

TOWN OF STONY POINT

LOCAL LAW NO. ____ OF 2020

A LOCAL LAW AMENDING CHAPTER 215, ZONING, TO ESTABLISH
COMPREHENSIVE REGULATIONS GOVERNING PUBLIC ASSEMBLY IN HOMES,
PLACES OF WORSHIP, SCHOOLS AND DORMITORIES.

*Be it enacted by the Town Board of the Town of Stony Point by authority of Article 16 of
Town Law of the State of New York and Article 10 of the Municipal Home Rule Law of the
State of New York as follows:*

*(Language to be inserted is symbolized by an underline. Language to be removed is
symbolized by a ~~strike through~~. The symbol “* * * * *” indicates portions of the Code to
remain unchanged, which are not shown here for brevity.)*

Section 1: Purpose and intent.

*It is the purpose and intent of the Stony Point Town Board in adopting this legislation to
establish conditional use (special permit) criteria, which are the most appropriate means for
processing applications for proposed Schools of General Instruction, Schools of Special
instruction, Dormitories, Places of Worship, Public Assembly in Residences (Residential
Gathering Places) and to add specific definitions to the Town of Stony Point Zoning Code.
The conditional use process, which entails review and approval of site plans, parking
facilities, and other features of each of the proposed uses, is beneficial in that it will afford
the Planning Board the opportunity to consider the proposed uses in relation to neighboring
land uses and to mitigate any adverse effects by the imposition of reasonable conditions. The
conditional uses being adopted are designed to require criteria necessary for the grant of a
permit that would lessen or mitigate impacts to relevant areas of environmental, social and
economic concern, including sewer and water capacity, public safety, traffic and pedestrian
safety, community character, historic preservation, municipal services and conformance with
the Town of Stony Point Code, as may be amended from time to time.*

*Section 2. Chapter 215 (Zoning) of the Code of the Town of Stony Point shall be amended
as follows:*

§ 215-5 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

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CAMP

Any plot, including its area of land or water, or land and water, on which are located
two or more cabins, tents, shelters, houseboats or other accommodations of the design
or character suitable for seasonal or other more or less temporary living purposes,
primarily for children, but not including a day camp, trailer camp, rooming house,
tourist home, hotel, motel, summer colony, hospital, place of detention, school of
general instruction, dormitory or nursery school.

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DORMITORY

A building or part of a building containing private or semiprivate rooms which open to a common hallway, which rooms are sleeping quarters for administrative staff, faculty or students, along with the following communal facilities: bathroom, dining hall, ~~cooking~~kitchen, laundry, lounge and recreation facilities, as required. Dormitory rooms shall not contain separate cooking, dining or housekeeping facilities, except that one dwelling unit with complete housekeeping facilities may be provided for use of a superintendent or supervising staff for every 50 dormitory rooms or major part thereof. No more than one communal dining room shall be provided in any building or structure used for dormitory purposes. Single-family, two-family and/or other multiple residential facilities other than that described above are not to be considered as "dormitories." Private rooms may be occupied by no more than one person, and semiprivate rooms may be occupied by no more than two persons.

DUMP

See "junkyard."

DUSTLESS SURFACE

A surface which is adequately covered with screenings, stone, gravel, concrete or bituminous products, or adequately treated with oil, calcium chloride or similar dust-inhibiting substances, and maintained in good condition at all times.

DWELLING UNIT

A building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, including any domestic servants employed on the premises, having no enclosed space (other than vestibules, entrances or other hallways or porches) or cooking or sanitary facilities in common with any other dwelling unit. A house trailer, boarding or rooming house, convalescent home, dormitory, fraternity house, hotel, inn, lodging, nursing or other similar home or other similar structure shall not be deemed to constitute a "dwelling unit."

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GATHERING PLACE, RESIDENTIAL

The accessory use of a residence, or any portion thereof, occurring more than 10 times per year for gather of 15 or more persons.

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PLACE OF WORSHIP

See the following definitions: COMMUNITY PLACE OF WORSHIP; and NEIGHBORHOOD PLACE OF WORSHIP.

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PLACE OF WORSHIP, COMMUNITY

The principal use of a building or structure, for regular organized religious assembly other than a Neighborhood Place of Worship.

PLACE OF WORSHIP, NEIGHBORHOOD

The principal use of a building or structure for regular organized religious assembly with a maximum capacity of 200 seats.

RESIDENCE

A building or part thereof designated, principally used or occupied for one or more dwelling units but not including a tourist home, hotel, motel, tourist cabin, summer colony or trailer. No structure accommodating the assembly of more than 49 persons more than three times per year shall be deemed a residence or part thereof, with the exception of recreation facilities such as clubhouses designed to serve several multifamily or one-family attached residential dwellings. The assembly of more than 49 persons more than three times per year in a structure otherwise considered a residence shall constitute a nonresidential use, the appropriate specific category of which shall be determined by the Building Inspector based upon the definitions and requirements of this Chapter.

RESIDENCE, MULTIFAMILY

A ~~building designed, used or occupied for residential purposes for~~ residence containing three or more dwelling units.

RESIDENCE, ONE-FAMILY

A ~~building designed, used or occupied for residential purposes for~~ residence containing one dwelling unit only.

RESIDENCE, ONE-FAMILY ATTACHED

A one-family residence which is attached to one or more one-family residences by party walls or walls, but which occupies all space between foundation and roof.

RESIDENCE, ONE-FAMILY DETACHED

A one-family residence which is separated from ~~other buildings~~ any other dwelling units by open space.

RESIDENCE, TWO-FAMILY DETACHED

A ~~building which is designed, used or occupied for residential purposes for~~ residence containing two dwelling units in common ownership. A residence containing two dwelling units in separate ownership shall be considered two one-family attached residences.

RESIDENTIAL GATHERING PLACE

See: "Gathering Place, Residential"

SCHOOL OF GENERAL INSTRUCTION

Any public or ~~private nonpublic~~ pre-K, kindergarten, elementary or, junior high, or high school, high school subject to 8 NYCRR part 100 regulations; or any; college, university or postgraduate school ~~that offering courses in general~~ instruction at least five days per week and seven months per year.

~~SCHOOL OF RELIGIOUS INSTRUCTION~~

~~Any public or private elementary, junior high school, high school or college offering~~

~~courses in religious instruction at least five days per week and seven months per year.~~

SCHOOL OF SPECIAL INSTRUCTION

Any nonpublic school conducting a regularly scheduled curriculum of specialized or vocational study, ~~such as trade or technical programs, except that a school offering religious vocational training at least five days per week and seven months per year shall be deemed a School of General Instruction.~~

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STUDENT, FULL-TIME

A student who is enrolled for no less than six weeks and no less than thirty (30) hours of instruction per week for elementary and secondary schools, or fifteen (15) hours of instruction per week for post-secondary schools.

STUDENT SUPERVISOR, FULL-TIME

Supervisory Staff including:

1. Teachers or professors of the School of General or Special Instruction who perform no less than fifteen (15) hours per week of classroom instruction for said School of General or Special Instruction, or
2. Any other employee of the School of General or Special Instruction who performs no less than (30) hours per week of work for said School of General or Special Instruction.

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§ 215-47 **Definitions.**

As used in this article, the following terms shall have the meanings indicated:

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SIGN, ANNOUNCEMENT

Any sign used to announce the use of the lot or direction or location of buildings and structures on the lot for an office, home occupation, ~~religious place of worship~~, charitable or other institutional use.

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§ 215-48 **Exempt signs.**

The following types of signs may be erected and maintained without permits or fees, provided that such signs comply with the general requirements of this article and other conditions specifically imposed by the regulations:

- A. Historical markers, tablets and statues, memorial signs and plaques; names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze, stainless steel or similar material; and emblems installed by government agencies, ~~or~~ religious places of worship or nonprofit organizations, not exceeding four square feet.
- B. Flags and insignia of any government, except when displayed in connection with commercial promotion.
- C. On-premises directional signs for the convenience of the general public, identifying public parking areas, fire zones, entrances and exits, and similar signs, as shown on an approved site development plan or installed pursuant to order of traffic control agencies and conforming to the Manual of Uniform Traffic Control Devices, New York State Department of Transportation.

- D. Nonilluminated warning, "private drive," "posted" or "no trespassing" signs, not exceeding two square feet per face and not more than one sign per 100 feet of street frontage.
- E. One on-premises sign, either freestanding or attached, in connection with any residential building in any zoning district, for an approved home professional office or home occupation or residential gathering place, not exceeding four square feet and set back at least 10 feet from the designated street line. Such sign may state name and vocation only.
- F. Numbers and nameplates identifying residents, mounted on house or mailbox, not exceeding one square foot in area.
- G. Private-owner merchandise sale sign for garage sale or auction, not exceeding four square feet on the owner's property only for a period not exceeding seven days.
- H. Not more than one temporary nonilluminated "for sale" or "for rent" real estate sign concerning the premises upon which the sign is located; in a residential zone, one sign not exceeding 15 feet and, in a nonresidential zone, one sign not exceeding 30 square feet in area total of all sides; and set back at least 10 feet from designated street lines. All such signs shall be removed within three days after the sale, lease or rental of the premises.
- I. Real estate signs advertising an open house for the resale of residential property upon the condition that the signs are not put up until the morning of the open house and are removed within two hours after the open house ends. A temporary permit is necessary to display an "open house" sign for new homes in a subdivision when the "open house" sign will remain for more than one day, and the sections of this article relating to temporary signs will apply.
- J. Temporary window signs and posters not exceeding 50% of the total area of glass fronting a street.
- K. At gasoline service stations:
 - (1) Integral graphics or attached price signs on gasoline pumps.
 - (2) Two auxiliary per station, each not exceeding two square feet.
- L. Directional signs for meetings, conventions and other assemblies.
- M. One sign, not exceeding six square feet in residential districts nor 16 square feet in the commercial districts, listing the architect, engineer, contractor and/or owner, on premises where construction, renovation or repair is in progress.
- N. Painting, cleaning, change of lettering and other normal maintenance and repair of a sign or sign structure unless a structural change is made.
- O. One indirectly illuminated bulletin board or other announcement or identification sign for ~~education or religious institutions~~ schools of general or special instruction or places of worship, with an area of not over 12 square feet, provided that such sign is located on the institution's property and not nearer than 20 feet to any street or property line or is

attached to the building if closer.

- P. Not more than one identification sign for each tenant on the premises on each wall fronting on a street, provided that:
- (1) The area, in square feet, of any signs on any wall shall not be greater than two times the width, in feet, of the storefront or commercial establishment to which the sign refers.
 - (2) Such sign or signs shall be parallel to the face of the building, and no part thereof, including any illuminating devices, shall project more than 12 inches beyond the face of the wall to which applied nor any distance beyond or above the building in any other direction.
 - (3) Such sign or signs shall be placed so as not to obliterate, conceal or destroy architectural and decorative trim and cornices immediately above first-floor storefronts or on above stories, including at parapets and rooflines.

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§ 215-77 **Decisions.**

A. The Planning Board shall cause to be filed with the Town Clerk and Building Inspector the decision of the Planning Board and a copy thereof to be mailed to the applicant. Conditional use approval shall be deemed to be indefinite authorization in the following districts: BU, O, LI, LI-2, and PW, unless otherwise specified in the approval thereof, but in any other case with the exception of two-family residences shall expire within 18 months of the date of approval unless a building permit has been issued for the conditional use. Such period may be extended on separate application to the Planning Board.[]

B. Approval of a conditional use located In the following districts: APRP, SR-R, RR, R-1, SRC, MHC, RW and SR, conditional use approval shall remain in effect for two years from the issuance of a building permit certificate of occupancy or certificate of compliance and shall thereafter expire unless the following renewal procedure is followed:

(1) No more than 30 days prior to the expiration of the conditional use approval, the holder shall submit an application for a certificate of compliance from the Building Inspector, who shall inspect the conditional use within 14 days to ensure compliance with the conditions of the approval. If all of the conditions of the approval have been met, the certificate of compliance shall be issued by the Building Inspector and the Building Inspector shall then extend the term of the conditional use approval for five years. After the first renewal, subsequent renewals shall be required every five years under the same procedure as the initial renewal. Applications for renewal shall be made prior to expiration and no renewal shall be made after the time of expiration has passed.

(2) In the event the Building Inspector denies the certificate of compliance, the applicant may submit an application for renewal of the Conditional Use to the Planning Board pursuant to the procedures and standards of this Article governing a new conditional use approval within 60 days of the notice of denial. The original conditional use approval shall expire at the time that the Planning Board renders its decision on the application for conditional use renewal. In the event the Planning Board approves the application for conditional use renewal, the renewed conditional use approval will be considered as a new conditional

use and will be subject to an initial two-year term as required by §195-69.B.(1). In the event the application for conditional use renewal is denied, the original conditional use approval shall expire.

(3) If any Conditional Use approval expires, the holder may reapply for a new Conditional Use approval to the Planning Board, pursuant to the procedures and standards of this Article.

§ 215-78 **Appeal.**

Any person aggrieved by any decision of the Planning Board may apply to the Supreme Court of the State of New York for review by a proceeding under Article 78 of the Civil Practice Law and Rules within 30 days after the filing of a decision in the office of the Town Clerk.

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§ 215-80 **Schools of General Instruction, Schools of Special Instruction, Dormitories.**

~~Dormitories are permitted only as accessory uses to schools of general instruction, subject to the following supplemental requirements:~~

~~A. There shall be a minimum lot area of 1,800 square feet provided per dormitory bed, exclusive of the lot allocated and devoted to the principal and other accessory buildings on any site, including the required yards and/or setbacks, buffers and parking facilities for said buildings.~~

~~B. The minimum distance between a dormitory and any other building on the lot shall be 50 feet.~~

~~C. The minimum distance between any dormitory and any interior driveway shall be 25 feet.~~

~~D. The maximum height of any dormitory shall be two stories or 25 feet, whichever is less.~~

~~E. No dormitory room or dwelling unit shall be permitted in any cellar.~~

~~F. All dormitories shall be equipped with sprinkler and fire alarm systems in accordance with the Town of Stony Point Fire Prevention Local Law.~~

A. Schools of General or Special Instruction. The bulk standards use group for schools of general or special instruction as indicated in Column C-1 of the Table of General Use Requirements, shall apply, except for minimum lot area, which shall be calculated as in §215-80.A.(1) below.

(1) Minimum Lot Area for Schools of General or Special Instruction.

a. Minimum Lot Area Based on Maximum Enrollment. Based upon maximum enrollment capacity, the required minimum lot area shall be 120,000 square feet for schools with 100 students or less, with an additional required minimum lot area of 50,000 square feet added for each additional increment of 50 students, or part thereof. For this purpose, the term "maximum enrollment capacity" shall be defined as the number of students that a Conditional Use applicant discloses as the maximum that can be accommodated within all proposed school structures, and that will serve as the

maximum number that may be enrolled at any time for the term of that special permit including any renewals thereof.”

For example, under this code, a school with a maximum enrollment capacity of 656 students would be rounded up to 700 students, and require 120,000 sf for the first hundred students and 600,000 sf ($600/50 \times 50,000$ sf) for the next 600 students for a total minimum lot area of 720,000 square feet or 16.5 acres. (This is similar to Stony Point Elementary School which has 656 students on 13.9 acres, while Farley Elementary School has 556 on 31.2 acres.)

Under this code, a school with a maximum enrollment capacity of 2,552 students would be rounded up to 2,600 students and require 120,000 sf for the first hundred students and 2,500,000 sf ($2,500/50 \times 50,000$ sf) for the next 2,500 students for a total minimum lot area of 2,620,000 sf or 60.1 acres. (This is similar to North Rockland High School which has 2,552 students on 63.5 acres.)

- b. Furthermore, an additional minimum lot area requirement shall be required to be added to the amount required in section a above, if a dormitory is added to the site as an accessory use to the principal school use. An additional 1,800 square feet of required minimum lot area shall be required for each dormitory bed on the school site.

For example, a 656 student school with a dormitory containing 200 dormitory beds would require 720,000 sf as in the example above for the school plus an additional 360,000 sf ($200 \times 1,800$ sf) for the dormitory for a total minimum lot area of 1,080,000 square feet or 24.8 acres).

(2) Design Requirements for Schools of General or Special Instruction:

- a. Architectural Review. All applications for Schools of General or Special Instruction shall be referred to the Architectural Review Board in accordance with Article XVI of this Chapter. The appearance of all principal and accessory structures shall be in harmony with the surrounding area and be of a similar design aesthetic in conformity with the scale and character of the neighborhood within which it is to be located.
- b. Usable Open Space. The School of General or Special Instruction shall include at least one outdoor area of distinctive design with a minimum area of 10% of the minimum lot size as calculated in section (1) above, which purpose is for recreation use by students, to create an area for gathering and/or recreation for use by the students, staff, and faculty of such institution. The Usable Open Space shall be linked to an on-site pedestrian walkway network. Usable Open Space shall not be located within a required yard.
- c. Lighting. Outdoor lighting shall be limited to that necessary for operational reasons, and shall be so designed as to be compatible with surrounding land uses. The Applicant shall provide a lighting plan showing that exterior lighting will not be directly visible beyond the boundaries of the property line to the maximum extent practicable. Any lighting shall be directed away from adjoining streets and properties, and shall be arranged as to reflect the light away from any adjoining properties and abutting streets, highways and roads.
- d. Utilities. All utilities shall be installed underground or within buildings.

e. Landscaping. Applicant shall prepare and receive approval for a landscaping plan addressing the following subjects:

- i. All portions of the project site not used for impervious surfaces shall be attractively landscaped or left in a natural condition.
- ii. Landscape Buffer Area. Except where the Planning Board finds that existing vegetation to remain along the property boundary provides adequate visual screening, a minimum 20-foot-wide landscaped buffer area shall be provided along all property lines, excluding the front line, and access points. The required landscaped buffer area shall be densely planted with a mixture of shrubs, trees not less than 6 feet high and/or berms, which will create an opaque screen on a continuing basis through all seasons. The required landscaped buffer area may be incorporated into the required yards or setbacks. The Planning Board also may require that a fence be added as necessary to effectuate the screening, but such a fence shall be in addition to and not relieve the need for the required landscaped buffer area plantings.
- iii. All landscaped areas along property lines which are crossed by access drives shall be planted with low shrubs no greater than three feet high and trees with a branching habit which begins at least eight feet above ground level.
- iv. Planting shall not interfere with the normal sight distance needed for safe entering and exiting maneuvers by motor vehicles.

f. Parking and Internal Roadway Requirements:

- i. Parking for Schools of General or Special Instruction shall be provided as set forth in the Table of General Use Requirements Column F. This parking requirement may be reduced by up to 25% pursuant to §215-34.B. Reserve areas for future parking lot development may be provided in lieu of construction of parking spaces, pursuant to §215-34.A.
- ii. All on-site drives and parking areas shall be constructed according to Article VIII of this Chapter.
- iii. Where a parking structure is proposed, the Planning Board shall consider the effects of the proposed structure in terms of traffic and environmental concerns, such as noise, air quality and headlight glare, particularly the effects on any proximate residential properties, and shall require landscaping, fencing or other measures to mitigate any adverse effects. Parking structures shall only be incorporated into a site plan to achieve the objectives of this Chapter, including, but not limited to, preservation of open space and reduction of building coverage.
- iv. Parking Lot Landscaping. In addition to Article VIII and Chapter A220 requirements, one shade tree designed to reach a mature height of at least 20 feet shall be planted for every 12 parking spaces.

g. Other Traffic and Transportation Requirements

- i. Regulation of faculty and staff arrival and departure times in both AM and PM hours shall be established for Schools of General or Special Instruction as

necessary to mitigate vehicle trips in the AM and PM peak hour. The Planning Board may require the applicant to coordinate timing of such arrival and departure times with schools in the vicinity to the extent practicable in order to avoid conflicts.

ii. For Schools of General or Special Instruction, the Applicant shall submit documentation necessary to evaluate the need for each of the following:

1. Traffic control signals;

2. Crosswalks;

3. Speed humps; and

4. Other changes in roads and traffic signals related to changes in traffic activity.

iii. The entrance points for pedestrian/bicycle paths shall be signed indicating the need for bicyclists to share the path and properly yield to pedestrians that are present.

iv. A traffic circulation and parking plan shall be provided prior to the issuance of a Conditional Use approval, and shall be based upon the maximum student capacity and traffic characteristics of the School of General or Special Instruction. The plan shall provide the following information to the Village Building Department on an annual basis:

1. Bus circulation and traffic patterns expected to be generated by the School of General or Special Instruction;

2. Demonstration that bus circulation and traffic patterns shall not cause cars or buses to queue on public or private roads at peak hours;

3. Maximum student enrollment capacity and attendance policies;

4. Numbers of fulltime and part time faculty and staff, with attendance policies and parking locations and requirements;

5. If applicable, requirements for parental compliance with busing and driving policies;

6. If applicable, community residence of students and whether busing is provided by home district, and for what grades;

7. List of locations of bus drop-offs other than campus and how students reach campus;

8. List of exceptions to bus ridership and number of students receiving exemption for each year;

9. If applicable, number and size of buses transporting students by grade;

10. Number of students riding buses by grade; and

11. Number of student drivers authorized and any limitations thereto, with parking locations and requirements.

v. All construction of internal roadway improvements shall be completed prior to the issuance of any temporary or permanent Certificate of Occupancy.

vi. All on and off-site traffic improvements required by the Conditional Use criteria for this use shall be undertaken at Applicant's sole cost and expense.

f. Water. Each Applicant shall demonstrate that there is sufficient water capacity for the project, and shall supply a potable water delivery system capable of meeting both the domestic water and emergency firefighting needs of the facility.

g. Signs. Signs shall be permitted for Schools of General or Special Instruction in accordance with Article IX, and shall contain English language characters and text to the extent necessary for public safety and/or to aid in the dispatch of emergency services.

h. Other Conditions and Safeguards. The Planning Board shall attach such other conditions and safeguards to the Special Permit as are necessary for the protection of the health, safety and welfare of the community, and to assure continual conformance with the intent of this Chapter.

(3) Bulk Provision Waiver. The Planning Board shall have the authority, consistent with the purposes of this Chapter and upon finding that the waiver shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to waive any bulk provision for Schools of General or Special Instruction herein up to 3%, for good cause shown.

B. Dormitories

(1) Bulk and Parking Requirements. Dormitories are permitted only as accessory uses to Schools of General or Special Instruction, and only shall be permitted as part of a Conditional Use approval for such a school, subject to the following supplemental requirements below:

a. Bulk requirements in each zoning district for Dormitories shall be determined by the use group indicated for the principal School of General or Special Instruction use, as indicated in column C-1 of the Table of General Use Requirements, and as defined in the Table of Bulk Requirements, with the modifications below:

i. The required minimum lot area for a Dormitory shall be provided according to §215-80.A.(1).b above.

ii. The minimum distance between a Dormitory and any other building on the lot shall be 50 feet.

iii. The minimum distance between any Dormitory and any interior driveway shall be 25 feet.

- iv. The maximum height of any Dormitory shall be the same as the requirement for a one-family detached residence in the district where the dormitory is located.
- v. A Dormitory shall be permitted only in habitable floors of a structure as defined by the New York State Uniform Fire Prevention and Building Code.
- vi. The Dormitory buildings, and any dining halls serving such, shall, in combination, contain not more than 35% of the gross floor area of all buildings on the entire school site.
- vii. All dormitories shall be equipped with sprinkler and fire alarm systems in accordance with the New York State Uniform Fire Prevention and Building Code.
- b. Parking for Dormitories shall be provided in addition to the parking required for the School of General or Special Instruction in the Table of General Use Requirements Column F. One parking space shall be provided for every four Dormitory beds for elementary and secondary schools and for every two Dormitory beds for post-secondary schools. This parking requirement may be reduced by up to 25% pursuant to §215-34.B. Reserve areas for future parking lot development may be provided in lieu of construction of parking spaces, pursuant to §215-34.A.

(2) Lighting and Landscaping

- a. All required outdoor lighting standards shall be the same for dormitories and the principal school use, as set forth in subsection A above.
- b. Required screening and landscaped buffer areas shall be the same for dormitories and the principal school use, as set forth in subsection A above.

(3) Occupancy standards. Dormitory units shall only be occupied in accordance with the limitations set forth in this Section. The School of General or Special Instruction shall provide annual reports to the Town Building Department demonstrating compliance.

- a. Occupancy of a Dormitory unit shall be limited to Full-Time Students and Full-Time Student Supervisors, as defined by this Chapter. Full-Time Student Supervisors shall not exceed 10% of the total of dormitory occupants. There shall be no more Dormitory beds accessory to any School of General or Special Instruction than are reasonably required to accommodate the school's maximum enrollment capacity of Full-Time Students and their Full-Time Student Supervisors, as required under law.
- b. If a person ceases to be eligible for occupancy, said person shall vacate the Dormitory within thirty (30) days.
- c. No Dormitory unit or structure housing a Dormitory unit shall be sold in fee-simple or as any other interest in real or personal property, or otherwise subdivided from the School of General or Special Instruction use, nor shall any Full-Time Student or Full-Time Supervisory Staff be permitted to independently rent, sublet, lease or otherwise grant permission to any other individual to reside in the Dormitory.

(4) Solid Waste Disposal. Central refuse collection areas shall be located for the convenience of all Dormitories. They shall be supplied with an adequate number and type of covered

receptacles and shall be provided with proper screening and maintenance. Such areas shall not be located in the required front yard.

(5) Architectural Review. All applications for Dormitories accessory to Schools of General or Special Instruction shall be referred to the Architectural Review Board in accordance with Article XVI of this Chapter. The appearance of all principal and accessory structures shall be in harmony with the surrounding area and be of a similar design aesthetic in conformity with the scale and character of the neighborhood within which it is to be located.

(6) Bulk Provision Waiver. The Planning Board shall have the authority, consistent with the purposes of this Chapter and upon finding that the waiver shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to waive any bulk provision for Dormitories herein up to 3%, for good cause shown.

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§ 215-83 Gasoline service stations and/or auto repair.

[Amended 12-8-1987 by L.L. No. 6-1987; 10-8-2013 by L.L. No. 2-2013]

Gasoline service stations and/or auto repair are subject to the following standards:

- A. No stations shall be located closer than 200 feet to a school of general instruction, public recreation area, church community or neighborhood place of worship or hospital, measured to the lot lines thereof.

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§ 215-92.5 Community and Neighborhood Places of Worship

A. Community Places of Worship

(1) A building containing a Community Place of Worship shall comply with all requirements of all applicable building codes of New York State and the zoning code of the Town of Stony Point.

(2) No parking or loading shall be permitted within the required front yard, although a drop-off or porte cochere shall be permitted-. All loading and delivery areas shall be located in the rear yard and shall be effectively screened to a height to eight feet from all adjacent residential properties and the public street.

(3) Parking Lot Landscaping. In addition to Article VIII and Chapter A220 requirements, one shade tree designed to reach a mature height of at least 20 feet shall be planted for every 12 parking spaces.

(4) Landscape Buffer Area. A minimum 20-foot-wide landscaped area shall be provided along all property lines, excluding the front line, and access points. The landscaping shall incorporate plantings, berms, and such other elements as are necessary to screen the facilities.

(5) A Community Place of Worship may or may not include a single residential dwelling unit, but occupancy of the unit shall be limited to clergy and/or their families. Such a single residential dwelling unit shall be considered accessory, and shall not require any additional minimum lot area.

- (6) All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street.
- (7) The application for the Community Place of Worship shall be referred to the Architectural Review Board in accordance with Article XVI of this Chapter. The appearance of all principal and accessory structures shall be in harmony with the surrounding area and be of a similar design aesthetic in conformity with the scale and character of the neighborhood within which it is to be located.
- (8) For Community Places of Worship, the principal use shall be the holding of regularly scheduled religious services. Accessory facilities and functions such as religious schools, social halls, administrative offices and indoor recreation facilities may be provided, so long as such facilities and functions shall be subordinate in aggregate to the size and function of the Community Place of Worship. No building permit or certificate of occupancy shall be granted to such accessory use, building or structure until the building permit and certificate of occupancy for the principal use or building, respectively, have been granted. A School of General Instruction established at the site of a Community Place of Worship shall not be considered as accessory to the Community Place of Worship, but rather as an additional principal use.
- (9) On-site parking shall be provided according to the standards indicated in the Table of General Use Requirements, Column F. This parking requirement may be reduced by up to 25% pursuant to §215-34.B. Reserve areas for future parking lot development may be provided in lieu of construction of parking spaces, pursuant to §215-34.A.
- (10) Attendance at any services, wedding receptions or other social or religious functions held at the Community Place of Worship shall be limited to the capacity of the Community Place of Worship as determined by the applicable building codes of New York State, as well as the available on-site parking, unless a Parking Management Plan (PMP) is provided. Such events demanding parking in excess of the on-site parking provided shall require a PMP to be submitted for approval by the Planning Board as part of the Special Permit application establishing a Community Place of Worship, pursuant to the requirements set forth below. The PMP shall be used to address parking demand during the maximum projected attendance at the maximum building capacity, for Holy Days or other large planned events for the particular place of worship making the application. Such PMP shall be provided to the Stony Point Police Department, the applicable Fire Department and the office of the Stony Point Town Clerk. If a PMP is required, as part of the special permit process the applicant shall address the following:
- a. Designated off-site parking areas. The Applicant shall submit a fully executed written agreement between the Applicant and one or more providers of a location for off-site parking;
 - b. The applicant shall indicate implementation of group travel to and from the off-site parking locations by the use of shuttle vehicles;
 - c. The applicant shall use traffic control measures such as the hiring of an off-duty police officer and/or volunteers to facilitate pedestrian flow, as well as on-site and off-site traffic;
 - d. The applicant shall provide a notification processes to notify patrons of the Community Place of Worship and others regarding the locations of off-site parking

areas to be used;

- e. The applicant shall indicate a method of pre-event registration to obtain a ticket before the holiday or event to use the on or off-site parking facilities; and
 - f. In the event that off-site parking areas are not available to accommodate the full capacity of the Community Place of Worship, methods to limit the number of event attendees to the number of attendees that can be accommodated in the on-site parking area or at any available off-site locations by utilization of a pre-event registration system and distribution of tickets to registered persons that will be submitted upon arrival at the site on the day of the event.
 - g. Existing Community Places of Worship in existence prior to the adoption of this local law shall submit a PMP for large events to the Planning Board within one year of adoption.
- (11) Signs. Signs shall be permitted for Community Places of Worship in accordance with Article IX, and shall contain English language characters and text to the extent necessary for public safety and/or to aid in the dispatch of emergency services.
- (12) The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the community place of worship from adjacent residential properties, outdoor lighting, and other conditions of use of the Community Place of Worship as, in the judgment of the Planning Board, are necessary for the Community Place of Worship to be able to operate in a manner that is consistent with public safety and neighborhood character.
- (13) Commercial kitchen and catering facilities are permitted, in compliance with all plumbing, electrical, fire, health and safety codes.
- (14) A narrative summary shall be submitted, providing the anticipated number of congregants, square footage of the sanctuary and other dedicated spaces, days and hours of services, and number of parking spaces provided.
- (15) Bulk Provision Waiver. The Planning Board shall have the authority, consistent with the purposes of this Chapter and upon finding that the waiver shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to waive any bulk provision for Community Places of Worship herein up to 3%, for good cause shown.

B. Neighborhood Places of Worship

- (1) A building containing a Neighborhood Place of Worship shall comply with all requirements of all applicable building codes of New York State and the zoning code of the Town of Stony Point.
- (2) A Neighborhood Place of Worship may include a single residential dwelling unit, but occupancy of the unit shall be limited to clergy and their families. Such a single residential dwelling unit shall be considered an accessory use, and shall not require any additional minimum lot area.

- (4) For Neighborhood Places of Worship, the principal use shall be the holding of regularly scheduled religious services. Accessory uses such as classrooms, social halls, administrative offices, baths, gymnasiums and/or indoor recreation facilities may be provided, so long as such accessory uses in their aggregate shall occupy a maximum of 35% of floor area. No building permit or certificate of occupancy shall be granted to such accessory use, building or structure until the building permit and certificate of occupancy for the principal use or building, respectively, have been granted. A School of General Instruction established at the site of a Neighborhood Place of Worship shall not be considered as accessory to the Neighborhood Place of Worship, but rather as an additional principal use.
- (5) The required number of parking spaces for a Neighborhood Place of Worship shall be determined by Column F of the Table of General Use Requirements. This parking requirement may be reduced by up to 25% pursuant to §215-34.B. Reserve areas for future parking lot development may be provided in lieu of construction of parking spaces, pursuant to §215-34.A.
- (6) No parking or loading shall be permitted within the required front yard, although a drop-off or porte cochere shall be permitted. All loading and delivery areas shall be located in the rear yard and shall be effectively screened to a height to eight feet from any adjacent residential properties and the public street.
- (7) All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street.
- (8) The application for a Neighborhood Place of Worship shall be referred to the Architectural Review Board in accordance with Article XVI of this Chapter. The appearance of all principal and accessory structures shall be in harmony with the surrounding area and be of a similar design aesthetic in conformity with the scale and character of the neighborhood within which it is to be located.
- (9) A minimum 20-foot-wide landscaped area shall be provided along all property lines, excluding the front line, and access points. The landscaping shall incorporate plantings, berms, and such other elements as are necessary to screen the facilities.
- (10) Attendance at any services, wedding receptions or other social or religious functions for congregants held at the Neighborhood Place of Worship shall be limited to available on-site parking.
- (11) Signs. Signs shall be permitted for Neighborhood Places of Worship in accordance with Article IX, and shall contain English language characters and text to the extent necessary for public safety and/or to aid in the dispatch of emergency services.
- (12) Use of any outdoor areas of the property shall be limited only to parking and passive recreational uses requiring a minimum of facilities or equipment, which may include a small jungle gym or climber for children, benches and picnic tables.
- (13) The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the Neighborhood Place of Worship from adjacent residential properties, outdoor lighting, and other conditions of use of the Neighborhood Place of Worship as, in the judgment of the Planning Board, are necessary for the Neighborhood Place of Worship to be able to operate in a manner that is

consistent with public safety and neighborhood character.

- (14) No cooking facilities will be permitted, other than warming kitchen equipment for use by the clergy and/or congregants of the Neighborhood Place of Worship and any kitchen equipment for exclusive use of residents of a residential dwelling unit. No catering facilities are permitted.
- (15) A narrative summary shall be submitted, providing the anticipated number of congregants, square footage of the sanctuary and other dedicated spaces, days and hours of services, and number of parking spaces provided.
- (16) Bulk Provision Waiver. The Planning Board shall have the authority, consistent with the purposes of this Chapter and upon finding that the waiver shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to waive any bulk provision for Neighborhood Places of Worship herein up to 3%, for good cause shown.

§ 215-92.6 Residential Gathering Places

- (1) A residential gathering place shall only be permitted as an accessory to a one-family detached residence complying with the bulk standards of the use group designated by the Town of Stony Point Table of General Use Requirements for one-family residences including consideration of water and sewer connection where relevant. The residence containing a residential gathering place shall further comply with the requirements of all applicable fire and building codes of New York State.
- (2) Only habitable spaces in compliance with all applicable building codes may be utilized for a Residential Gathering Place.
- (3) The maximum occupancy of the portion of a residence used as a residential gathering place shall be the lesser of the number of occupants permitted by the Building Code of the State of New York based on occupant load, or the number of occupants determined by dividing the number of square feet of the portion of the residence so designated as a residential gathering place by forty (40) square feet per person.
- (4) No assemblies of non-resident persons may occur within a residential gathering place when the owner and/or permanent tenant is not present.
- (5) The portion of a residence used as a residential gathering place shall have a maximum floor area of 2,000 square feet, or a maximum of 50% of the gross floor area of the residence, whichever is less; and
- (6) Notwithstanding any other provision of this chapter, only those accessory uses permitted as-of right to a one family detached residence shall be allowed at a residence with a residential gathering place. All other accessory uses shall be prohibited including but not limited to administrative offices, bath and shower facilities, gymnasiums, indoor recreation facilities, schools and classrooms. Where such accessory uses are proposed, the use shall no longer be considered for issuance of a Conditional Use approval for a Residential Gathering Place under this Chapter.
- (7) The required number of parking spaces for a Residential Gathering Place shall be

determined by Column F of the Table of General Use Requirements. Parking shall be provided for both the residence and the gathering place area, according to the Table. This parking requirement may be reduced by up to 25% pursuant to §215-34.B. Reserve areas for future parking lot development may be provided in lieu of construction of parking spaces, pursuant to §215-34.A. All required parking spaces shall be provided on the lot on which the Residential Gathering Place is located.

- (8) No parking or loading shall be permitted between the structure and any street line on which the property fronts.
- (9) All outdoor lighting shall be shielded in a manner to direct lighting away from adjacent properties and the public street. Exterior lighting shall be limited to the minimum requirements by code for safety.
- (10) The Planning Board shall require adequate screening in the required rear and side yards, to protect the character and compatibility of adjacent uses. Screening can consist of a wall, fence and/or plantings as approved by the Planning Board.
- (11) The application for a Residential Gathering Place shall be referred to the Architectural Review Board in accordance with Article XVI of this Chapter. The appearance of all principal and accessory structures shall be in harmony with the surrounding area and be of a similar design aesthetic in conformity with the scale and character of the neighborhood within which it is to be located.
- (12) No regularly scheduled assembly may be held between the hours of 11:00 PM and 6:00 AM. For the purpose of this provision, regularly scheduled shall mean occurring in greater frequency than three times per calendar year.
- (13) No space within the Residential Gathering Place may be rented out to or utilized for meetings or functions not directly convened or hosted by the residents of principal one-family detached residence.
- (14) One sign is permitted which shall meet the standards for a home occupation sign as set forth in §215-48.E. In addition, the sign shall contain English language characters and text to the extent necessary for public safety and/or to aid in the dispatch of emergency services.
- (15) Use of any outdoor areas of the property by non-residents shall be limited only to parking and passive recreational uses requiring a minimum of facilities or equipment, which may include a small jungle gym or climber for children, benches and picnic tables.
- (16) The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the Residential Gathering Place from adjacent residential properties, outdoor lighting, and other conditions of use of the Residential Gathering Place as, in the judgment of the Board, are necessary for the Residential Gathering Place to be able to operate in a manner that is consistent with public safety and neighborhood character.
- (17) No kitchen or cooking facilities will be permitted, in scale or type other than those customarily incidental to a one-family detached residence.
- (18) A narrative summary shall be submitted to the Planning Board, providing the

maximum anticipated number of persons to be assembled, square footage of the assembly spaces, days and hours of assembly, and number of parking spaces provided.

- (19) Bulk Provision Waiver. The Planning Board shall have the authority, consistent with the purposes of this Chapter and upon finding that the waiver shall not result in danger to the health, safety and general welfare of the community, neighborhood or area residents, to waive any bulk provision for Residential Gathering Places herein up to 3% , for good cause shown.

Section 3: Severance. The invalidity of any word, section clause paragraph, part or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part of parts.

Section 4: Effective date. This local law shall take effect immediately upon filing with the Secretary of State.

ZONING
215 Attachment 6
Town of Stony Point
TABLE OF GENERAL USE
REQUIREMENTS PART I:
RESIDENTIAL DISTRICTS
MHC District

A	B	B-1	C	C-1	D	D-1	E	F		G
								Minimum Off-Street Parking Spaces		
Distri ct	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (Subject to Articles XI and XII)	Use Group	Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)	Use Group	Accessory Uses Permitted by Right	For	At Least 1 Parking Space For Each	Additional Use Requirements
MHC	1. Manufactured housing community subject to § 215- 21	h.5	1. None. <u>2. Residential gathering place subject to § 215-92.6</u> <u>34. Community place of worship subject to § 215-92.5</u> <u>42. Neighborhood place of worship subject to § 215-92.5</u> <u>54. School of general instruction</u>	— <u>n/a</u> <u>g</u> <u>f</u> <u>e</u>	1. None. 2. Wireless communications facilities on existing buildings as per A(1)(b), subject to Article X. ¹ 3. Wireless communications facilities on existing radio, television, transmission towers, etc. as per A(1) (a). ¹	— h.2 d.4	Same as RR No. 3, dogs and cats only; No. 5 (parking); and Nos. 8 and 9 (signs); one accessory shed not to exceed 100 square feet per unit, at least 15 feet from exterior site property line.	1. Manufactured housing community <u>2. Place of Worship</u>	½ space per unit; may be grouped <u>200 square feet of floor area or 5 seats, capacity, whichever is greater</u>	None

NOTES:

¹ Any appurtenant structure associated with the communications facility is not considered an accessory structure.

A	B	B-1	C	C-	D	D-1	E	F	G	
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (Subject to Articles XI and XII)	Use Group	Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces	Additional Use Requirements	
								For		
								At Least 1 Parking Space For Each		
APRP	1. Reservoirs and appurtenant structures clearly incidental to the principal permitted use, and area within a designated protective perimeter.	N/A	1. None <u>1. Community place of worship. subject to § 215-97.5</u> <u>2. Neighborhood place of worship. subject to § 215-92.5</u> <u>3. Residential gathering place. subject to § 215-92.6</u> <u>4. School of general instruction</u>	s f n/a c	1. 1-family detached residence. 2. Public parks, playgrounds, outdoor recreation facilities and municipal community centers. 3. Home professional offices. 4. Camps, day camps, summer colonies and recreational facilities. subj. to § 215-85. 5. Surface underground or overhead utilities. 6. Wireless communications facilities on existing buildings as per A(1)(b), subject to Article X.I 7. Wireless communications facilities on existing radio, television, transmission towers, etc. As per A(1)(a).I 8. Caretaker's and servants' quarters. 9. Large-scale solar generation facility	d.o e a B K	1. Accessory to a 1-family residence, the following private structures: greenhouses, houses, tool sheds, garages, tennis courts, and other similar structures. 2. Accessory to a 1-family residence: storage of not more than 1 unoccupied trailer or boat not exceeding 35 feet in length. 3. Keeping of domestic animals: not more than a total of 5 cats or dogs over 1 year old, not more than 2 horses over 6 months old. Horses shall be maintained in an enclosed or fenced area not less than 75 feet from any plotline. 4. Keeping of not more than 2 nontransient roomers or boarders, provided that in sum the household population shall not exceed that specified for a family. 5. Accessory parking. 6. Accessory loading. 7. For any residence and home occupation, if any: on the premises, 1 announcement sign not over 10 feet from the designated street line. Where illuminated, such signs shall be indirectly illuminated by a constant light integral to the sign. 8. For any structure for sale or rent, 1 temporary nonilluminated "for sale" or "for rent" sign not over 15 sq. ft. in areas, located at least 15 feet from the designated street line. 9. Accessory home occupation.	1. Reservoirs. 2. 1-family residences 3. Home professional office 4. Place of Worship and Residential Gathering Places 4.5. _____ See hood of General Instruction.	As determined by the PB for service vehicles: 1/2 dwelling, plus 2 for any home occupations, plus 1 for each non-transient roomer or boarder up to a maximum of 6, not more than 3 of which shall be visible to the public way. A maximum of 6 spaces, not more than 3 of which shall be visible to the public way, plus 2 for residence. <u>200 square feet of floor area or 5 seats capacity, whichever is greater</u> <u>300 square feet of floor area or 12 student seats, whichever requirement is greater, plus 1 space per 2 enrolled students over the age of 16; for dormitories see § 215-80.B."</u>	

¹ Any appurtenant structure associated with the communication facility is not considered an accessory structure.

TABLE OF GENERAL USE REQUIREMENTS

[illegible]

NOTES:

¹ Any appurtenant structure associated with the communication facility is not considered an accessory structure.

ZONING
215 Attachment 9
Town of Stony Point
TABLE OF GENERAL USE REQUIREMENTS
PART I: RESIDENTIAL DISTRICTS
RR District

A	B	B-1	C	C-1	D	D-1	E	F		G
District	Uses Permitted By Right	Use Group	Conditional Uses by Planning Board (Subject to Articles XI and XII)	Use Group	Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces		Additional Use Requirements
			Articles XI and XII		Articles XIII and XVIII			For	At Least 1 Parking Space For Each	
RR	1. The following agricultural operations, provided there shall be no structures or storage of odor- or dust-producing substances within 200 feet from any lot line: <ul style="list-style-type: none">Nurseries and greenhouses.Open-field agriculture.Keeping, breeding and raising of cattle, sheep, goats and horses on lots of 20 acres or more but not within 100 feet of any lot line.	b	1. Public parks, playgrounds, outdoor recreation facilities and municipal community centers. 2. Schools of general and special instruction. 3. Nursery schools. 4. 1-family detached residences with municipal sewer and water and located in an area having slight or moderate development limitations. ¹ 5. (Reserved) ⁴ 6. Home professional offices. 7. Libraries, museums and art galleries. 8. Accessory to schools of general or religious instructions; dormitories subject to § 215-80 9. Camps, day camps, summer colonies and recreational facilities subject to § 215-85. 10. Day-care center 11. <u>Community place of worship subject to § 215-92.5</u> 12. <u>Neighborhood place of worship subject to § 215-92.5</u> 13. <u>Residential gathering place subject to § 215-92.6</u>	c	3. Surface, underground or overhead utilities. 4. Public utility buildings. 5. Hospitals and sanatoriums. ¹ 6. Cemeteries on lots not exceeding 10 acres. 7. Nursing homes. ¹ 8. Sand pits, gravel pits and excavation operations. ¹ 9. Animal shelters subject to § 215-82. 10. Ambulance facilities. 11. Bed-and-breakfast. 12. Wireless communications facilities on existing buildings as per A(1)(b), subject to Article X. ¹ 13. Wireless communications facilities on existing radio, television, transmission towers, etc. as per A(1)(a) ¹ 14. Caretaker's and servants' quarters. 15. Schools of General or Special Instruction	a	1. Accessory to a 1-family residence or agricultural use, the following private structures: greenhouses, barns, silos, toolsheds, garages, tennis courts, swimming pools and other similar structures. 2. Accessory to a 1-family residence: storage of not more than 1 unoccupied trailer or boat not exceeding 35 feet in length. 3. Keeping domestic animals as follows: not more than a total of 5 cats or dogs over 1 year old, not more than 2 horses over 6 months old, not more than 10 fowl and not more than 2 of any other species of domestic animals; excluding, however, all pigs and cattle. 4. Domestic animals, except for cats and dogs, shall be maintained in an enclosure or fenced area not less than 75 feet from any plot line. 5. Keeping of not more than 2 nontransient rosters or boards, provided that in sum the household population shall not exceed that specified for a family. 6. Accessory parking subject to Column F. 7. Storage goods, equipment, raw materials or products accessory to any permitted use, screened from all property lines.	1. School of general instruction 2. Buildings or open stands for display and sale of agricultural products 4. Churches and similar places of worship, and Residential, Gathering, Places 3. Hospitals 4. Sanatoriums, nursing homes and convalescent facilities 5. Public utility buildings 6. Cemeteries 7. Home professional offices	300 square feet of floor area or 12 student seats, whichever requirement is greater, plus 1 per 2 enrolled students over the age of 16; <u>for dormitories see § 215-80, B.</u> 5 feet of footage or 100 square feet of floor/sale area, whichever requirement is less 200 square feet of floor area or 5 seats' capacity, whichever is greater (school areas same as No. 1) 1 bed plus 1 per 250 square feet of outpatient clinic floor area, plus 1 per 150 square feet of separate physician office space 2 beds Employee in the maximum working shift Minimum capacity for 40 vehicles clear of any public street A maximum of 6 spaces, not more than 3 of which shall be visible to the public way, plus 2 for residence	1. A buffer with a minimum dimension of the respective setback may be required as condition of approval for any conditional or special permit use where such uses may adversely affect the residential character of the neighborhood. The buffer, if required, shall be provided between the proposed conditional or special permit use and any lot in a residential district. Such buffer area may be reduced where local conditions warrant and substitute measures are prescribed for the protection of neighboring properties or where adjacent use is similar to that proposed.

ZONING
215 Attachment 9
Town of Stony Point
TABLE OF GENERAL USE REQUIREMENTS
PART I: RESIDENTIAL DISTRICTS
RR District

A District	B Uses Permitted By Right	B-1 Use Group	C Conditional Uses by Planning Board (Subject to Articles XIII and XVIII)	C-1 Use Group	D Uses by Special Permit of the Town Board (Subject to Articles XII and XVIII)	D-1 Use Group	E Accessory Uses Permitted by Right	F Minimum Off-Street Parking Spaces		G Additional Use Requirements
								For	At Least 1 Parking Space For Each	
RR							8. For any residence and home occupation, if any: on the premises, 1 announcement sign not over 10 feet from the designated street line. Where illuminated, such signs shall be indirectly illuminated by a constant light integral to the sign. 9. For any structure for sale or rent, 1 temporary nonilluminated "for sale" or "for rent" sign not over 15 square feet in area, located at least 15 feet from the designated street line. 10. Accessory home occupations. 11. Accessory to an agricultural operation, buildings or open stands for display of agricultural products.	9. Nursery schools 10. 1-family residences 11. Ambulance facilities 12. Libraries, museums and art galleries	1 per 100 square feet of floor area in such use or 1 per 4 seats' capacity, whichever requirements is greater 1/2 dwelling, plus 2 for any home occupations, plus 1 for each non-transient roomer or boarder up to a maximum of 6, not more than 3 of which shall be visible to the public way As determined in the special permit 150 square feet in such use, plus 1 for each employee	

NOTES:

- ¹ Development limitations as depicted in Town of Stony Point Development Plan, 1973. The Planning Board will entertain an applicant's assertion that the subject lands should be reclassified relative to development limitation. Such assertion must be fully documented with site-specific information.
- ² **Editor's Note: Former Item 4, regarding one-family residences with either sewer or water in areas having slight or moderate limitations, was repealed 6-14-1988 with the following exception: "The readoption of the Zoning Ordinance insofar as the amendment of § 215- 11, Table of General Use Requirements, shall not apply to subdivision maps that have received final approval from the Stony Point Planning Board prior to June 14, 1988, for three years from the date the Planning Board granted final approval."**
- ³ A traffic study may be required by the Planning Board.
- ⁴ **Editor's Note: Former Item 5, regarding one-family residences with sewer and water in areas having slight or moderate limitations, as amended 12-23-1985, was repealed 6-14-1988 with the following exception: "The readoption of the Zoning Ordinance insofar as the amendment of § 215-11, Table of General Use Requirements, shall not apply to subdivision maps that have received final approval from the Stony Point Planning Board prior to June 14, 1988, for three years from the date the Planning Board granted final approval."**
- ⁵ Any appurtenant structure associated with the communication facility is not considered an accessory structure.

ZONING
215 Attachment 10
Town of Stony Point
TABLE OF GENERAL USE REQUIREMENTS
PART I: RESIDENTIAL DISTRICTS
R-1, SRC and R-W Districts

A	B	B-1	C	C-1	D	D-1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (Subject to Articles XI and XII)	Use Group	Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces		Additional Use Requirements
								For	At Least 1 Parking Space For Each	
R-1	1. Same as RR Nos. 1 (agriculture) and 2 (businesses) . 2. One-family detached residences with municipal water and sewer service.	h.1	1. Same as RR Nos. 1 (public park, playground and outdoor recreation facility), 3 (nursery schools), 7 (libraries, museums and art galleries), 8 (dormitories) and 10 (day-care center). 2. Two-family detached residences with municipal water and sewer service. A lot containing 2 dwelling units in the same building or a dwelling unit in both a principal building and an accessory building on the same lot shall be considered a two-family use. <u>3. Community place of worship subject to § 215-92.5</u> <u>4. Neighborhood place of worship subject to § 215-92.5</u> <u>5. Residential gathering place subject to § 215-92.6</u> <u>6. Schools of general instruction</u>	f h.2 h.1 e f n/a e	1. Same as RR Nos. 1 (utilities), 2 (public utility buildings), 3 (hospitals), 4 (cemeteries), 5 (nursing homes), 8 (ambulance facilities) and 9 (bed-and-breakfast). 2. Wireless communications facilities on existing buildings as per A(1)(b), subject to Article X. ¹ 3. Wireless communications facilities on existing radio, television, transmission towers, etc. as per A(1)(a). ¹ 4. Caretaker's and servants' quarters. 5. Large-scale solar generation facility	— h.2 h.1	1. Same as RR Nos. 1 (agriculture), 2 (trailer), 3 (animals), 4 (roomers), 5 (parking), 6 (loading), 7 (storage), 8 and 9 (signs), 10 (home occupations) and 11 (stands).	1. Same as RR 2. Two-family detached residence 3. Places of Worship and Residential Gathering Places 4. School of General Instruction.	1/2 dwelling unit 200 square feet of floor area or 5 seats capacity, whichever is greater 300 square feet of floor area or 12 student seats, whichever requirement is greater, plus 1 space per 2 enrolled students over the age of 16; for dormitories see § 215-80.B."	1. Same as RR.
SRC	None	—	<u>1. None Community place of worship subject to § 215-92.5</u> <u>2. Neighborhood place of worship subject to § 215-92.5</u> <u>3. Residential gathering place subject to § 215-92.6</u> <u>4. Schools of general instruction</u>	n/a e f n/a e	1. Senior citizen housing subject to § 215-86. 2. Wireless communications facilities on existing buildings as per A(1)(b), subject to Article X. ¹ 3. Wireless communications facilities on existing radio, television, transmission towers, etc. as per A(1)(a). ¹	J J d.4	1. Cafeterias and dining halls. 2. Community space. 3. Signs subject to Column G.	<u>1. Same as RR</u> <u>2. Senior Citizen housing</u> <u>3. Senior assisted living</u> <u>4. Senior independent living apartments</u> <u>5. Senior townhouse</u> <u>6. Places of Worship and Residential Gathering Places</u> <u>7. School of General Instruction</u>	1½ space per bedroom, plus 2 spaces for superintendent's apartment 4 units, plus 1 for each employee at peak shift Each unit 2 spaces for each unit 200 square feet of floor area or 5 seats capacity, whichever is greater 300 square feet of floor area or 12 student seats, whichever requirement is greater, plus 1 space per 2 enrolled students over the age of 16; for dormitories see § 215-80.B."	1. 1 detached identification sign indirectly illuminated along a public street shall not exceed a total sign area of 25 square feet, shall not have a height over 4 feet and shall have a setback of 20 feet. 2. 1 identification sign, indirectly illuminated, for each building, provided that it is located not closer than 10 feet from any street or driveway and shall not exceed a total sign area of 5 square feet and shall not exceed a height of 3 feet.

ZONING

STONY POINT CODE

A	B	B-1	C	C-1	D	D-1	E	F		G
								Minimum Off-Street Parking Spaces	Additional Use Requirements	
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (Subject to Articles XI and XII)	Use Group	Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)	Use Group	Accessory Uses Permitted by Right	For	At Least 1 Parking Space For Each	Additional Use Requirements
R-W	1. 1-family detached residences with municipal water and sewer service. 2. 2-family detached residences with municipal water and sewer service. 3. Churches and similar places of worship and buildings for religious instruction, but not including schools of general instruction. 4. Waterfront trails, parks, scenic overlooks and playgrounds.	h.3 h.4 D	1. Conversion of existing 1-family detached residence to a 2-family detached residence. 2. Nursery schools. 3. Community place of worship subject to § 215-92.5 4. Neighborhood place of worship subject to § 215-92.5 5. Residential gathering place subject to § 215-92.4 6. Schools of general instruction subject to § 215-80	h.3 f E f B/A S	1. Same as RR No. 9 (bed-and-breakfast). 2. Wireless communications facilities on existing buildings as per A(1)(b), subject to Article X. ¹ 3. Wireless communications facilities on existing radio, television, transmission towers, etc. as per A(1)(a). 4. Schools of General or Special Instruction	— h.2 h.1	1. Accessory to any 1-family residence or agricultural use, the following private structures: greenhouses, barns, silos, toolsheds, garages, tennis courts, swimming pools and other similar structures. 2. Accessory to a 1-family residence: storage of not more than 1 unoccupied trailer or boat not exceeding 35 feet in length. 3. Keeping domestic animals as follows: not more than a total of 5 cats or dogs over 1 year old, not more than 2 horses over 6 months old, not more than 10 fowl and not more than 2 of any other species of domestic animals, excluding, however, all pigs and cattle. Domestic animals, except cats and dogs, shall be maintained in an enclosure or fenced area not less than 75 feet from any plot line. 4. Keeping of not more than 2 nontransient roomers or boarders. 5. Accessory parking subject to Column F. 6. For any residence and home occupation, if any on the premises: 1. announcement sign not over 10 feet from the designated street line. Where illuminated, such signs shall be kept indirectly illuminated by a constant light integral to the sign. 7. For any structure for sale or rent: 1. temporary nonilluminated "for sale" or "for rent" sign not over 15 square feet in area, located at least 15 feet from the designated street line. 8. Accessory home occupations.	1. Buildings or open stands for display and sale of agricultural products 2. Churches and similar places of worship and residential gathering places 3. 1-family residences 4. 2-family detached residences 5. Libraries, museums and art galleries 6. <u>School of General Instruction</u>	5 feet of frontage or 100 square feet of floor/sale area, whichever requirement is less 200 square feet of floor area or 5 seats capacity, whichever is greater (schools same as No. 1) ½ dwelling, plus 2 for any home occupation, plus 1 for each nontransient roomer or boarder up to a maximum of 6, not more than 3 of which shall be visible to the public way ½ dwelling unit 150 square feet in such use, plus 1 for each employee 200 square feet of floor area or 12 student seats, whichever requirement is greater, plus 1 space per 2 enrolled students over the age of 16, for dormitories see § 215-80 B.	1. Same as RR. 2. A buffer of not less than 100 feet shall be provided between any use and any designated wetland area.

NOTES

¹ Any appurtenant structure associated with the communications facility is not considered an accessory structure.

Town of Stony Point
TABLE OF GENERAL USE REQUIREMENTS PART II: NONRESIDENTIAL DISTRICTS
RII District

NOTES:

¹ Any appurtenant structure associated with the communication facility is not considered an accessory structure.

² The maximum height limitations for wireless communication facilities in the BU, O, LI, SR and PW Districts shall be regulated by the Wireless Communications Law (L.L. No. 4-2002) set forth in § 215-66 et seq. of the Code of the Town of Stony Point.

215 Attachment 12

TABLE OF GENERAL USE REQUIREMENTS
PART II: NONRESIDENTIAL DISTRICTS
O and LI Districts

215 Attachment 12:1

ZONING
STONY POINT CODE

A District	B Uses Permitted By Right	B-1 Use Group	C Conditional Uses by Planning Board (Subject to Articles XI and XII)	C-1 Use Group	D Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)	D-1 Use Group	E Accessory Uses Permitted by Right	F Minimum Off-Street Parking Spaces		G Additional Use Requirements
								For	At Least 1 Parking Space For Each	
L1	1. Office Buildings for business and professional use. 2. Industrial uses which may include the manufacturing, fabricating, processing, converting, altering, assembling, testing or other handling of products. 3. Wholesaling, warehousing and distribution business. 4. Freight and truck transfer terminals. 5. Commercial recreation establishment, indoor use only. 6. Wireless communications facilities on existing radio, television, transmission towers, etc., as per A(1)(a)'. 7. Wireless communications facilities on existing buildings as per A(1)(b), subject to Article X'. 8. Wireless communications facilities on existing utility structures as per A(1)(c)'.	I I I I F B B B	1. Same as RR No. 1 (outdoor facilities). 2. Outdoor recreation facilities/uses associated with a commercial recreation establishment subject to § 215-92.1. 3. Contractor's material and storage yards subject to § 215-88. 6. Automobile washing facilities subject to § 215-87. 747. Printing, publishing and copy establishments. 438. Nursery and/or landscaping supply (retail and wholesale). 449. Building supply (retail and wholesale), lumberyards. 4510. Accessory retail or sales of products assembled, processed, manufactured on site. 116. Research laboratories. 127. Vocational or trade schools. School of special instruction, subject to § 215-90.	— F I F B I I I I I	4. Wireless communications antenna tower and appurtenant structure(s). ¹	B	1. Same as BU Nos. 1 (parking), 2 (loading), 3 (temporary structures), 4 (storage) and 6 (signs). 2. Same as O Nos. 2 (maintenance and ancillary facilities) and 3 (signs).	1. Same as BU Nos. 1 (public utility buildings), 10 (hotels and motels) and 11 (utilities). 2. Industrial uses. 3. Contractor material and storage yards. 4. Commercial Recreation 5. Office buildings and corporate parks. 6. School of Special Instruction	2 employees in the maximum working shift, plus 1 space per 150 square feet of office Area, plus 1 for each 2 employees. Not less than the highest design hour as determined by the Planning Board. 250 square feet, plus 3 per suite Not less than the highest design hour as determined by the Planning Board	1. Same as O Nos. 1, 2, 4 and 5. 2. No entrances or exits for any parking or loading area shall be located within 300 feet of residential district. For freight and/or truck transfer terminals, no part of the use and uses accessory thereto, including driveways, shall be closer than 500 feet to a residential use in a residential district. 3. Any industrial use proposed for this district shall, in addition to any other application requirements, provide a detailed description of mechanical, compressive and chemical processes with the corresponding OSHA 2206 code requirements and the applicant's proposed means of meeting those criteria.

NOTES:
1. Any appurtenant structure associated with the communication facility is not considered an accessory structure.
2. The maximum height limitations for wireless communication facilities in the BU, O, LI, LI-2, SR and PW Districts shall be regulated by the Wireless Communications Law (L.L. No. 4-2002) set forth in § 215-66 et seq. of the Code of the Town of Stony Point.

ZONING

215 Attachment 12A

TABLE OF GENERAL USE REGULATIONS PART II: NONRESIDENTIAL DISTRICTS
LI-2 District

A	B	B-1	C	C-1	D	D-1	E	F	G
District	Uses permitted by Right	Use Group	Conditional Uses by Planning Board (Subject to Articles XIII and XVIII)	Use Group	Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)	Use Group	Accessory Uses Permitted by Right	Minimum Off street Parking Spaces For	Additional Regulations
LI-2	1. Office buildings for business and professional use 2. Industrial uses which may include the manufacturing, fabricating, processing, assembling, testing or other handling of products 3. Wholesaling, warehousing and distribution business 4. Freight and truck transfer terminals 5. Commercial recreation establishment, indoor use only 6. Wireless communications facilities on existing radio, television, transmission towers, etc. as per A(1)(a) ¹ 7. Wireless communications facilities on existing buildings on per A(1)(b), subject to Article X ² 8. Wireless communications facilities on existing utility structures as per A(1)(c) ³	I I I F B B	1. Same as RR No. 1 (outdoor facilities) 2. Outdoor recreation facilities; uses associated with a commercial recreation establishment subject to § 215-92.1 3. Contractor's material and storage yards subject to § 215-88 4. Local convenience commercial uses and restaurants accessory to local convenience commercial uses 5. Automobile and boat sales and service including auto body repair subject to § 215-87 6. Automobile washing facilities subject to § 215-87 7. On-site dry-cleaning facilities 8. Appliance and household equipment repair 9. Automobile rental establishment 10. Tire retail stores ¹ 11. Power equipment sales and service ¹ including lawn mowers, snowmobiles, tractors, etc. 12. Printing, publishing and copy establishments 13. Nursery and/or landscaping supply (retail and wholesale) 14. Building supply (retail and wholesale), lumberyards 15. Accessory retail sales of products assembled, processed, or manufactured on site 16. Research laboratories 17. <u>Vocational or trade schools</u> <u>School of special instruction subject to § 215-80</u> 18. Animal boarding facilities (kennels), animal shelters, animal hospitals, veterinarians, animal grooming and sales 19. Catering hall, off-site catering, commercial bakeries and food preparation	— F I B F F I B I I I I I F	1. Wireless communications antennas tower and appurtenant structure(s) ¹ 2. Hotels and motels and restaurants accessory to hotels and motels	B H 2	1. Same as BU Nos. 1 (parking), 2 (loading), 3 (temporary structures), 4 (storage), and 6 (signs) 2. Same as O Nos. 2 (maintenance and ancillary facilities, and 3 (signs)	1. Same as BU 2. Column B Nos. 2, 3, 4, 5 (industrial uses, wholesaling, warehousing, distribution, freight and truck transfer terminals) <u>3. Contractor material and storage yards</u> <u>4. School of Special Instruction</u>	At least 1 Parking Space for Each

NOTES:

¹ Any appurtenant structure associated with the communication facility is not considered an accessory structure.

² The maximum height limitations for wireless communication facilities in the BU, O, LI, LI-2, SR and PW Districts shall be regulated by the Wireless Communications Law (L.L. No. 4-2002) set forth a § 215-66 et seq. of the Code of the Town of Stony Point.

³ For this use the day night noise level as defined by the US EPA shall not exceed 65dBA or existing background levels, whichever is higher.

ZONING

215 Attachment 13

Town of Stony Point

TABLE OF GENERAL USE REQUIREMENTS PART II: NONRESIDENTIAL DISTRICTS SR and PW Districts

A	B	B-1	C	C-1	D	D-1	E	F		G
District	Uses Permitted by Right	Use Group	Conditional Uses by Planning Board (Subject to Articles XIII and XVIII)	Use Group	Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)	Use Group	Accessory Uses Permitted by Right	Minimum Off-Street Parking Spaces		Additional Use Requirements
								For	At Least 1 Parking Space for Each	
SR	1. Public parks, waterfront trails and scenic overlooks. 2. Wetland conservation areas.	- -	1. <u>Community place of worship subject to § 215-92.5</u> 2. <u>Neighborhood place of worship subject to § 215-92.5</u> 3. <u>Residential gathering place subject to § 215-92.6</u> 4. <u>Schools of general instruction subject to § 215-80</u> None	M M n/a M -	1. One-family detached residence. 2. Wireless communications facilities on existing radio, television, transmission towers, etc. as per A(1)(a). ¹ 3. Wireless communication facilities on existing buildings as per A(1)(b), subject to Article X. ¹ 4. Wireless communications facilities on existing utility structures as per A(1)(c). ¹ 5. Wireless communications antenna tower and appurtenant structure(s). ¹	M B B B K	1. Accessory to any 1-family residence or agricultural use, the following private structures: greenhouses, barns, silos, toolsheds, garages, tennis courts, swimming pools and other similar structures. 2. Accessory to a 1-family residence: storage of not more than 1 unoccupied trailer or boat not exceeding 35 feet in length.	1. <u>Same as RR</u> 2. <u>One-family residences</u> 3. <u>Place of Worship</u> 4. <u>School of General Instruction</u>	1/2 dwelling, plus 2 for any home occupation, plus 1 for each nontransient roomer or boarder up to a maximum of 6, not more than 3 of which shall be visible to the public way. 700 square feet of floor area or 5 seats, capacity, whichever is greater 300 square feet of floor area or 12 student seats, whichever requirement is greater, plus 1 space per 2 enrolled students over the age of 16, for dormitories see § 215-80.B. ²	1. A natural vegetative buffer with a minimum dimension of the respective setback may be required as a condition of approval for any special permit use where such uses may adversely affect the residential character of the neighborhood. The buffer, if required, shall be provided between the proposed special permit use and any lot in a residential district. Such buffer area may be reduced where local conditions warrant and substitute measures are prescribed for the protection of neighboring properties or where adjacent use is similar to that proposed. 2. A natural vegetative buffer of not less than 100 feet shall be provided between any use and any designated wetland area. 3. An application for a 1-family residence shall not be deemed complete until all required town and state wetland permits have been obtained and submitted.

ZONING

A	B	B-1	C	C-1	D	D-1	E	F		G
			Conditional Uses by Planning Board (Subject to Articles XIII and XVIII)		Uses by Special Permit of the Town Board (Subject to Articles XIII and XVIII)			Minimum Off-Street Parking Spaces		
		Use Group		Use Group		Use Group	Accessory Uses Permitted by Right	For	At Least 1 Parking Space for Each	Additional Use Requirements
P W	1. Public recreational facilities requiring waterfront access such as boat launches and fishing piers.	—	1. Fish bait and tackle shops.	L	1. Expansion of existing marinas or new marinas and related uses such as:	K	1. Use accessory to membership clubs, as follows:	1. Maritime centers	300 square feet of floor area	4.5. A buffer of not less than 30 feet shall be provided between any use first permitted in this district and any lot in a residence district. A buffer of not less than 50 feet will be provided between any conditional use or special permit use and any lot in a residence district.
	2. Waterfront parks, trails and scenic overlooks.	—	2. Small boat (less than 20 feet), sailboat and accessory equipment rental and sales shops.	N	• Facilities for hauling, launching and dry storage of boats.	K	• Boathouses, boat launches.	2. Membership clubs	2 members, plus 1 space per 2 seats in any dining room or bar	
	3. Maritime centers and similar facilities which utilize the waterfront for educational, recreational or scientific purposes.	K	3. Waterfront mixed-use development subject to § 215-92.3		• Facilities for building, repairing and maintaining boats, marine engines and other marine equipment up to 100 tons.	K	• Health and fitness clubs.	3. Fish bait and tackle shops	150 square feet of floor area	2.6. Outdoor storage areas shall be screened from any adjoining property by fences or other permanent materials or walls acceptable to the Planning Board.
	4. Municipal community centers.	K	4. Community Place of Worship subject to § 215-92.5	g	• Sales of items specifically related to marina use.	K	• Other uses accessory to membership clubs.	4. Small boat and sailboat rental and sales shops	150 square feet of floor area	2.7. A buffer of not less than 100 feet shall be provided between any use and any designated wetland area.
	5. Existing marinas and related uses.	K	4.5. School of General Instruction subject to § 215-80.	g	• Facilities for docking and mooring of boats.	K	• Club administrative offices.	5. Marinas and related uses	2 boat slips, and 25% of such spaces shall be double length to accommodate cars with trailers, plus 1 per 150 square feet of office space, plus 1 space for each 2 employees, plus 1 space per 125 square feet of floor area devoted to marina sales facilities.	
	6. Existing oil and fuel storage and distribution facilities	K			• Facilities for pumping out marine holding tanks.	K	• Uses accessory to waterfront mixed-use developments, including the following:	6. Oil and fuel storage and distribution facilities	2 employees	
	7. Wireless communications facilities on existing radio, television, transmission towers, etc. as per A(1)(a). ¹	h.5			• Facilities for dispensing of fuel or lubricants, provided that no more than 15,000 gallons of fuel are stored.	a	• Clubhouses.	7. Multifamily residences	1 bedroom	
	8. Wireless communication facilities on existing buildings as per A(1)(b), subject to Article X. ¹	h.5			• Facilities for docking and mooring of boats.	K	• Swimming pools.	8. One-family attached residences	0.4 dwelling	
	9. Wireless communications facilities existing utility structures as per A(1)(c). ¹	D			2. Public utility structures and rights-of-way.	K	• Tennis courts.	9. Sit-down restaurants	100 square feet of dining area	
	10. Sit-down restaurants				3. Membership clubs, such as beach, country and yacht clubs dependent on a waterfront location.	K	• Walking trails.	10. Local convenience commercial	200 square feet of floor area	
					4. Expansion of existing oil and fuel storage and distribution facilities.	g	• Explanades and similar linear recreational areas.	11. Local office business	300 square feet of floor area	
					5. Bed-and-breakfast		• Uses customarily accessory to marinas, including vertical boat storage (boatels).	12. Boatel vertical dry dock boat storage	4 boat storage spaces	
					6. Wireless communications antenna tower and appurtenant structure(s). ¹		• Retail kiosks. Retail kiosks shall not exceed 500 square feet.	13. One-family detached residences	0.5 dwelling	
							3. Off-street parking and loading areas or structures, in accordance with Article VII.	14. Commercial recreation uses	Not less than the highest design hour as determined by the Planning Board	
							4. For any structure for sale or rent, 1 temporary nonilluminated "for sale" sign or "for rent" sign not over 15 square feet in area, located at least 15 feet from the designated street line.	15. Day-care center	250 square feet of gross floor area	
							5. 1 detached identification sign indirectly illuminated along a public street, which shall not exceed a total sign area of 25 square feet, shall not have a setback over 4 feet and shall have a setback of 15 feet.	16. Place of Worship	200 square feet of floor area or 5 seats capacity, whichever is greater	
							6. Identification sign, indirectly illuminated for each building, provided that it is located not closer than 10 feet from any street or driveway and shall not exceed a total sign area of 10 square feet, not a height of 3 feet.	16.17. School of General Instruction	300 square feet of floor area or 12 student seats, whichever requirement is greater, plus 1 space per 2 enrolled students over the age of 6; for dormitories see § 215-80.B.*	

NOTES:

¹ Any appurtenant structure associated with the communication facility is not considered an accessory structure

² The maximum height limitations for wireless communication facilities in the BU, O, LI, SR, and PW Districts shall be regulated by the Wireless Communications Law (L.L. No. 4-2002) set forth in § 215-66 et seq. of the Code of the Town of Stony Point.

Section 3: Severance. The invalidity of any word, section clause paragraph, part or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part of parts.

Section 4: Effective date. This local law shall take effect immediately upon filing with the Secretary of State.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Local Law to Amend Zoning Chapter to Comprehensively Regulate Public Assembly in Homes, Places of Worship, Schools and Dormitories		
Project Location (describe, and attach a general location map): Town of Stony Point, Rockland County, NY		
Brief Description of Proposed Action (include purpose or need): The proposed local law amends the zoning code to define several terms and to require conditional use permits and site plan approval for the use of residences for public assembly, places of worship, schools and dormitories. The proposed regulations prescribe criteria for each use to minimize the potential for impacts to community character, residential neighborhoods and economically vital areas.		
Name of Applicant/Sponsor: Stony Point Town Board	Telephone: 845-786-2716	
	E-Mail: mcarey@townofstonypoint.org	
Address: 74 East Main Street		
City/PO: Stony Point	State: NY	Zip Code: 10980
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Adoption of Local Law	November 20, 2020
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

Remediation Sites: C344068, 344023, 344041, 344032, 344069, 546031

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Multiple- varies _____	
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. What is the proposed new zoning for the site? <u>No map change proposed</u>	
C.4. Existing community services.	
a. In what school district is the project site located? <u>North Rockland</u>	
b. What police or other public protection forces serve the project site? <u>Stony Point PD</u>	
c. Which fire protection and emergency medical services serve the project site? <u>Stony Point Fire District</u>	
d. What parks serve the project site? <u>Harriman State Park; Multiple Town Parks</u>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. a. Total acreage of the site of the proposed action?	_____ acres
b. Total acreage to be physically disturbed?	_____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	_____ acres
c. Is the proposed action an expansion of an existing project or use? <input type="checkbox"/> Yes <input type="checkbox"/> No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? <input type="checkbox"/> Yes <input type="checkbox"/> No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
<ul style="list-style-type: none"> • Total number of phases anticipated _____ • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ _____ _____ 	

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
<i>i.</i> Total number of structures _____ <i>ii.</i> Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length <i>iii.</i> Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
<i>i.</i> Purpose of the impoundment: _____ <i>ii.</i> If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ <i>iii.</i> If other than water, identify the type of impounded/contained liquids and their source. _____ <i>iv.</i> Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres <i>v.</i> Dimensions of the proposed dam or impounding structure: _____ height; _____ length <i>vi.</i> Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
<i>i.</i> What is the purpose of the excavation or dredging? _____ <i>ii.</i> How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ <i>iii.</i> Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ _____ _____	
<i>iv.</i> Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ _____	
<i>v.</i> What is the total area to be dredged or excavated? _____ acres <i>vi.</i> What is the maximum area to be worked at any one time? _____ acres <i>vii.</i> What would be the maximum depth of excavation or dredging? _____ feet <i>viii.</i> Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>ix.</i> Summarize site reclamation goals and plan: _____ _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
<i>i.</i> Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____ _____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____</p>	

<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>		
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site			
a. Existing land uses. i. Check all uses that occur on, adjoining and near the project site. <input type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ ii. If mix of uses, generally describe: _____ _____			
b. Land uses and covertypes on the project site.			
Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

<p>c. Is the project site presently used by members of the community for public recreation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>i. If Yes: explain:</i></p>	
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes,</p> <p><i>i. Identify Facilities:</i></p> <p>_____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p><i>ii. Dam's existing hazard classification:</i> _____</p> <p><i>iii. Provide date and summarize results of last inspection:</i></p> <p>_____</p> <p>_____</p>	
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Has the facility been formally closed?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p><i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i></p> <p>_____</p> <p>_____</p> <p><i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____</p> <p>_____</p>	
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i></p> <p>_____</p> <p>_____</p>	
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____</p> <p>_____</p> <p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide DEC ID number(s): _____</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i></p> <p>_____</p> <p>_____</p>	

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> If yes, DEC site ID number: _____ Describe the type of institutional control (e.g., deed restriction or easement): _____ Describe any use limitations: _____ Describe any engineering controls: _____ Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain: _____ _____
E.2. Natural Resources On or Near Project Site
a. What is the average depth to bedrock on the project site? _____ feet
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %
d. What is the average depth to the water table on the project site? Average: _____ feet
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: _____ _____
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <ul style="list-style-type: none"> Streams: Name _____ Classification _____ Lakes or Ponds: Name _____ Classification _____ Wetlands: Name _____ Approximate Size _____ Wetland No. (if regulated by DEC) _____
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p>
<p>E.3. Designated Public Resources On or Near Project Site</p>
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Stony Point Town Board Date _____

Signature _____ Title Supervisor

Full EAF Part 1 Section F – Additional Information

In New York State, schools and places of worship cannot be excluded from within residential zoning districts due to what New York caselaw has deemed their “inherently beneficial nature.”

Notwithstanding, the Town still retains significant permitting authority over these uses. The New York State Court of Appeals has held that “[t]he controlling consideration in reviewing the request of a school or church for permission to expand into a residential area must always be the over-all impact on the public’s welfare.” *Cornell Univ. v. Bagnardi*, 68 N.Y.2d 583, 510 N.Y.S.2d 861, 867 (1986). There is no question that communities need not “stand helpless in the face of proposed [religious or educational] uses that are dangerous to the surrounding area.” *Id.*¹

The Village wishes to insure, to the maximum extent allowed by law, that the development of any house of worship or school within its boundaries be consistent with the established rural and residential character of existing neighborhoods, that property value and quality of life is maintained, municipal utilities and the road system are not overburdened and the environment is not deteriorated.

In the Cornell case, the Court of Appeals recommended that communities adopt the “special permit” mechanism to impose “reasonable conditions directly related to the public’s health, safety and welfare” on proposed religious or educational uses and otherwise “cushion any adverse effects [of such uses] by the imposition of conditions designed to mitigate them. 510 N.Y.S.2d at 567-68.”² The Court of Appeals

¹ As the Court of Appeals held in the Cornell case:

[T]here are many instances in which a particular educational or religious use may actually detract from the public's health, safety, welfare or morals. In those instances, the institution may be properly denied. There is simply no conclusive presumption that any religious or educational use automatically outweighs its ill effects. The presumed beneficial effect may be rebutted with evidence of a significant impact on traffic congestion, property values, municipal services and the like.

Thus, educational and religious uses which would unarguably be contrary to the public's health, safety or welfare need not be permitted at all. A community that resides in close proximity to a college should not be obliged to stand helpless in the face of proposed uses that are dangerous to the surrounding area. Such uses, which are clearly not what the court had in mind when it stated that traffic and similar problems are outweighed by the benefits a church or school brings, are unquestionably within the municipality's police power to exclude altogether. “[E]ven religious [and educational] institutions [must] accommodate to factors directly relevant to public health, safety or welfare, inclusive of fire and similar emergency risks, and traffic conditions insofar as they involve public safety.”

Id. (citations omitted).

² As the Court of Appeals held in Cornell:

[A] zoning ordinance may properly provide that the granting of a special permit to churches or schools may be conditioned on the effect the use would have on traffic congestion, property values, municipal services, the general plan for development of the community, etc. The requirement of a special permit application, which entails disclosure of site plans, parking facilities, and other features of the institution's proposed use, is beneficial in that it affords zoning boards an opportunity to weigh the proposed use in relation to neighboring land uses and to cushion any adverse effects by the imposition of conditions designed to mitigate them.

has affirmed that this reflects the preference for municipalities to engage in a “case-by-case” review of proposed educational and religious uses. Pine Knolls Alliance Church v. Zoning Bd. of Appeals of Town of Moreau, 5 N.Y.3d 407, 804 N.Y.S.2d 708, 710 (2005).

Under existing zoning, places of worship and schools of general instruction are excluded from the following zoning districts that permit residences: MHC, APRP, SR-R, SRC, SR, and P-W. Schools are only permitted in the RR zoning district and excluded from all other districts. Also, under existing zoning, bulk standards are inconsistent from district to district. Places of worship are generally permitted by right with no special conditions governing their operation, the character of construction or the relationship to surrounding neighborhoods. Schools require conditional use approval, but there are no specific requirements except for dormitories. Lastly, there is no limitation of the use of private residences for public assembly.

The general framework of the proposed changes to the Zoning Local Law is to:

- Regulate public assembly within homes providing requirements for the use of regular assembly of persons within an existing single-family home. No such requirements exist today and the Town would be hard pressed to deal with regular public assemblies that a homeowner claims are a regular customary function of their residential occupancy.
- Regulate places of worship on two tiers:
 - A smaller-scale Neighborhood Place of Worship on two acres in suburban areas, and 4-4.6 acres in more rural areas, subject to significant limitations on the types of ancillary uses (such as catered events or classrooms) that could occur;
 - A larger-scale Community Place of Worship on five acres in any residential zoning district, with controls to protect surrounding neighborhoods and community character from impacts.
- Regulate schools and dormitories to ensure that future schools resemble current schools within the Town, and have appropriate buffers and controls to avoid negative impacts.

All future proposals for the aforementioned uses will be subject to site-specific SEQRA analysis. Since the regulations do not commit the Town to any specific course of action with respect to specific projects, the proposed amendments would themselves not pose any potential for significant adverse environmental impacts.

510 N.Y.S.2d at 867-68 (citations omitted).