

ARTICLE VI  
**General Business Use Districts B**

**§ 250-26. Permitted uses.**

In General Business Use Districts B, buildings or land may be used and buildings and other structures may be built, altered or erected for any of the following purposes upon approval of site and construction plans by the Planning Board. Nothing shall prohibit the combination of any permitted use upon one property as long as such combination is housed within one structure or connected structures so as to prevent the effective development of apparently separate and distinguishable uses upon one parcel.

- A. Animal hospital, veterinary clinic or kennel, provided that any structures or area used for such purposes, including pens or exercise runnings, shall be at least 200 feet distance from any property line.
- B. Car wash.
- C. Automobile sales: new.
- D. Billiard rooms.
- E. Bowling alley or similar recreational establishment entirely enclosed within a building.
- F. Building material sales, including lumberyards.
- G. Clubs.
- H. Commercial greenhouses and plant nurseries, including offices and sales yards, provided that no building for any such use shall have a heating plant, ventilating flue or other opening except stationary windows within 50 feet of any residence district.
- I. Sales and/or rentals of cargo and/or camping trailers.
- J. Communications centers.
- K. Funeral home or mortuary.
- L. Hotels.
- M. Ice storage and vending (three tons' or less capacity).
- N. Lodges.
- O. Motel or motor court conforming to the provisions of § 250-68.
- P. Motor vehicle service station conforming to the provisions of § 250-71.
- Q. Offices.
- R. Places of amusement or assembly.
- S. Public motor vehicle repair and public parking and storage garages conforming to the provisions of § 250-71.
- T. Restaurants.
- U. Retail businesses or retail service.

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V. Sales room or shop of a builder, contractor or artisan, provided that no equipment is stored out of doors unless enclosed and screened from view by fences.

W. Skating rinks.

X. Theaters other than drive-in.

Y. Accessory use and buildings customarily incidental to the above permitted uses.

Z. Other uses as provided by § 250-72 (Signs) and § 250-74 (Temporary uses and structures).

AA. Light assembly or manufacturing, limited to manufacturing, processing or assembly activities, including wholesale and warehousing activities and related supportive activities which will not constitute a fire hazard or result in glare, odor, dust or other airborne fumes or irritants or noise, and which use shall not result in any unreasonably adverse impacts on surrounding land uses.

BB. Nursery schools, preschools, and educational institutions.

CC. The following uses permitted by special use permit, subject to the procedures and criteria in § 250-65:

- (1) Drive-in businesses, including drive-in outdoor theaters: subject to the requirements of § 250-82.
- (2) The storage of alcohol, gasoline, crude oil, liquefied petroleum, gas or other highly flammable substances, subject to the requirements of § 250-83; provided, however, that neither this Subsection CC(2) of § 250-26, nor anything in § 250-83 of this chapter, shall be construed to authorize or allow within the Town natural gas and/or petroleum extraction activities, natural gas and/or petroleum exploration, extraction or production wastes disposal/storage facilities, a natural gas and/or petroleum exploration, extraction or production wastes dump, a natural gas compression facility, a natural gas processing facility, or any other explicitly prohibited uses.  
**[Amended 4-3-2014 by L.L. No. 2-2014]**

#### **§ 250-27. Prohibited uses. [Amended 4-3-2014 by L.L. No. 2-2014]**

Explicitly prohibited uses, and any use not specifically set forth in § 250-26 above as a permitted use (as of right, accessory, or upon special permit, as the context may admit), shall be prohibited within General Business Use Districts B.

#### **§ 250-28. Area, setback, building size and height restrictions.**

In addition to the specific restrictions established in connection with permitted uses listed in § 250-26 and the requirements listed in Article XI, the following regulations apply to all other uses permitted in B Districts.

- A. Area and lot dimensions. The minimum net land area per establishment shall be one acre, and the minimum width of lot at the front building line shall be 150 feet. However, it shall be allowable to construct a group of establishments in accordance with an integrated site and architectural plan approved by the Planning Board, and the minimum land area for such a group shall be five acres with a minimum width of 400 feet at the front building line.
- B. For purposes of calculation of the area of land required, reference is made to the definitions contained in Article III of this chapter, and specifically to the definitions of "area, land"; "building line, front"; "lot, corner"; "lot depth"; "lot of record"; "street line" and "setback, front," which said

§ 250-28 definitions are to be deemed to be incorporated in this section and subsections, and as such definitions may be amended from time to time. § 250-32

- C. Front setbacks. There shall be a minimum front setback of 50 feet, into which space there shall be no encroachment of structures other than a fence, wall or sign not larger than 20 square feet and no encroachment of commercial usage other than parking space for not more than 10 cars.
- D. Side setbacks. No building shall be placed closer to a side property line than 30 feet, and no automobile parking space shall extend nearer to a side property line than 15 feet.
- E. Rear setbacks. No building shall be placed closer to a rear property line than 50 feet if the adjacent district is an agricultural use district or a residence use district or a Q District or closer to a rear property line than 20 feet if the adjacent district is any other class of district.
- F. Height. There shall be no limit on the height of buildings except, for each foot the height of a building exceeds 35 feet, the offset from the side and rear property lines shall be increased by two feet.
- G. Building size. No building used or intended for use for retail purposes shall exceed 40,000 square feet in gross floor area.

**§ 250-29. Entrances and exits upon public streets.**

There shall not be more than one entrance and one exit per establishment on any individual public street, and the distance between the entrance and exit center lines, if separate, shall not be less than 100 feet, and the exit shall not intersect any street line less than 40 feet from the intersection of any two street lines. The location of driveways along Routes 5 and 20 or Route 15A shall conform to the access management requirements of § 250-117.

**§ 250-30. Landscape treatment.**

All properties shall be appropriately landscaped, particularly at the front. Properties abutting residence districts shall be planted with trees and shrubs for a width of not less than 15 feet on all property lines abutting residence districts.

**§ 250-31. Development plan required.**

The application for a permit to construct a building or buildings or to establish a use in a General Business Use District B shall be accompanied by a plan, in duplicate, drawn to scale and showing property lines and the location of proposed building or buildings, entrances and exits, parking spaces, landscape treatment, signs and other improvements, and such plan shall become a part of the record.

**§ 250-32. Approval of plans.**

Approval of site and construction plans by the Planning Board in accordance with the procedures set forth in Article XV hereof shall be required in each instance of establishment of a new and otherwise permitted use and in each instance of expansion of an existing permitted use.