openings or architectural features.

EXISTING OR PREEXISTING

A building or use that is lawfully present on a given site or in a given building and for which no notice of violation is in effect as of the effective date of this chapter.

EXTERMINATING SERVICES

A commercial business for the eradication of unwanted or destructive bugs, insects or rodents, etc.

FACILITY SITE

A property, or any part thereof, which is owned or leased by one or more personal wireless service providers and upon which one or more personal wireless service facilities and required landscaping are located.

FAMILY

A household constituting a single housekeeping unit occupied by more than one person.

FARM OPERATION

Those uses and associated structures defined in New York State Agriculture and Markets Law § 301(11), as currently in effect and as same may be from time to time amended. Farm operations to be conducted in districts other than the AG District shall be limited to lots at least 10 acres in size, and all fertilizer, manure storage, and structures for the housing of livestock and/or poultry shall be at least 100 feet from all lot lines and from all regulated wetlands, water bodies and watercourses.

FCC

Federal Communications Commission. The government agency responsible for regulating telecommunications in the United States.

FCC 96-326

A report and order which sets new national standards for emissions of radio-frequency emissions from FCC-regulated transmitters.

FENCE

A barrier, ordinarily constructed of wood, metal or stone, enclosing or bordering a yard or field, used to prevent ingress and egress, to mark a boundary or to create an attractive appearance.

FINANCIAL SERVICES

The function of providing business, financial or investment information and/or products, either as agent or principal, on matters relating to money, securities, insurance, etc.

FINISHED GRADE

Natural surface of the ground or surface of ground after completion of any change in contour.

FINISHED GRADE, AVERAGE

The average of the highest and lowest horizontal elevations of the finished surface of the ground, paving or sidewalk at a point where height is to be measured.

FLOODWAY

The channel of a natural stream or river and portion of the floodplain adjoining the channel, which are reasonably required to carry and discharge the floodwater or flood flow.

FLORIST

A business engaged in the sale of plants, flowers or floral products. See also "retail sales."

FOOTPRINT

The area of a lot covered by a building or structure including the area of floor space projecting beyond the outer limits of the first floor and excluding paved areas, underground storage tanks and drainage water and sewer systems.

FORESTRY MANAGEMENT

See also "timber harvesting." The practice of planting, cultivating and/or harvesting trees for commercial gain.

FUNERAL HOME

The establishment of a funeral director and/or undertaker, which may or may not include facilities for the conduct of funeral services.

GARAGE, COMMERCIAL

A building, or part thereof, used for the storage, painting or repair of motor vehicles as a business, including sale of automobile accessories and supplies.

The vertical distance from grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable on a pitched or hipped roof, or if none of the preceding, then to the highest point of a structure. As applied to a building, the height shall be measured from an elevation derived from the average of the highest and lowest grade adjacent to the building.

HEIGHT, BUILDING

Any business engaged in providing, on premises, its clientele with a regimen designed for physical fitness, bodybuilding, body-shaping, aerobics and the like.

HEALTH CLUB/SPA

A facility for the sale or rental of products primarily intended for use in minor home repair or improvement.

HARDWARE STORE

See "communication tower."

HAM RADIO TOWER

The lowest horizontal elevation of the finished surface of the ground, paving or sidewalk, at a point where height is to be measured.

GRADE

A practice facility, open to the public, where golf balls are hit from a designated area to a designated target area.

GOLF DRIVING RANGE

The principal or accessory use of a parcel of land and building consisting of a minimum of 100 acres of land for conducting the game of golf.

GOLF COURSE

One billion hertz.

GHZ (DENOTES "GIGHERTZ")

An accessory building, or part of a principal building, designed or used principally for the storage of motor vehicles as an accessory use.

GARAGE, PRIVATE

HERTZ

One hertz is the frequency of an electric or magnetic field which reverses polarity once each second, or one cycle per second.

HOME BUSINESS OR TRADE

An incidental use of part of a premise in a residential district in which an office is maintained or equipment is stored to assist in conducting a business that is primarily carried out at a site away from the premises.

HOME OFFICE OR OCCUPATION

An accessory use, of a service character, carried on in a residential district by the residents of the premises, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the character thereof, does not have any exterior evidence of such secondary use other than a permitted name plate and does not involve merchandising, trade or the exchanging of commodities for sale. The maximum floor area to be utilized for a home occupation cannot exceed 25% of the total floor area of the dwelling unit.

HOSPITAL

An institution providing health service, primarily for inpatients, and medical or surgical care of the sick or injured, including as an integral part of the institution related facilities, central service facilities and staff offices.

HOTEL

A building or any part thereof containing rooms which are provided or offered for sleeping purposes to transient guests for compensation and where only a general kitchen and dining area are provided. There may be certain public rooms or halls for the service of food and drink with or without accessory conveniences or services normally incidental to and associated with such a use. The term "hotel" includes, but is not limited to, every type of similar establishment known variously as a motel, auto court, motel, hotel, motor court, motor lodge, tourist court, tourist cabins, roadside hotel or inn. (See also "conference center.")

HOUSE OF WORSHIP

Any structure used principally as a place wherein persons regularly assemble for religious observance and on-site buildings adjacent thereto, such as parsonages, friaries, convents, fellowship halls, Sunday schools and rectories, but not including day-care centers, community recreation facilities, private primary and secondary educational facilities and parking facilities.

JUNK

For the purposes of this chapter, junk shall include, but not be limited to the following: discarded reading material, newspapers, magazines, cardboard or similar paper goods, cans, bottles, containers, boxes, cartons or wrappers with or without contents, old pipes, rusting scrap metal or plumbing equipment not in use; auto parts, tires and wheels; broken or nonworking electrical fixtures, broken glass or windows, scraps of cloth or rags, discarded or unusable roofing materials, lumber or construction material, broken furniture or appliances which cannot be used for their original purposes; broken or discarded household furnishings or bedding.

JUNKYARD

A place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking and structural steel, materials and equipment, but not including the purchase or storage of used furniture and household equipment, used cars in operable condition, used or salvaged materials as part of a manufacturing or recycling operation.

KENNEL, COMMERCIAL

An establishment for the care, boarding and breeding of dogs or cats for a fee.

LABORATORY, RESEARCH

A building or part of a building devoted to the testing and analysis of any product or animal, including humans. No manufacturing is conducted on the premises except for experimental or testing purposes.

LAKE FRONTAGE

The total distance between the points of intersection of the enclosing lot lines with the shoreline measured along the shoreline at the normal yearly high-water level. The perimeter of natural spits or other promontories and natural coves or other natural indentations shall be included in lake frontage.

LANDSCAPED AREA

An area devoted to or developed predominantly with plant material or natural landscape features, including lawn, ground cover, gardens, trees, shrubs and other plant materials, and also including accessory decorative outdoor landscape elements, such as pools, fountains, water features and sculptural elements, provided that the use of brick, stone, aggregate or other inorganic materials shall not predominate over the use of plant material.



LAUNDROMAT, ON-SITE

A business establishment which provides, for a fee, facilities for patrons to wash and/or dry articles of clothing, bedding, etc., on the premises.

LAUNDRY SERVICE, STOREFRONT

An establishment at which no laundering takes place but where customers may leave goods to be laundered and pick up goods which were laundered elsewhere.

LENGTH OF BUILDING

The longest distance measured between the vertical planes of a building.

LIBRARY

A place containing a collection of books, pamphlets, recordings, videos, periodicals, etc., used for education, research, entertainment or consultation.

LIQUOR STORE

An establishment, licensed by the State of New York, engaged in the sale of alcoholic beverages to persons of at least 21 years of age for off-premises consumption.

LOADING AREA OR SPACE

Any off-street space available for the loading or unloading of goods.

LOT AREA

A.

GROSS LOT AREA

A calculated area defined as the total site area, including roads, easements, wetlands, floodplains, waterways, water bodies and any other area for preservation.

B.

NET LOT AREA

A calculated area defined as the gross lot area minus streets, roads, rights-of-way and easements.

LOT, BUILDING

A plot or parcel of land under the same ownership, occupied or capable of being occupied by one principal building and the accessory buildings or uses customary and incidental thereto and including such yards and areas as are required by this chapter.

A.

LOT, CORNER

A lot which occupies the interior angle at the intersection of two street lines which make an angle of less than 135° with each other.

B.

LOT, AREA

The area of a horizontal plane bounded by the front, side and rear lot lines.

C.

LOT, DEPTH

The horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line, measured in a straight line.

D.

LOT WIDTH

The distance between the side lot lines, measured along the setback line as established by this chapter or, if no setback line is established, the distance between the side lot lines measured along the street line.

E.

LOT LINE or PROPERTY LINE

Line dividing one premises from another or from a street or other public space.

MAJOR MODIFICATION OF AN EXISTING FACILITY

Any change or proposed change in the number of antennas or a change in antenna type above the maximum number and type(s) approved under an existing special use permit. The replacement of an existing antenna with a new model of the same type is not considered a change.

MAJOR MODIFICATION OF AN EXISTING TOWER

Any increase or proposed increase in dimensions of an existing and permitted tower or other structure designed to support personal wireless service transmission, receiving and/or relaying antennas and/or equipment.

MANUFACTURING

The processing and converting of raw, unfinished or finished materials or products, or any combination of these, into an article or substance of a different character or for use for a different character or purpose, or the refinishing of manufactured articles.

MASSAGE THERAPIST

Massage therapists who are licensed by the State of New York as health professionals who apply a variety of scientifically developed massage techniques to the soft tissue of the body to improve muscle tone, circulation and provide health benefits.

MASSAGE THERAPY

A collection of bodywork modalities performed by a massage therapist designed to improve health through manual manipulation of soft tissues including stroking, kneading, pressing, tapping, and shaking. Intends to improve local circulation, reduce pain, and promote relaxation.

MEDICAL OFFICES (MEDICAL CENTER/COMPLEX)

An office, building or group of offices or buildings in which professionals provide medical and/or dental services.

MEDICAL TECHNICAL RESEARCH

A building or buildings for experimentation in pure or applied research, design development and production of prototype or new products in the medical field and uses accessory thereto, wherein products are not manufactured for wholesale or retail, and where there is no retail display of any materials or products.

MESSENGER SERVICE

See "delivery service."

MHZ (DENOTES "MEGAHERTZ")

One million hertz.

MINI MALL

A group of stores either attached or detached whose main purpose is the conduct of retail sales.

MONOPOLE

A single self-supporting vertical pole with no guy wire anchors, usually consisting of a galvanized or other unpainted metal, or a wooden pole with below-grade foundations.

MULTIFAMILY

A building or portion thereof containing three or more dwelling units *but no greater than five dwelling units.*

MUNICIPAL BUILDING

A building housing personnel and documents pertaining to, and intended for use by, a town, city, village or its local government.

MUSEUM

A place devoted to the exhibit of individual or collective works of art, nature, curiosities, etc.

NONCONFORMING USE

See "use."

NURSERY, RETAIL

A retail facility engaged in the sale of trees, shrubs, flowers or other plants.

NURSERY, WHOLESALE

A parcel of land, together with the buildings thereon, which is used for the propagation, raising or storage of horticultural or floricultural produce, trees, shrubs or other natural vegetation. No sale or access by the public, either on a temporary or regular basis is involved.

NURSING HOME

See "adult day care."

OFFICE (BUSINESS/ADMINISTRATIVE)

Floor space generally devoted to administrative, clerical and business uses, or where a particular type of business is transacted or service is supplied.

OFF-STREET PARKING AREA OR LOT

An area on a lot or within a building, or both, including one or more parking spaces, together with driveways, aisles, turning and maneuvering areas, clearances and similar features, and meeting the requirements established by this chapter.

OFF-STREET PARKING SPACE

An area off of the street right-of-way to be used exclusively for parking one automobile and having a width of at least nine feet and a length of at least 20 feet.

OPEN SPACE

An area used for recreation, resource protection or science purposes. Open space may include, but is not limited to, wooded areas, meadows, watercourses, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds and fountains. Open space shall not be deemed to include driveways, parking lots or other surfaces designed or intended for vehicular travel.

OVERLAY DISTRICT

A district drawn on the Zoning Map or appended map(s) to the Zoning Map, or information which in some way identifies a specific area of the town, which is coterminous with a particular geographic area about which a concern and/or issue exists. Since an overlay district may consist of portions of other zoning districts, the overlay district provides additional regulations aimed at achieving whatever the planning objective for that area of concern may be.

PAPER ROAD

An unimproved or partially improved road shown on the Official Map of the Town of Putnam Valley or approved as part of a subdivision or specific land use plan.

PARKS, PUBLIC

A tract of land owned by a municipality featuring open spaces, ballfields, picnic areas and the like, for use by the general public.

PERSONAL CONVENIENCE SERVICES

Commercial or business services provided to individuals, or to other businesses to include the cleaning of clothes, repair of shoes or other personal effects, hair grooming, physical therapy and health aid, and printing, copying, design, typing and computer services to include studios for the production of arts and crafts. Such definition shall exclude automotive services, retail, general business and light manufacturing.

PERSONAL WIRELESS SERVICE FACILITY

All equipment (including any repeaters) with which a personal wireless service provider broadcasts and receives the radio-frequency waves which carry their services and all locations of said equipment or any part thereof. This facility may be sited on one or more towers or structure(s) owned and permitted by another owner or entity.

PERSONAL WIRELESS SERVICE PROVIDER

An entity, licensed by the FCC to provide personal wireless services to individuals or institutions.

PERSONAL WIRELESS SERVICES

Commercial mobile services, unlicensed wireless services and common carrier wireless exchange access services. These services include: cellular services, personal communications services (PCS), specialized mobile radio services and paging services.

PET GROOMING

A nonveterinary service which tends to the neatness or appearance of nonfarm animals.

PHOTOGRAPHY, DIGITAL

Digital photography is a form of photography that uses cameras containing arrays of electronic photodetectors to capture images focused by a lens, as opposed to an exposure on photographic film. The captured images are digitized and stored as a computer file ready for further digital processing, viewing, digital publishing or printing.

PHOTOGRAPHY STUDIO

An establishment for the production, reproduction, enlargement or enhancement of photographs which also may contain the equipment and materials needed to achieve its purpose.

POST OFFICE, PRIVATE

See "delivery, messenger service."

POST OFFICE, PUBLIC

A facility of the United States Postal Department designed to receive and deliver mail and parcels affixed with United States postage; also to transmit facsimiles and sell United States Postal money orders and United States postage stamps.

PREAPPLICATION CONFERENCE FOR NEW TOWERS

A joint meeting or meetings of the Town Board, the Planning Board and the Zoning Board of Appeals with the applicant which reviews the preliminary need of the applicant prior to the signing of a formal lease by the applicant. The purpose of a preapplication conference is to identify the most appropriate location of a new tower and to expedite the approval process, including early identification of legitimate variances required from the Zoning Board of Appeals. (NOTE: This is an option available to the applicant.)

PRINCIPAL STRUCTURE

A building or structure which is the principal use on the site on which it is situated.

PRINCIPAL USE

See "use."

PRINTING ESTABLISHMENT

An establishment engaged in the production, reproduction or photocopying of printed or photographic material by various mechanical processes.

PROFESSIONAL OFFICE

The office of a person and related staff engaged in an occupation in which knowledge in some area of science or learning is applied to the affairs of others.

QUEUE LINE

An area for temporary parking and lining of motor vehicles while awaiting for service or other activity.

RADIATION PROPAGATION STUDIES OR RADIAL PLOTS

Computer-generated estimates of the radiation emanating from antennas or repeaters sited on a specific tower or structure. The height above ground, power input and output, frequency output, type of antenna, antenna gain, topography of the site and its surroundings are all taken into account to create these simulations. They are the primary tool for determining whether a site will provide adequate coverage for the personal wireless service facility proposed for that site.

RECREATIONAL VEHICLE

A towed or self-propelled wheeled conveyance designed as a temporary living accommodation for recreational and/or camping purposes.

REPEATER

A small receiver/relay transmitter of not more than 20 watts output designed to provide service to areas which are not able to receive adequate coverage directly from a base station.

REPLACEMENT VALUE

The estimated cost to replace the structure in kind, based on current replacement costs.

RESIDENTIAL

Buildings or areas designed to be used as living accommodations or as a residence by residents.

RESIDENTIAL ABOVE COMMERCIAL

A dwelling unit or units which are located above a permitted or specially permitted commercial property or properties.

RESTAURANT, FAST-FOOD

A business enterprise primarily engaged in the sale of food and beverages served in disposable containers, selected by patrons from a limited line of prepared specialized items for consumption either on or off premises or where a major portion of the sales to the public is at a drive-in or stand-up counter.

RESTAURANT

An establishment, however designated, at which food is sold for consumption on the premises, normally to patrons seated within an enclosed building.

REST HOME

See "adult day care."

RETAIL

Sale or rental of commonly used goods and merchandise for personal or household use which are primarily made directly to the ultimate consumer on the premises.



RETAIL, LARGE-SCALE

An integrated grouping of commercial activity, primarily of a retail and personal service nature in a building complex having the individual establishments joined by a common covered pedestrian mall or walkway.

RETAIL, LIMITED

Sale or rental of commonly used goods and merchandise for personal or household use in a single building of not more than three tenants. Such sales are primarily made directly to the ultimate consumer on the premises.

RIDGELINE, DESIGNATED

Specific geographical elevations that are extraordinarily prominent. Such features that have been, or are to be, identified by Town officials to provide physical definition to the Town itself and serve as scenic features worthy of preservation.

RIDING SCHOOL OR ACADEMY

An establishment where horses are kept for riding or driving, or are stabled for compensation, or are incidental to the operation of any club, association, ranch or similar establishment.

ROADSIDE FARM STAND OR PRODUCE STAND

Sale of flowers or agricultural produce primarily grown within the Town and designed to service roadway customers.

ROOMING HOUSE OR LODGING HOUSE

Any building or dwelling providing sleeping quarters, without meals, for any number of persons for compensation, rent or hire.

SATELLITE EARTH STATION OR SATELLITE DISH ANTENNAE

See "communication tower."

SAW MILLING

The milling of lumber and similar products from logs transported from a site other than that on which the milling facility resides.

SCHOOL, PRIVATE

A kindergarten, primary or secondary school, junior college, college or university, not operated by a public school district but furnishing a comprehensive curriculum of

academic instruction similar to that of a public school and licensed by the State of New York.

SCHOOL, PUBLIC

Any educational institution operated by a public school district under the laws of the State of New York, or any junior college, college or university operated under, or by, any municipal or quasi-municipal subdivision or agency.

SCHOOL, TRADE

An educational institution operated under the laws of the State of New York, furnishing a curriculum in a skilled trade, such as but not limited to plumbing, woodworking, carpentry or upholstery.

SEWER, CENTRAL

A system owned and operated by a municipality or public sewer district for the disposal of sanitary waste, supported by mandatory sewer charges or by the real property tax.

SEWER, COMMUNITY

A system for the disposal of sanitary waste in which effluent is directed into a common disposal system from three or more dwelling units or from dwellings housing 10 or more persons or which has the capacity of 1,000 gallons per day.

SHOPPING CENTER

See "mini mall."

SIGN

Any device or surface for visual communication on which letters, illustrations, designs, figures or symbols are painted, printed, stamped, raised, projected or in any manner outlined or attached and used for location and advertising purposes.

A.

SIGN, DIRECTIONAL

A sign limited to providing information on the location of an activity, business or event.

A structure used to primarily house horses.

STABLE

Special use permits enumerated in each zoning district are deemed to be permitted uses in their respective districts, but because of the unique characteristics of such uses, each case requires individual consideration and special conditions of approval by the Planning Board or Zoning Board of Appeals, as may be required in this chapter.

SPECIAL USE PERMIT

The necessary preliminary information provided to the reviewing body for site plan approval, development approval plan, special use permit or similar applications such that a basic understanding of the project is achieved for the purposes of discussion.

SKETCH PLAN

The sum of the area of coverage or footprint of the buildings, structures, paved areas and other improved surfaces on a lot preventing natural runoff to percolate into the soil. Areas paved with gravel, crushed stone and other materials used to support vehicles shall be considered impervious surfaces for the purpose of this chapter.

SITE OR DEVELOPMENT PLAN COVERAGE

A sign, whether on its own trailer, wheels or otherwise, designed to be movable and not structurally attached to the ground, a building, a structure or another sign.

SIGN, PORTABLE

D.

Any sign not attached or part of any building but separate and permanently affixed by any other means, in or upon the ground. Included are pole signs, pylon signs and masonry wall-type signs.

SIGN, FREESTANDING

C.

A listing of two or more business enterprises or occupants of a structure or structures, consisting of a matrix and sign components.

SIGN, DIRECTORY

B.

Any body of water or receptacle of water, in-ground or above-ground, having a depth at any point greater than 24 inches, designed, used or intended to be used for wading, bathing or swimming.

SWIMMING POOL

The division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale, gift, bequest, development, lease or for any other reason whatsoever.

SUBDIVISION

Any combination of materials forming any construction. The term "structure" shall include the term "building" and, among other things, freestanding signs; radio and television antennas; satellite dishes; towers; and antennas, except for roof antennas; pergolas; porches; outdoor bins; outdoor air condensers; platforms; sheds; docks; wharves; swimming pools; tennis and handball courts; solar panels; and transmission and telephone lines.

STRUCTURE

Such changes, alterations or repairs in a structure including the removal of any of the beams or supports of the structure or which result in the enlargement of the area of the structure or change in the nature of the occupancy thereof.

STRUCTURAL REPAIRS

The determination that a tower or structure is capable of carrying the load imposed by the proposed new antennas under all reasonably predictable conditions as determined by professional structural engineering analysis.

STRUCTURALLY ABLE

The dividing line between a street and a lot.

STREET LINE

A thoroughfare, dedicated or taken over and accepted by a municipality for public use or legally existing on any subdivision plat filed after August 2, 1972, or any traveled thoroughfare which is used by the public and maintained by the homeowners abutting thereto.

STREET

TELEPORT

A facility utilizing satellite dishes of greater than 2.0 meters in diameter designed to uplink to communications satellites for transmitting in the C-Band (4 to 6 GHz) spectrum.

TENT

A portable shelter usually supported by poles and attached to the ground or a platform by means of pegs and ropes.

THEATER OR CINEMA

A building adapted for dramatic, comedic or musical presentations, or for the viewing of motion pictures.

TIMBER HARVESTING

A commercial activity involving the cutting, gathering or collecting of trees for wood which is suitable for building or structural purposes.

TOWER

A lattice structure or framework, or monopole, that is designed to support personal wireless service transmission, receiving and/or relaying antennas and/or equipment.

TOWNHOUSE

A dwelling unit having a common wall with or abutting one or more adjoining dwelling units, often in a group of similarly joined dwelling units.

TOWNHOUSES, ZERO-LOT-LINE

Townhouses, zero-lot-line developments, patio or garden homes using a site design technique that concentrates buildings in specific areas to increase open space and preserve natural site features in accordance with Article IV of this chapter. Such development should be compatible within a single-family detached neighborhood and shall be served by public sewers or by common sewage disposal systems.

USE

A.

NONCONFORMING USE, ABANDONED

A nonconforming use shall be considered abandoned if such use has been inoperative for a period of two years.

ACCESSORY USE

B.

A use or activity which is incidental to and customarily associated with a specific principal use on the same site, including parking for the principal use.

C.

CHANGE OF USE:

(1)

Any change in the use or occupancy of land, buildings and other structures as follows:

(a)

A change in a use listed on one line of the Summary Schedule of Uses included at the end of this chapter to a use listed on another line, wherein the off-street parking or loading standards applicable to the new use differs from the preceding use.

(b)

A change to a use for which site plan approval or development plan approval is required by this chapter, wherein such approval was not required for the preceding use.

(c)

A change in existing site plan that is subject to a special use permit.

(d)

A change in use or site development that would modify conditions imposed or stipulations made by an applicant in connection with the approval of a special use permit or site development plan.

(2)

A change in use does not include a change in ownership, tenancy, name or management or a change in product or service within the same use classification where the previous nature of the use, line of business or other function is substantially unchanged.

The worth of the property as determined by current market value.

VALUATION

Those utilities providing a direct service within the borders of the immediate community.

UTILITY SERVICE, LOCAL

Any person, firm, corporation or municipal agency, duly authorized to furnish to the public, under public regulation, electricity, gas, water, steam, cable television, telephone or telegraph, including telecommunication services.

UTILITY, PUBLIC

Those normal and customary services to a building or group of buildings within a corporate park or subdivision to provide heat, electric power, water and/or fire protection.

UTILITY, PRIVATE

Those utilities which provide services over a large geographic area.

UTILITY FACILITIES, REGIONAL

A prospective use, intended for limited duration, to be located in a zoning district not permitting such use.

TEMPORARY USE

F.

A use listed in Article III of this chapter as a permitted use within that zone and permitted therein as a matter of right when conducted in accordance with the regulations established by this chapter.

PRINCIPAL USE

E.

A lawful use of any land, building or structure existing at the time of enactment of this chapter, or any amendment supplemental thereto, which does not conform with the requirement(s) of the base zoning district or which is prohibited by the regulations of an Environmental Management District in which the use is located).

NONCONFORMING USE

D.

VETERINARY HOSPITAL

An office designed for the care and treatment of animals which also provides for the boarding of animals.

WATER, CENTRAL

A water supply system, owned and operated by a municipality or public water district, supported by mandatory water charges or by the real property tax.

WATER, COMMUNITY

A system for providing drinking water to three or more dwelling units or structures from common sources.

WETLAND

Lands and waters as defined in Chapter 144, Freshwater Wetlands, of the Code of the Town of Putnam Valley or as delineated on the Putnam Valley Freshwater Wetlands Map.

YARD

Any unoccupied space, open to the sky, on the same lot as the principal building or structure.

A.

FRONT

A required yard extending across the full width of the lot and lying between the front lot line and the front setback line as specified by this chapter.

B. REAR

A required yard extending the full width of a lot between the rear lot line and the rear setback line, but excluding any area located within the street side bar of a corner lot.

C.

SIDE

A required yard extending the depth of a lot from the front yard to the rear yard between the side lot line and the side setback line.



ZERO LOT LINE

A development technique whereby the location of a building on a lot is in such a manner that one or more of the building's sides rests directly on a lot line, with yard space on only one side, in order to give the effect of privacy and open space in a relatively small area.

**DRAFT ADULT USE REVISION**

**§ 165-36 Additional standards for particular special use permits.**

02/14/17

Add the following:

**C: Adult Entertainment and Related Uses:**

**A.** The Town Board hereby finds that certain business activities, by their nature, have serious objectionable operation characteristics which can lead to a significant impact on the surrounding community. The Town Board further finds that the unrestrained proliferation of such businesses is inconsistent with existing development and future plans for the Town of Putnam Valley in that they often result in influences on the community, which increase the crime rate and undermine the economic, moral and social welfare of the community. The deleterious effects of these businesses change the economic, social and moral character of the existing community and adversely affect existing businesses and community and family life. As business activity drops off and the quality of life deteriorates, merchants and families move away from the area, leaving it in a vacant and depressed state. The purpose of this article is to prevent the unrestricted proliferation of such businesses and to ensure that the effects of such businesses will not adversely affect the safety and economic well-being of the community by enacting criteria for the placement, construction and/or permitting of adult entertainment uses in the Town.

**B.** Adult entertainment use not permitted. Adult entertainment uses are not permitted in the Town of Putnam Valley. The need for provision of such uses is being met on a regional basis.