

ARTICLE III
Use Regulations

1. General requirements.

The general requirements affecting the use of buildings, structures and land for each of the districts established by Article II are hereby established and set forth in this Article.

2. Use Table.

The accompanying table entitled "Table of General Use Requirements" shall be deemed part of this local law and is referred to herein as the "Use Table."

3. Utilization of Use Table.

A. The Use Table is divided into columns, with each column headed by a capital letter for reference. Horizontal lines divide the requirements for one (1) district from those of another.

B. In the Use Table, the words "same as," followed by the symbol of the district or districts, shall be construed to include all of the matter set forth in the same column for the district or districts thus referred to, thereby incorporating such matter by reference.

- C. In the Use Table, all uses listed in Column B are permitted by right and subject to the bulk and supplemental requirements as applicable. All uses listed in Column C are permitted only upon approval of the Planning Board. All uses listed in Column D are special permit uses, permitted on approval of the Board of Appeals in accordance with Article XV or on approval of the Village Board in accordance with Article XVI, as the case may be. All special permit uses and conditional uses also require site development plan approval by the Planning Board in accordance with Article IX.
- D. The uses identified in Columns B, C and D are followed by a letter designating a use group for reference to the Table of Bulk Requirements. Certain uses do not have respective bulk requirements and the requirements pertaining to the principal use shall apply.
- E. Uses carried through from one (1) district to another are cited "same as..." followed by district from which carried through and a number or numbers referring to the particular use as identified in the district. Additionally, as an aid to cross-reference, a brief description or identification of the referenced use is

enclosed in parenthesis following the numerical reference; however, such reference shall be deemed to incorporate all matter pertaining to the subject use. Where a use group is not identified in the Use Table, the use group for the same use in the previously cited district or districts shall apply.

- F. Any use not identified in the Use Table shall be deemed prohibited. Any use indicated as conditional shall be deemed prohibited unless approved in a manner specified by this local law. Where conditional uses are identified by generic work or description, the Planning Board shall determine whether a specific use shall be construed to be part of such generic class. In making such determination, the Planning Board shall consider to what extent the proposed use is alike, in land use impacts, the class of use indicated in the Use Table.

4. Prohibited uses.

The uses which are listed in this section are prohibited in the Village, subject to the qualifications set forth in Article II, Section 4D.

- A. Manufacturing uses involving primary production of the following products from raw materials:

- (1) Asphalt, cement, charcoal and fuel briquettes.
 - (2) Chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen and oxygen, industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic materials and synthetic resins, pyroxilin, rayon yarn and hydrochloric, nitric, phosphoric, picric and sulfuric acids.
 - (3) Coal, coke and tar products, including gas manufacturing; explosives; fertilizers; gelatin, glue and size.
 - (4) Linoleum and oilcloth; matches; paints, varnishes and turpentine.
 - (5) Rubber (natural or synthetic); soaps, including fat-rendering; starch.
- B. The following processes: nitrating of cotton or other materials; milling or processing of flour, feed or grain; magnesium foundry; reduction, refining, smelting and alloying of metal or metal ores; refining secondary

aluminum; refining petroleum products, such as gasoline, kerosene, naphtha, lubricating oil; distillation of wood or bones; and reduction and processing of wood pulp and fiber, including paper mill operations.

- C. Operations involving stockyards and slaughterhouses, grain elevators, slag piles and keeping, breeding and raising of pigs or cattle.
- D. Storage of explosives, except under license from the State of New York and in a manner and place conforming to the laws of the State of New York and the American Table of Distances and provided that no more than five thousand (5,000) pounds is stored in any one (1) magazine.
- E. Bulk or wholesale storage of gasoline above ground.
- F. Dumps, sanitary landfills, recycling centers, resource recovery facilities and junkyards, except those operated by the Village.
- G. Quarries, stone crushers, screening plants and storage of quarry screenings.

- H. Incineration of waste materials except in a plant owned and operated by the Village.
- I. Disposals of septic or sewage wastes.
- J. Any other use, whether specified above or not, that is of such a nature as to be detrimental to neighboring properties by reason of emission of odor, dust, refuse matter, garbage, smoke, vibration, gas, radiation, noise or any other factor that is dangerous to the comfort, peace, enjoyment, health or safety of the area or the community.
- K. Freestanding water towers and freestanding water tanks, located below, on or above ground are not permitted, except that such a tower or tank, owned and operated by a public utility shall be allowed, as a conditional use of the Planning Board, on plots of three (3) acres or more, subject to approval of the Village Board.
- L. Contractors storage yards.
- M. Mini-storage facilities.

- N. Bus storage and repair facilities.
- O. Refuse or garbage truck maintenance or storage facilities.
- P. Roadside mobile lunch wagons.
- Q. Auto, truck, or bus body repair and painting.
- R. The commercial processing and/or storage of trees, wood chips, leaves, mulch and similar materials. (Amended November 20, 2003)

