

Any person or persons, corporation, firm or association intending to construct a fence shall, before any work is commenced, make application to the Code Enforcement Officer on the form provided. Said application shall be accompanied by a plan or sketch showing the proposed location of any fence, height of the entire fence and the materials proposed to be used and shall be accompanied by an appropriate fee. If the applicant meets all of the requirements of this section, a permit shall be issued within thirty (30) days by the Code Enforcement Officer.

4. Height Limitations in Rear, Front and Side Yards:

Fences and walls shall be permitted, provided that, in any residential district, no fence or wall shall exceed four feet in height in any front yard or six (6) feet in height in any rear or side yard. Exceptions to this are corner lots. The Code Enforcement Officer must approve the height, location and materials for fences on corner lots.

5. Location Restrictions.

All fences or walls must be erected within the owner's property line, and none shall be erected so as to encroach upon a public right-of-way or interfere with vehicular or pedestrian traffic or interfere with visibility on corner lots and/or other structures or vehicles, whether stationary or transitory, on private or public property.

6. Materials, Composition, and Maintenance:

- a) Any fence, wall or similar structure, as well as shrubbery, which unduly cuts off light or air, which may cause a nuisance, a fire hazard or a dangerous condition or an obstruction to people and equipment in regard to traffic or for combating fires or which may affect public safety, is hereby expressly prohibited.
- b) No fence shall be erected in a front yard in a residential district or along a public right-of-way unless the fence is uniformly less than fifty percent (50%) solid and does not obstruct visibility. It is the intent of this section to allow the construction of a fence that does not obstruct vision and is otherwise aesthetically pleasing.
- c) All fences must be properly installed and properly maintained at all times.

7. Types of Fences Restricted:

The following fences and fencing materials are specifically prohibited:

- a) Barbed wire.
- b) Pointed fences that are a hazard to public safety or welfare.
- c) Cloth fences.

- d) Electrically charged fences except for invisible fences which are buried underground and designed to emit a radio transmission for the purpose of keeping pets that are wearing a special radio receiver collar within a confined area. Invisible fences must be ten (10) feet from sidewalks, and small signs indicating that there is an invisible fence are required.
- e) Poultry fences.
- f) Turkey wire.
- g) Expandable fences and collapsible fences, except during construction of a building.

8. Chain Link Fences:

All chain link fences erected shall be erected with the closed loop at the top of the fence.

9. Entrances and Gates:

All entrances or gates shall open into the property.

10. Finished Side; Posts:

Any wood, stockade, chain link, or other type of fence shall have the smooth side or finished side facing to the outside of the property owner installing the fence. Fence posts will be placed on the inside of the fence.

11. Security Fences for Commercial Properties:

Notwithstanding the provisions of this section, the Code Enforcement Officer may issue a permit for the construction of a security fence for commercial properties, upon due application to and approval by the Code Enforcement Officer.

12. Denial of Fence Application:

The Code Enforcement Officer may deny any fence application if it is found that the application does not meet the requirements herein. Upon such denial, the applicant may appeal the decision to the Zoning Board of Appeals by notice to the same within thirty (30) days of such denial. In the event that said Zoning Board of Appeals substantiates the denial of the Code Enforcement Officer, the applicant may resort to proper legal proceedings according to the statutes of the State of New York.

H. Parking:

1. Off-Street Parking:

In all districts, at the time any new building or structure is erected, any existing building or structure enlarged, or new changed use of land or structure established, off-street parking shall be provided in accordance with the minimum standards set forth below. These parking spaces shall be

satisfactorily maintained by the owner of the property for each building, which, after the date this Local Law becomes effective, is erected, enlarged, or altered for any use for any of the following purposes. All parking spaces provided pursuant to this Section shall be on the same lot of the building unless otherwise approved by the Planning Board.

The Planning Board shall have the discrepancy to increase or decrease the number of parking spaces for any use if it finds that a different ratio is appropriate for the specific use(s) being applied for on the basis of recent studies or other evidence that Planning Board deems locally applicable.

2. Design Standards:

All parking spaces shall measure at least nine (9) feet wide and eighteen (18) feet long. However, up to twenty-five percent (25%) of the required parking spaces for any use may be designated for "compact" cars and shall measure at least seven and one-half (7 ½) feet wide and sixteen (16) feet long. The Planning Board shall determine the design of all off-street parking upon consideration of the project's location, type, and size during the Site Plan Review Process.

3. Loading Standards:

Space for off-street loading shall be in addition to space for off-street parking. The Planning Board during the Site Plan Review process shall determine the need, number, and location of off-street loading berths for specific uses.

Each required loading berth shall be at least twelve (12) feet wide, thirty-five (35) feet long and fourteen (14) feet high. The Planning Board may accept alternative design standards if the applicant can demonstrate that the alternative design is appropriate to the need for good site design.

4. Location:

- a) In any residential district, no open or enclosed parking area shall encroach on any required front yard. Parking areas may extend into a required side or rear yard to within three (3) feet of a side or rear lot line.
- b) In the Mixed-Use Village Center District, open parking areas shall not extend within ten (10) feet of a street right-of-way line or within three feet of a side or rear lot line.
- c) Entrance or exit drives from parking areas shall not exceed thirty (30) feet in width and shall not be permitted within fifty (50) feet of the intersection at two public rights-of-way.

5. Screening and Landscaping of Parking Areas:

- a) Parking areas for five (5) or more cars which are adjacent to or across the street from properties in a residential district shall be screened from the view of such properties by a combination of walls, fences or hedges.
- b) All areas in a parking lot not required for parking space or access drives shall be suitably landscaped and maintained. A landscaping plan for parking areas shall be submitted for those uses requiring Site Plan Review by the Planning Board.
- c) Off-street parking areas shall not be used for any purpose other than the parking of vehicles for customer, resident or employee use. There shall be no storage, servicing or dismantling of automobiles or other vehicles and no part of any parking lot shall be used for the sale, storage, or abandonment of any articles or goods.

6. Required Spaces:

Off-street parking spaces shall be provided as follows:

Table 1: Off-Street Parking Requirements

Type of Use	Minimum Number of Parking Spaces
Residential and Related Uses	
Single-family dwellings	2 spaces for each dwelling unit
Two-family and multi-family dwellings	1 1/2 spaces and for each dwelling unit
Churches/places of worship	1 space for every 4 seats
Places of public assembly, private clubs, fraternal organizations and recreation facilities	1 space for every 4 seats in the largest hall or meeting area, or for every 4 members, whichever is greater
Cultural facilities and libraries	1 space for every 200 square feet of gross floor area
Bed and breakfast	1 space for every 2 beds
Home Occupations	1 space for any nonresident employee in addition to those spaces required for the primary residential use
Day care centers and schools	1 space per staff member plus 1 space per classroom
Commercial and Related Uses	
Banks, retail businesses and personal service establishments	3 spaces for each teller or workstation or 1 space for each 200 square feet of gross floor area
Medical clinics and professional offices	4 spaces per doctor, dentist, or other professional plus 1 for each additional employee
Restaurants (standard)	1 space for every 3 seats or 100 square feet of gross floor area, whichever greater
Restaurant (fast-food)	1 space for every 100 square feet of gross floor plus 1 space for every 2 employees on the peak shift
Theaters and similar places of public assembly	1 space for every 4 seats or 100 square feet of gross floor area, whichever is greater
Hotels and motels	1 space per guest room plus 1 space for every 3 employees
Wholesale Business and warehouses	1 space for every 1,000 square feet of gross floor area or 4 employees whichever is greater
Other Undefined Uses	
Other Undefined Uses	1 space for each 100 square feet of floor area, unless the Planning Board determines that a different ratio is appropriate for the use

I. Landscaping, Screening, Greenspace, and Buffers:

1. Purposes:

- a) To provide visual screening of parking areas and along property boundaries so as to preserve the existing visual qualities of adjacent properties, and to generally improve aesthetics.
- b) To reduce surface runoff and minimize soil erosion through the filtering and soil retention capabilities of landscaped areas and green space.
- c) To provide natural screens that reduce glare, noise and air pollution.
- d) To moderate the microclimate associated with large development schemes by using vegetation that provides shading, heat absorption, carbon dioxide absorption, and oxygen production.
- e) To enhance the overall visual quality of new development by providing a variety of plant materials, in addition to green space, that is consistent with native vegetation.

2. General Requirements

- a) All buildings and construction projects (with the exception of single-family dwellings, individual buildings used for two-family dwelling purposes, and residential accessory structures) are subject to the provisions contained herein.
- b) All landscaping will attempt to preserve and retain, insofar as possible, the natural contours, soil, trees and plant life existing on the site.
- c) All landscaping, screening, and green space will be maintained in good order and in a manner, which promotes the safety, health, and welfare of the community.
- d) Landscaping meant to screen will be effective immediately upon planting and will retain its usefulness as a screen year-round. Consequently, trees and shrubs meant to serve as a screen will be coniferous, and will be of such a height, width and density as to immediately act as an effective screen.

3. Specific Requirements:

- a) All non-residential or multi-family projects will retain at least thirty percent (30%) of the property as green space.
- b) Any property being developed for non-residential purposes or multi-family development will maintain a minimum of twenty (20) feet of green space between the street right-of-way and the parking lot. Landscaping and/or curbing is required in order to prevent vehicle