

buildings) shall be adequately drained and surfaced with a dustless, durable, all weather surface, subject to approval of the Town Planning Board.

7. Each off-street parking space shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk or alley, and so that any motor vehicle may be parked and unparked without moving or damaging another.
8. The collective provision of off-street parking areas by two (2) or more buildings or uses located on adjacent lots may be recommended for approval by the Planning Board and provided that the total of such facilities shall not be less than the sum required of the various buildings or uses computed separately.
9. No more than two (2) driveways not less than twenty (20) feet or more than thirty (30) feet in width shall be used as means of ingress and egress for each non-residential use, except where deviation in the number of, or width of such driveway, may be deemed necessary by the Planning Board because of traffic safety conditions.
10. No driveway to an off-street parking area shall be located closer than fifty (50) feet to the intersection of any two streets or within twenty (20) feet of any side lot line provided that sufficient distance will always remain for all required radii for said driveway. The distance from the driveway to the intersection shall be measured by extending the curb line of the intersecting street until it intersects the curb line, extending if necessary, of the driveway in question. In addition, there shall be a minimum distance of twenty (20) feet between two driveways located on one frontage.
11. Parking areas may be located in any yard space for non-residential uses but shall not be located closer than fifty (50) feet to any road right-of-way centerline and ten (10) feet to any property line.

B. Location of Off-Street Parking Facilities

Off-street parking facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be walking distance measured from the nearest point of the parking facility to the nearest public entrance of the building that such facility is required to serve.

1. For one and two family dwellings and for all types of residential structures on the same lot with the building they are required to serve.
2. For multiple family dwellings not more than two hundred (200) feet from the building they are required to serve.
3. For other uses not more than five hundred (500) feet from the building they are required to serve.

C. Buffer Area and Landscaping

1. Off-street parking areas for more than five (5) vehicles shall be effectively buffered on the rear and side yards by a fence of acceptable design, unpierced masonry wall, landscaped berm or compact evergreen hedge. Such fence, wall or hedge shall not be less than six (6) feet in height and shall be maintained in good condition.
2. When a parking area for five (5) or more vehicles adjoins a residential area, a planted buffer area shall be provided in addition to the hedge or wall specified in paragraph 1.) above. The planted buffer area shall not be less than ten (10) feet in depth.

D. Lighting

1. All off-street parking areas and appurtenant passageways and driveways (excluding areas serving one and two family dwellings and farm dwellings) shall be illuminated adequately during the hours between sunset and sunrise when the use is in operation.
2. Any lights used to illuminate an off-street parking area shall be so arranged as to reflect the light away from all adjoining property.

E. Units of Measurement

1. In churches and other places of assembly in which patrons or spectators occupy benches, bleachers, pews or other similar seating facilities, each twenty (20) inches of such seating facilities shall be counted as one (1) seat for the purpose of determining requirements for off-street parking facilities.
2. When units of measurement determining the number of required parking spaces result in the requirement of a fractional space, any fraction shall

require one (1) parking space.

F. Mixed Occupancies and Uses Not Specified

In any case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be determined by the Planning Board. Off-street parking facilities for one (1) use shall not be considered as providing required parking facilities for any other use, except as hereinafter specified for joint use.

G. Joint Use

The off-street parking requirements of two or more uses, structures or parcels of land may be satisfied by the same parking or loading space used jointly to the extent that it can be shown by the owners or operators of the uses, structures or parcels that their operations and parking needs do not overlap in point in time. If the uses, structures or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract or other appropriate written document to establish the joint use.

H. Required Off-Street Parking Space

Required off-street parking space for specific uses as regulated in this ordinance is contained in Schedule II which is part of this ordinance.

Section 1001 Loading Regulations

For every building, structure or part thereof having over four thousand (4,000) square feet of gross building area erected and occupied for commerce, industry, and other similar uses involved in the receipt and distribution by vehicles of materials and merchandise, there shall be provided and permanently maintained adequate space for standing, loading, and unloading services in order to avoid undue interference with the public use of streets, alleys, or parking areas. Every building structure or addition thereto having a use which complies with the above definition shall be provided with at least one (1) truck standing, loading and unloading space on the premises not less than twelve (12) feet in width, sixty-five (65) feet in length, and fourteen (14) feet in height. One (1) additional truck space of these dimensions shall be provided for every additional twenty thousand (20,000) square feet, or fraction thereof, of gross area in the building.

Section 1002 Sign and Billboard Regulations

A. Permits Required, Number of Signs

1. Not more than two (2) signs containing advertising or otherwise relating to a single business or activity may be erected or maintained on a single property. Directional signs that do not exceed two (2) square feet in sign area and are limited to such texts as “Office”, “Entrance”, “Exit”, “Parking” and “No Parking” are excluded from this limitation.
2. Not more than one (1) of the two (2) permitted signs may be a ground sign.
3. All signs greater than six (6) square feet in area shall require a permit from the Zoning Officer.
4. Sign permits issued in conformance with the regulations specified herein may be revoked by action of the Zoning Officer if the signs are not kept in good repair. The revocation of a sign permit shall result in the removal of said sign by or at the expense of the property owner.

B. Design and Location of Signs

1. No sign shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights. All luminous signs, indirectly illuminated signs and lighting devices shall employ only lights emitting light of constant intensity.
2. No luminous sign, indirectly illuminated sign or lighting device shall be placed or directed so as to cause glaring or non-diffuse beams of light to be cast upon any public street, highway or sidewalk or adjacent premises, or otherwise to cause glare or reflection that may constitute a traffic hazard or nuisance. No signs shall in its construction employ any mirror or mirror-like surface.
3. No sign shall be erected or maintained upon the roof of any building or structure.
4. No motor vehicle, mobile home or trailer on which is placed or painted any sign shall be parked or stationed in a manner primarily intended to display the sign.
5. No sign shall be erected or maintained within the right-of-way, nor within twenty-five (25) feet of the road bed of any public street or highway.

These minimum setback distances shall not apply to signs erected upon any building entirely housing the business or activity with which the signs are principally associated. For the purposes of this provision, the road bed shall mean the trafficable portion of a road, street or highway, bounded on either side by the outer edge of the shoulder or guardrail, whichever extends farthest. Where there is no shoulder or guardrail, there shall be deemed to be a shoulder extending four (4) feet from the outer edge of the pavement or unpaved traffic lanes.

6. No billboard or sign advertising a business use or service other than that provided on the premises on which said sign is located shall be permitted.
7. The regulations specified herein shall not apply to any sign or directional device erected by any governmental agency, non-advertising signs identifying underground utility lines, or posted or preserve signs erected pursuant to the Conservation Law of the State of New York.

C. Area and Height of Signs, General

1. No sign shall be erected or maintained having an area greater than twenty-four (24) feet per side, and no sign shall have more than two (2) sides.
2. No sign attached to the front of a building, including signs attached or affixed to windows or doors, shall exceed an area equal to fifteen (15) percent of the surface area upon which it is attached and shall not project more than twelve (12) inches in front of the face of the building.
3. No ground sign shall exceed twenty (20) feet in overall height, measured from the highest level of natural ground immediately beneath the sign to the highest point of the sign or the supporting structure thereof.

D. Number of Permitted Signs Where More Than One Principal Activity is Being Conducted

Notwithstanding the standard governing the number of signs permitted to be erected or maintained on any parcel of real property set forth in Section 1002A hereof, the following standards shall guide the regulation of all private signs associated with projects when more than one principal building is proposed to be conducted on a separate and discrete basis upon a single parcel of real property associated with the project, such as in the case of a shopping center, plaza or mall, or other multiple commercial use facility or industrial park.

1. A single ground sign of up to sixty-four (64) square feet in area and not more than twenty (20) feet in height may be erected which identifies the name of the center or facility as a whole and does not advertise any individual business activity.
2. Ground signs advertising individual businesses within a shopping center or joint development project shall be prohibited.
3. One individual wall sign not in excess of twenty-four (24) square feet in sign area may be erected for each separate principal activity such as a shop or store. Under no circumstances, however, shall any wall sign exceed an area equal to fifteen (15) percent of the surface area on which it is attached.
4. In a multiple commercial use facility or industrial park, there may be one (1) directory sign at any location therein which shall not exceed five (5) square feet for each acre of land in such Business District or Industrial Park provided that no such sign shall exceed twenty-four (24) square feet in area. In addition, at each point of entrance and exit for vehicular traffic into such multiple commercial use facility or in industrial park one (1) other sign shall be permitted which does not exceed two (2) square feet for each acre of land in such multiple commercial use facility or industrial park. Such signs shall not exceed twelve (12) square feet in area.
5. An overall sign design plan for any such center or facility shall be submitted with the application for the building and use permit. The sign design plan shall include plans for each principal activity therein, and shall reflect a reasonable uniformity of design, lettering, lighting and material.

E. Non-Conforming Signs

1. Any signs in existence at the date of the adoption of this Ordinance which would be in violation under the provisions of this Ordinance, shall be allowed to continue. However, such signs shall not be altered, rebuilt, enlarged, extended or relocated, unless such action changes a non-conforming sign into a conforming sign as provided herein. The failure to keep non-conforming signs in good repair within a period of one hundred twenty (120) days after due notification by the Zoning Officer shall constitute abandonment. Such abandoned signs shall not be re-used and shall be removed by or at the expense of the property owner.
2. If a project subject to zoning review(s) is proposed for a parcel of property

upon which an existing sign is located, and the said existing sign is associated with the principal activity which is the subject of the proposed project, but does not conform to these standards, the reviewing agency shall require that the said non-conforming sign be brought into compliance as a condition of the approval of the proposed action.

F. Off-Premises Directional Signs

Notwithstanding the provisions of Section 1002B to the contrary, one (1) directional sign advertising an industry or business having its principal place of business within the Town of Warsaw may be located upon premises other than the premises of the principal place of such industry or business, provided:

1. Such industry or business is not fronting on a state highway.
2. The principal purpose of such sign is to direct motor vehicles to the location of such business or industry.
3. Such sign is located no closer than twenty-five (25) feet nor more than sixty (60) feet from the highway roadbed.
4. Such sign has a maximum area of not more than twenty-five (25) square feet on either side, and it shall have no more than two (2) sides.
5. No part of such sign shall be more than twelve (12) feet above the ground measured from the highest level of natural ground immediately beneath the sign.
6. Wherever possible, the grouping of compatible off premises directional signs shall be encouraged.

G. Temporary Signs

1. Temporary signs advertising any political, educational, charitable, civic, religious or like campaign or event, may be erected for a consecutive period not to exceed sixty (60) days in any calendar year. Said signs shall be removed within fourteen (14) days following the campaign or event.
2. If such temporary signs are not removed within the fourteen (14) day period, the Zoning Officer is authorized to remove said signs and to charge all costs incident to the removal of the sign or signs to the organization responsible for the placement of the signs.

3. No temporary sign shall be attached to fences, trees, utility poles, bridges, traffic signs and shall not obstruct or impair vision or traffic in any manner or create a hazard or disturbance to the health and welfare of the general public.
4. No temporary sign shall exceed twenty-four (24) feet in area.

H. Outmoded Signs

Any sign which no longer advertises a bona fide business being conducted on the premises shall be removed from said premises by the record owner or beneficial user of the premises within ten (10) days from the receipt of a written order to do so from the Zoning Officer. In default of said removal, the Zoning Officer is authorized to effectuate the removal of said sign and to charge all costs incident to the removal to the record owner of the property.

I. Prohibited Signs; Removal

1. The following types of signs are prohibited and shall not be permitted, erected or maintained in any zoning district, and the owner thereof shall, upon written notice of the Zoning Officer forthwith in the case of immediate danger, and in any case within not more than ten (10) days, make such sign conform with the provisions of this ordinance, or shall remove it. If, within ten (10) days, the order is not complied with, the Town Board may cause such sign to be removed at the expense of the owner:
 - a. Any sign which, by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers or by obstructing or detracting from the visibility of any traffic control device on public streets and roads.
 - b. A sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exitway.
 - c. Signs which make use of words such as “STOP”, “LOOK”, “DANGER”, or other words, phrases or symbols of like character, in such a manner as to interfere with, mislead or confuse traffic.
 - d. Any sign that becomes insecure, in danger of falling or otherwise

unsafe, or any sign which shall be unlawfully installed, erected or maintained.

- e. Any sign which has any visible moving part, visible revolving parts or visible mechanical movement of any description (except time and temperature revolving signs as allowed) or other apparent visible movement achieved by electrical, electronic or kinetic means, including intermittent electrical pulsations or any action of normal wind currents.
- f. Any sign or other advertising structure which depicts any obscene, indecent or immoral matter.
- g. Any sign which is not securely attached or affixed to a structure or the ground and which may be readily removed. Such signs may or may not have wheels.

J. Signs in Agricultural and Residential Districts, Additional Requirements

- 1. A sign indicating the name and address of the occupant or a permitted home occupation provided that it shall not be larger than two (2) square feet in area per side, and if free standing, not exceeding four (4) feet in height above the ground level at the sign's location, and shall be no closer than fifteen (15) feet to any lot line, and shall not be illuminated except indirectly.
- 2. For multiple family dwellings and public buildings, a single identification sign not exceeding sixteen (16) square feet in area, and indicating only the name and address of the building may be displayed. Such signs shall not be closer to any lot line than one-half (1/2) of the required setback and shall not project more than six (6) feet in height above grade, and shall not be illuminated except indirectly.
- 3. No more than two (2) signs advertising the sale, lease or rental of the premises upon which the sign is located. Such signs shall not exceed nine (9) square feet in area, provided such sign is erected or displayed not less than five (5) feet inside the property line and shall not project more than four (4) feet in height. Said signs must be removed from the premises within seven (7) days after the property has been leased or title transferred.
- 4. For farms no more than one (1) identification sign not exceeding twenty-four (24) square feet in area and provided that such sign shall not be closer

than twenty five (25) feet to any street or property line.

5. A permanent sign may be erected to indicate a subdivision, which sign shall not exceed fifty (50) square feet in area nor more than seven (7) feet in height.
6. A temporary sign, not exceeding sixteen (16) square feet in area, the height of which is not greater than six (6) feet, shall be permitted for a period of three (3) years from the time of final subdivision approval or advertising the sale of property within such subdivision.
7. Roadside stand signs shall conform to the specific standards set forth in Article IX of this Ordinance.

Section 1003 Access Control

In order to encourage the sound development of street frontage, the following special regulations shall apply to all non-residential buildings and uses:

- A. Each separate use, grouping of attached buildings or groupings of permitted uses shall not have more than one access point for every two hundred (200) feet of frontage except as permitted by this Ordinance.
- B. The use of common access points by two or more permitted uses shall be encouraged by the Town Board in order to reduce the number and closeness of access points along the streets and to encourage the fronting of significant traffic generating uses upon a parallel access street and not directly upon a primary road. Access points for industrial uses shall not be less than twenty-four (24) feet nor more than forty (40) feet in width. All other access points shall not be less than twenty (20) feet nor more than thirty (30) feet in width.

Section 1004 Private Swimming Pools

Private swimming pools shall be permitted in any Agricultural or Rural-Residential District provided that there is an existing residence on said lot and the following regulations are complied with:

- A. Fences

In ground swimming pools shall be completely enclosed by a fence of not less than four (4) feet in height. Said fence shall have a gate with a latch to control access to the pool area. Above ground pools less than four (4) feet in height shall

be similarly fenced. Above ground pools which are four (4) feet or more above the ground shall not require a fence.

B. Setbacks

1. Outdoor swimming pools shall be located in the rear or side yard, but not closer than ten (10) feet to the side or rear property line.
2. No swimming pool shall be closer to the street or front lot line than the front of the building or structure to which the pool is an accessory use.

C. Drainage

No permit shall be issued for such pool unless the applicant can show that the proposed drainage of such pool is adequate and will not interfere with the public water supply, with existing sewerage or drainage facilities, with the property of others or with public highways. Pools may not be drained into septic systems.

D. Lighting

No lights shall be erected, operated or maintained in connection with a swimming pool in such a manner as to create an annoyance to surrounding properties.

E. Overhead Wiring

Service drop conductors and any other open overhead wiring shall not be installed above the swimming pool or the area surrounding the swimming pool extending ten (10) feet horizontally from the pool edge, diving structures, observation stands, towers or platforms. Service conductors shall be in shock hazard boxes and appropriately grounded.

F. Permits

Building and zoning permits shall be required for all swimming pools ~~designed to be entirely or partially constructed below ground level.~~ [2006]

G. Compliance with New York State Requirements

Applications for swimming pool permits shall comply with these regulations and all applicable requirements of the State of New York. Where the regulations of the Town and State are inconsistent, the more restrictive requirements shall govern.

Section 1005 Ponds

- A. Ponds for recreational, fire protection or agricultural purpose shall be permitted in any district, provided the following regulations are complied with:
1. The pond shall be designed and approved by ~~the Wyoming County Soil Conservation Service and/or the D.E.C. and/or~~ a Certified Engineer or P.E. or other authority acceptable to the Zoning Officer, except as prescribed by law.[1998]
 2. A stamped plot plan shall be provided showing the location of said pond. [1998]
 3. No pond shall be established within fifty (50) feet of any property line.
 4. The Board of Appeals, with Public Hearing, may vary this property line requirement, but it shall not be reduced to less than twenty-five (25) feet.
 5. Any pond located on property of less than four (4) acres shall be regulated a swimming pool under Section 1004 herein. [1998]

Section 1006 Animal Waste Management Systems

- A. Animal waste management systems shall include earthen storage ponds, earthen aerobic digestion systems, and any waste treatment tanks or confinement areas that are used as temporary storage (0-12 months) for solid and /or liquid animal waste, that is later to be removed and utilized elsewhere on the farm facilities for fertilization, waste management, or final disposal. Waste treatment lagoons, as defined in this Ordinance shall not necessarily be governed by this section. The following are definitions of animal waste management systems:
1. Earthen Storage Pond: usually a single anaerobic pond designed to provide temporary storage (6-12 months) of animal waste until it can be field applied. Once the pond crusts over, odor from the storage is significantly reduced. Odors are strong when the pond is agitated (to pump the slurry) and when surface spread to fields. Odors may remain strong if the pond is loaded from the top.
 2. Earthen aerobic digestion systems: animal waste is fed into shallow earthen “cells” with a slight grade so that solids settle out and decompose aerobically and the liquid drains away by gravity to another lower pond

(with no outlet) where it is stored until it can be field applied or recirculated and used for flushing free stall facilities.

3. Waste treatment tanks (above or below ground): same principle as the anaerobic earthen pond, but utilizing a metal or concrete tank for storage (includes pits underneath a confinement area).
4. Waste treatment lagoon: an impoundment made by excavations or earthfill for biological treatment of animal or other wastes. Lagoons can be aerobic, anaerobic, or facultative, depending on their design. Basically, a lagoon is a VERY large pond with no outlet which is never emptied or spread. This “pond” may support various forms of vegetation and animal life.

- B. Animal waste management systems are considered an accessory use in Agricultural Districts, and shall be allowed ~~after the appropriate approval of the Wyoming County Soil and Water Conservation District and/or an~~ by an engineer licensed or certified by the State.²² so long as they are designed wholly in accordance with Natural Resource Conservation Service standards and specifications and plans.[1998]
- C. Plans and specifications for waste management systems should conform to the most current Soil Conservation Service standards and procedures, or to the designs and specifications of an engineer certified in Animal Waste Management by the State.
- D. Waste ~~should~~ shall be used to the fullest extent possible by recycling it through soil and plants.
- E. Clean water ~~should~~ shall be excluded from concentrated waste areas to the fullest extent practical.
- F. Manure ~~should~~ shall be collected and safely spread on land, treated, or stored until it can be safely spread. Adequate storage should be provided to allow spreading during favorable weather and at times compatible with crop management and available labor.
- G. Polluted runoff and seepage from concentrated waste areas should be intercepted and directed to storage or treatment facilities for future disposal or be directly applied to land in manner acceptable to the Soil and Water Conservation District, or a State certified Engineer.

- H. Waste water from processing should be collected and directly applied, stored, or treated prior to re-use.
- I. Adequate drainage, erosion control, and other soil and water management practices ~~should~~ shall be incorporated to prevent system-related problems and potential adverse impacts on nearby properties.
- J. ~~The minimum land area required for an overall system shall be determined by the Soil and Water Conservation District, or a State certified Engineer.~~ The overall system ~~should~~ shall include sufficient land for proper use or disposal of waste at locations, times, rates and volumes that maintain desirable water soil, plant, and other environmental conditions. Appropriate waste-handling equipment should be available for effective operation of the system.
- K. The system should be outside major view sheds to conserve visual resources. Vegetative buffer areas and other methods should be provided, as appropriate, to improve visual conditions.
- L. No manure or waste associated with such a system shall be stored outside of a fully enclosed building within three hundred (300) feet of any public street or property line.
- M. System components shall be planned and installed in a sequence that insures that each will function as intended without being hazardous to others or the overall system.
- N. Safety features and devices shall be included in waste management systems, as appropriate, to protect animals and humans from drowning, dangerous gases, and other hazards. Fencing and warning signs shall be provided as necessary, to prevent livestock and others from using the facilities for other purposes. Safety features, fences and other devices should be subject to approval of the Soil and Water Conservation District, or a State certified Engineer.
- O. Aerobic lagoons and any storage which includes a discharge pipe may only be approved after an operating permit is approved by the Wyoming County Health Department.
- P. Wherever possible waste management systems should be located where prevailing winds will carry odors away from residences and public areas.
- Q. Waste management systems should not be located in areas of special flood hazard unless it is protected by dikes, levees or other means.

- R. The owner or operator shall be responsible for operating and maintaining the system. An operation plan should shall be prepared for this use. The plan should be approved by the Soil and Water Conservation District or a State certified Engineer and should provide specific details concerning the operation of each component. At a minimum the plan should include:
1. Timing, rates, volumes, and locations for application of waste and, if appropriate, approximate number of trips for hauling equipment and an estimate of the time required.
 2. Minimum and maximum operation levels for storage and treatment practices and other operations specific to the practice, such as estimated
 3. Safety warnings, particularly where there is danger of drowning or exposure to poisonous or explosive gases.
 4. Maintenance requirements for each of the practices. [1998]

Section 1007 Home Occupations Minor

- A. Findings; Statement of Policy.

Recognizing the fact that many residents of the Town of Warsaw currently maintain home occupations/businesses, or may choose to do so at some point in the future, the Town has determined to provide a mechanism for permitting such use, subject to appropriate review and the implementation of mitigation measures where appropriate.

The Town Board recognizes that the residents historically have operated small businesses from their homes which provide services to the community and finds that these businesses have not impacted negatively on the appearance and character of these agricultural and residential districts. Conversely, the town recognizes that unrestricted use of residentially zoned properties for nonresidential purposes carries with it the potential for conflicts with and detrimental impacts on the purposes and character of the areas zoned for residential and agricultural uses. In the Board's judgment, it finds that in order to expand economic opportunity of the town, to maintain the rural quality of life and in the interests of the welfare of the residents, home occupations/businesses should be allowed.

In order to further the benefits of home occupations/businesses while mitigating the potential detrimental off-site impacts of the same, the town has enacted these regulations.

Recognizing that different home occupations/businesses exhibit varying potentials for

generating off-site impacts, the Town adopts three (3) tiers of businesses for the purposes of establishing review procedures and approval conditions. The three tiers are: (1) Home Occupations Minor; (2) Home Occupations Major; and (3) Home-Based Businesses. Because the nature and intensity of a proposed use, parcel and setting may differ considerably, Home Occupations Major and Home-Based Businesses are permitted in Agricultural (A) Districts only and with the issuance of a special use permit. See Article XI, Sections 1117 and 1118 for regulations governing special permit uses.

B. Home Occupations Minor

1. Permitted District - Home Occupations Minor are permitted in all districts.
2. Permitted Structure - Home Occupations Minor are permitted as an accessory use to a single-dwelling unit. No more than one (1) Home Occupations Minor shall be permitted for each property.
3. Required Procedures - A site plan review is required by the Town Planning Board. No public hearing shall be required, unless the Town Planning Board determines that there is a need to hold such a hearing. The site plan must show the location of the business, including floor plans indicating the portion of the principal and accessory buildings to be used for the business, the location of any vehicles and equipment to be parked outdoors, and any outdoor areas proposed for storage or display of goods or supplies. The above listed procedures are in addition to all regulations set forth in Article III, Section 302.
4. Limitations or Thresholds - In addition to all of the limitations applicable to the district in which it is located, no Home Occupations Minor shall be permitted unless it complies with the following restrictions:
 - a. Evidence of Use and Maintenance of Residential Character - The appearance of the structure shall not be altered and the occupation within the residence shall not be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or the emission of noises, odors or vibrations. No mechanical, electrical or other equipment that produces noise, electrical or magnetic interference, vibration, heat, glare or other nuisance outside the residential or accessory structure shall be used. No outdoor display of goods or outside storage of equipment or materials used in the home occupation or profession shall be permitted.
 - b. Employees on Site - No employees other than the residents of the

property shall be employed on site. No other partner, principal or professional may be employed on site.

- c. Number of Clients - The Home Occupations Minor shall be conducted in such a manner that at any one time the maximum number of clients, customers and others at the site of the home occupation is not greater than two (2) persons.
 - d. Hours of Operation - The Home Occupations Minor shall be conducted in such a manner that all the deliveries, clients, customers and others coming to do business at the site of the Home Occupations Minor, shall arrive and depart between the hours of 7:00 a.m. and 9:00 p.m.
 - e. Signage - One unanimated, non-illuminated flat or window sign, not to exceed four (4) square feet in area per side, shall be permitted to identify the Home Occupations Minor. No sign shall have more than two (2) printed sides.
 - f. Commercial Vehicles - Not more than one (1) commercial vehicle shall be permitted in connection with any Home Occupations Minor and such vehicle shall be parked in the driveway or stored in an enclosed garage. No construction vehicles, construction equipment, or heavy vehicles may be used in connection with a Home Occupations Minor.
 - g. Hazardous Materials - No highly toxic, explosive, flammable, combustible, corrosive, radioactive or similar hazardous materials shall be used, stored, or manufactured on the premises in amounts exceeding those which are typically found in normal residential use.
5. Use of Accessory Structures - A home occupation use must be conducted wholly within the residential dwelling on the parcel, except that accessory structure, such as shed, detached garages, and barns, may be used for unheated storage of materials for the business.
6. Floor Area - A Home Occupation Minor may not use more than thirty percent (30%) of the gross floor area of the dwelling for business purposes. [2004]

Section 1008 Type 1 Solar Energy Systems

Type 1 Solar Energy Systems are allowed as Accessory Uses and/or structures in all zoning districts.

- A. The placement, construction and major modification of Type 1 Solar Energy Systems shall only be permitted upon issuance of building permit based on specific application materials as may be supplied by the County Building and Code Department.**
- B. Height. Type 1 Solar Energy Systems shall not exceed fifteen (15) feet at the highest point when oriented at maximum tilt.**
- C. Setbacks. Type 1 Solar Energy Systems setbacks shall be twice the standard setbacks for Buildings within the zoning district it is located, but in no event shall any such setback be less than twenty (20) feet.**
- D. Coverage. Type 1 Solar Energy Systems ground coverage shall not exceed the allowable total surface or area coverage for accessory Buildings or structures within the zoning district in which it is located and in no event shall the combination of all accessory Buildings and structures located on the premises exceed 20% coverage of the entire area of such parcel. For purposes of this provision, coverage shall be calculated based upon the total surface area of the Solar Panels at minimum tilt.**
- E. All Type 1 Solar Energy Systems located in Residential Districts (RR) shall be installed in the side or rear yard.**
- F. All applications for Type 1 Solar Energy Systems for businesses or farms, to the extent permitted by law, shall be subject to Site Plan review as may be provided for elsewhere in the Zoning Ordinance.**
- G. Pursuant to 6 NYCRR 617.5, Type 1 Solar Energy Systems to be used on residential parcels shall be deemed to be Type II Actions for purposes of review under the New York State Environmental Quality Review Act (16 NYCRR 617). All other Type 1 Solar Energy Systems shall be deemed to be Unlisted Actions pursuant to the New York State Environmental Quality Review Act.**