

## ARTICLE VI

### Supplementary Regulations

1. Permitted height exceptions.

The Planning Board may modify the permitted height limitations of this local law with respect to the following:

- A. Rooftop bulkheads, elevator penthouses, water towers, fire towers, hose towers, cooling towers, air conditioning or heating equipment, flagpoles, dish antennas, radio or television aerial, provided that such features shall not occupy, in the aggregate, more than ten percent (10%) of the area of the roof of a building and are set back from the edge of the roof at least one (1) foot for each one (1) foot by which such features exceed the maximum height otherwise specified for the district in which they are located. All mechanical equipment located on the tops of buildings shall be visually screened.
- B. Parapet walls or cornices which do not exceed the maximum height requirement for the district in which they are located by more than four (4) feet.

C. Solar energy systems, provided that such systems shall be erected only to the height necessary to accomplish the purposes they are intended to serve.

2. Courts.

A. An outer court shall be at least twenty (20) feet wide, as wide as its depth or as wide as the height of the highest wall adjoining said court, whichever is the greatest.

B. An inner court shall be at least fifty (50) feet in the least horizontal dimension. Two (2) open and unobstructed passageways, each at least fourteen (14) feet high and twelve (12) feet wide, to permit access by fire-fighting equipment, shall be provided at ground level to any inner court.

3. Spacing.

A. The distance between two (2) principal buildings on the same lot shall be no less than the height of the taller building.

B. The distance between a principal building and an accessory building shall be no less than the height of the accessory building but in no event less than fifteen (15) feet.

4. Yards abutting limited access highways or utility transmission lines. No side yard or rear yard shall be required where such yard abuts the right-of-way of a limited access highway or utility transmission line at least fifty (50) feet in width. Notwithstanding the preceding sentence, adequate provision shall be made for emergency access to the side or rear of any building.
  
5. Lots zoned LO and PI (amended June 20, 1991).
  - A. Where a lot abuts a residential zoning district, the Planning Board may, in its discretion, require additional protections of distance, landscape material, berms, changes in elevation, adjustment to roof elevations, modifications to the architectural design that would interrupt excessive lengths of buildings, add architectural details to break building mass, specify facade and surface materials, textures and colors, and/or require any other elements of protection the Board determines to be necessary to achieve the desired result; all with the intent of reducing the impact of the building or buildings on the adjoining residential district.
  - B. For purposes of this section, an excessive length of building is a building, including any additions,

extensions or appurtenances thereto, of which any wall exceeds 300 feet in length. Where the intended building requires a dimension in excess of 300 feet, the building setback shall be increased by 25 feet for each additional 100 feet of building or fraction thereof. The Planning Board may waive, amend or decrease this additional setback requirement for good cause shown, if the Planning Board determines that the additional length of building will not adversely affect the adjoining residential district.

5. Modified Floor Area Ratio Requirement for Single-Family Detached Residences with Deep Cellars

A. Where a single-family detached home is proposed to be constructed with a cellar in an R-35, R-25, or R-15 zoning district, the Building Inspector shall increase the maximum required floor area ratio by .05 if the following conditions are met:

(1) The Cellar must be contained entirely within the first floor footprint.

(2) The Cellar ceiling must at no point be more than four feet above finished grade of the of the ground adjoining the building, except that the installation of window wells and exterior stairwells is permitted so as

the finished grade of the ground adjoining the window wells and stairwells is no more than three feet lower than the ceiling of the basement at any point;

(3) The average finished grade adjoining the building may be no more than five feet higher the lowest curb elevation adjoining the lot;

(4) The first floor of the residence must not contain more than 40% of the total gross floor area of the building.

(5) Any floor area in a structure added pursuant to the provisions of this section must fully comply with the provisions of the New York State Fire & Building Codes.

