

ARTICLE II DEFINITIONS

SECTION 201 INTERPRETATION OF TERMS AND WORDS

For the purposes of this Ordinance, all words used in the present tense include the future tense. All words in the plural number include the singular number, and all words in the singular number include the plural number, unless the natural construction of the word indicates otherwise. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. The word "shall" is mandatory and directory. The word "may" is permissive. The word "used" includes "designed, intended or arranged to be used".

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Accessory Use - Use of building, structure or land customarily incidental and subordinate to principal use or building, and located on the same lot. For the purposes of defining accessory use on residential properties, fences shall be considered accessory uses to residential principal land uses. [LL No. 3 of 2007]

Animal Waste Storage Facility - Any building, structure, pond, lagoon or yard for the bulk storage of animal waste for eventual removal and/or dispersion.

Alterations - As applied to a building or structure, a change or rearrangement in the structure parts, or an enlargement whether by extending on a side, increasing in height or the moving from one (1) location or position to another.

Antenna: An arrangement of wires or metal rods used in transmitting or receiving electromagnetic waves.

Area Variance - The authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of this Zoning Ordinance.

Barricade - An obstruction including fences, buildings or other man-made or natural features which the Zoning Enforcement Officer determines would effectively limit passage.

Basement - That space of a building that is partly below grade which has more than one-half of its height, measured from floor to ceiling, above the average established curb level or finished grade of the ground adjoining the building.

Bed and Breakfast - See Tourist Home.

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Board of Zoning Appeals - That board appointed by the Town Board, specifically to hear all appeals as provided by these regulations.

Boarding House - Owner-occupied dwelling wherein more than three (3) people are sheltered for profit.

Buffer - A strip of land covered with sufficient permanent evergreen planting (consisting of both trees and shrubs) to provide a continuous physical screen preventing visual access from one use to another and to reduce the noise intensity transferred from one use area to another, subject to approval of the Planning Board.

Building - A structure wholly or partially enclosed within exterior and party walls, and a roof, affording shelter to persons, animals or property.

Building, Accessory - A building, subordinate to the main building on the lot and used for purposes customarily incidental to that of said main building.

Building Area - The aggregate of the areas of all enclosed and roofed spaces of the principal building and all accessory buildings. Such areas shall be computed by using outside building dimensions measured on a horizontal plane at ground level.

Building Height - The vertical dimensions measured from the average elevation of the finished lot grade at the front of the building to the highest point of roof for flat roofs; to the deck line of a mansard roof; and to the average height between the plate and ridge of a gable, hip or gambrel roof.

Building Line - A line formed by the intersection of a horizontal plane at average grade level and a vertical plane with the exterior surface of the building on any side. In case of a cantilevered section of a building or projected roof or porch, the vertical plane will coincide with the most projected surface. All yard requirements are measured to the building line.

Building, Primary - A building or buildings, in which is conducted the main or principal use of the lot on which said building is situated.

Building, Temporary - A "temporary building" or "temporary structure" is one (1) erected, constructed or placed upon the premises, to exist there for a brief or temporary duration of time, not exceeding nine months. All other buildings or structures shall be deemed and considered as permanent for the purposes of this Ordinance.

Campground/Recreational Vehicle Park - A parcel of land used or intended to be used, let, or rented for occupancy by campers or for occupancy by or of three (3) or more

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recreational vehicles, tents, or movable or temporary dwellings, rooms, or sleeping quarters of any kind.

Cellar - That space of a building that is partly or entirely below grade, which has more than one-half (1/2) of its height, measured from floor to ceiling, below the average established curb level or finished grade of the ground adjoining the building.

Certificate of Compliance - A certificate issued by the Zoning Enforcement Officer upon completion of construction, alteration or change in use of a building. Said certification shall acknowledge compliance with all the requirements of this Ordinance and such adjustments thereto granted by the Board of Appeals.

Club House - A building used to house a social, fraternal or service organization or club not organized or conducted for profit and which is not an adjunct to or operated by or in conjunction with a public tavern, cafe, or other place of business.

Club, Membership - A group of persons organized in accordance with the Not-For-Profit Law (example-fish and game clubs).

Cluster Development - A development of residential lots, each containing less area than the minimum lot area required for the zone within which such development occurs, but maintaining the density limitation imposed by said minimum lot area through the provision of open space as a part of the subdivision plan.

Commercial Communication Tower : A structure, including one or more antennas, that is intended for transmitting and/or receiving radio, television, telephone or microwave communications but excluding those used either for fire, police and other dispatch communications, or exclusively for private radio and television reception and private citizen's bands, amateur radio and other similar communications.

Commercial Excavation - A lot or part thereof used for the purpose of extracting stone, sand, gravel, or clay, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made. Commercial excavation shall be divided into two categories based on the scale and type of operation as follows:

1. Major Excavation - All excavations requiring a New York State Mined Land Reclamation Permit shall be considered major excavations.
2. Minor Excavation - All excavations not requiring a New York State Mined Land Reclamation Permit shall be considered minor excavations.

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Community Area - An area or space within a mobile home park including fences, walls, and other minor structures, which is designated for joint use of occupants or restricted to nonresidential use.

Community Residence - A supervised community home operated in compliance with the New York State Mental Hygiene Law which houses not more than fourteen (14) individuals and provides client supervision on a twenty-four (24) hour basis. For the purposes of this Ordinance, an approved community residence as defined herein is considered a one (1) family dwelling.

Community Structure - A structure within a mobile home park providing laundry, toilet, recreation, parking or other common facilities, including management office and storage buildings.

Coverage - That percentage of the plot or lot area covered by the total building area.

Curb Level - The officially established grade of the curb in front of the midpoint of the lot.

Day Care - Day care of children shall mean care provided for three or more children away from their homes in a day care center, family day care or group family day care as defined in NYS Department of Social Services regulations. Such care shall be for more than three (3) hours and less than twenty-four (24) hours per day per child to any child accepted for care therein. The term day care of children includes services provided with or without compensation or payment.

Day Care Center - Shall mean a place, facility, person, association, corporation, institution or agency which provides day care for three (3) or more children away from their homes for more than three (3) hours and less than twenty-four (24) hours per day per child. The term includes services provided with or without compensation or payment. For the purposes of this Zoning Ordinance, nursery schools shall be considered day care centers while family day care homes are not.

Dog Kennel - A kennel is a facility that constitutes a business for keeping dogs for hire, or the business of raising dogs for sale, as certified by the Town Clerk.

Drive-In Business - Building or use where a product is sold to, or a service performed for customers while they are in or near their motor vehicle.

Dwelling Unit – One (1) or more rooms with provision for living, cooking, sanitary and sleeping facilities arranged for the use of one family.

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Dwelling, One Family - A detached building containing one dwelling unit only. Double-wide or triple-wide mobile homes designed and built at the factory to be combined on site and with a minimum width of twenty (20) feet and minimum area of seven hundred twenty (720) square feet shall be deemed to be one (1) family dwelling for the purpose of this Zoning Ordinance.

Dwelling, Two Family - A dwelling containing two (2) dwelling units only.

Dwelling, Multi Family - A dwelling containing three (3) or more dwelling units.

Earth-Sheltered Dwelling - A structure which utilizes earth to shelter the structure from extreme fluctuations in temperature, wind, and air infiltration. The structure may be completely below the original grade, totally above the original grade with earth brimmed around the exterior walls, or partially below and partially above the original grade such as with placement in the side of a hill. An earth shelter house must provide at least two (2) distinct means of egress.

Factory-Manufactured Home - A factory-manufactured home incorporates structures or components designed for residential occupancy, constructed by a method or system of construction whereby the structure or component is wholly or in substantial part manufactured in a manufacturing facility and is intended for permanent installation on a building site. Such home shall be constructed and installed in accordance with the requirements of Subchapter B of the State Fire Prevention and Building Code and shall bear an Insignia of Approval issued by the State Fire Prevention and Building Code Council. Factory-manufactured homes shall be deemed to be one (1) or two (2) family or multiple dwellings.

Family - One (1) or more persons, related by birth, marriage or other domestic bond, occupying a dwelling unit and living as a single housekeeping unit.

Family Day Care Home - Day care of not more than six (6) children provided in an individual's own home.

Farm - The use of a minimum of ten (10) acres of land for agricultural purposes including tilling of the soil, dairying, pasture, apiculture, arboriculture, horticulture, floriculture, viticulture, forestry, animal and poultry husbandry and the necessary accessory uses for packing or storing of products, provided that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

Fence - An artificially constructed barrier of wood, masonry, stone, wire, metal, or any other manufactured material or combination of materials other than temporary uses such as snow fences or rabbit fences.

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Floor Area Total - The sum of the gross horizontal areas of the floor or floors of a building which are enclosed and usable for human occupancy or the conduct of business. Said areas shall be measured between the inside face of exterior walls, or from the center line of walls separating two uses. Said areas shall not include areas below the average level of the adjoining ground, garage space, or accessory building space.

Garages, Private - A secondary building used in conjunction with a primary building which provides for the storage of motor vehicles and in which no occupation, business or services for profit are carried on.

Garages, Public - Any garage other than a private garage, operated for gain.

Gasoline Station - Any area of land including structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be used for polishing, greasing, washing, spraying, dry cleaning or otherwise cleaning or servicing such motor vehicles or other commercial activities.

Grade, Established - The elevation of the center line of the streets established by the Town authorities.

Grade, Finished - The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

Group Family Day Care - Shall mean care provided for not more than fourteen (14) children away from their own homes for more than three (3) hours but less than twenty-four (24) hours per day in a licensed group family day care home which is operated for such purposes for compensation or otherwise.

Habitable Space - Spaces used for living, sleeping, eating or cooking purposes; excluding kitchenettes, bathrooms, toilet rooms, storage spaces and enclosures for equipment installations.

Hazardous Materials – Any solid, liquid or gas that can harm people, other living organisms, property or the environment. A hazardous material may be radioactive, flammable, explosive, toxic, corrosive, bio hazardous, an oxidizer, an asphyxiant, an allergen, or may have other characteristics that make it hazardous in specific circumstances. [LL No. 3 of 2007]

Home Occupation - An occupation or hobby which is carried on within a dwelling or accessory building is clearly incidental and secondary to the use of such a dwelling or

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accessory building for residential purposes, carried on only by members of the family and one (1) non-family person and conforms to the additional restrictions:

In particular, a home occupation may include, but is not limited to, the following: art studio; barber shop; beauty parlors; computer programmer; cook; day nursing; direct sale product distribution (Amway, Avon, Tupperware, etc.); draftsman; dressmaker or tailor; electrical/radio/television repair; financial planning and investment services; insurance agent; musician; photographer; professional offices of a physician, dentist, lawyer, accountant, engineer or architect; real estate office; teaching or tutoring; telephone answering; upholsterer; and family day care home.

However, a home occupation shall not be interpreted to include the following: motor vehicle repair shop; machine shop; welding and fabrication shop; commercial stables and kennels; restaurants or furniture refinisher.

1. There shall be no exterior display other than an announcement or professional sign not to exceed six (6) square feet in area.
2. There shall be no exterior storage of materials or other indication of such home occupation, or any deviation from the residential character of the premises.
3. No offensive noise, vibrations, smoke, dust, odors, heat, or glare shall be produced.

Hospital - Hospital, sanitarium, clinic, rest home, nursing home, convalescent home, home for aged, and any place of diagnosis and treatment of human ailments, except a doctor's office.

Hospital, Animal - An establishment for the medical and/or surgical care of sick or injured animals.

Indoor Recreational Facility - A parcel of land and building used or intended to be used for the following types of uses: theater, bowling, roller skating, ice skating, court games, swimming, fitness or aerobics center or horseshoes.

Junk - Shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, scrapped, ruined, dismantled or wrecked motor vehicles or parts thereof, iron, steel and other old or scrap ferrous or nonferrous materials, tires, pallets, and plastic materials.

Junkyard - Shall mean any outside storage or deposit, whether in connection with another business or not, of junk or two or more unregistered, old, or secondhand motor

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vehicles no longer intended or in condition for legal use on public highways, are held, whether for the purpose of resale of used parts therefrom, for the purpose of reclaiming for use some or all of the materials therein, whether metal, glass, fabric or otherwise, for the purpose of disposing of the same or for any other purpose, such term shall include any place of storage or deposit for any purposes of used parts or waste materials, such as defined above, which, taken together, equal in bulk two or more such vehicles provided. However, the term junkyard shall not be construed to mean an establishment having facilities for processing iron, steel or nonferrous scrap and whose principal product is scrap, iron, steel or nonferrous scrap for sale for re-melting purposes only. The storage of classic or antique cars or historical implements which have been or are being restored shall not be considered junk.

Lake, Artificial - A body of water created through construction or other similar method, having a surface area in excess of one acre.

Land Application Facility - A site where septage is applied to the soil surface or injected into the upper layer of the soil to improve soil quality or provide plant nutrients.

Landfill, Sanitary - The depositing of refuse in a natural or man-made depression or trench, or dumping it at ground level, compacting to the smallest practical volume, and covering with earth or other material in a systematic and sanitary manner.

Lot - A parcel or area of land, the dimension and extent of which are determined by the latest official records or by the latest approved map of a subdivision of which the lot is a part.

Lot Area - An area of land which is determined by the limits of the lot lines bounding that area and expressed in terms of square feet or acres. Any portion of a lot included in a public street right-of-way shall not be included in calculating lot area.

Lot, Corner - A parcel of land at the junction of and fronting on two (2) or more intersecting streets.

Lot Coverage - That percentage of the lot area which is devoted to building area.

Lot Line - A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Lot Line, Front - In the case of a lot abutting upon only one street, the line separating the lot from the street right-of-way; in the case of a lot abutting more than one street each street line shall be considered a front lot line.

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Lot Line, Rear - The lot line which is generally opposite the front lot line, if the rear lot line is less than ten (10) feet in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front line, not less than ten (10) feet long, lying wholly within the lot and farthest from the front lot line.

Lot Line, Side - The property line or lines extending from the front lot line to the rear lot line.

Lot, Through - A lot, other than a corner lot, which has frontage on more than one (1) street.

Lot, Zoning - A parcel of land occupied, or to be occupied, by a principal use, or uses, together with permitted accessory uses, yards, and open spaces, having frontage on an officially accepted street and having not less than the minimum area required by these regulations for a lot in the zoning district within said parcel of land is located. A Lot of Record may or may not be a zoning lot.

Lot Depth - The average horizontal distance between the front and rear lot lines, measured in the general direction of the side lot lines.

Lot Width - The horizontal distance between the side lot lines measured at right angles to its depth at the front lot line.

Lot of Record - An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed as filed in the official records of the County Clerk.

Mobile Home - A mobile home means a structure, transportable in one or more sections, which may be built on a permanent chassis, and which is designed to be used as a dwelling with or without a permanent foundation when connected to required utilities. Every mobile home shall have a manufacturer's label which certifies that the home is in compliance with all applicable federal construction and safety standards. Mobile homes shall have a minimum area of seven hundred twenty square feet. For the purposes of this Zoning Ordinance, an unoccupied mobile home shall be treated as an occupied mobile home.

Mobile Home Lot - A designated site within a mobile home park or subdivision for the exclusive use of the occupants of a single mobile home.

Mobile Home Park - A parcel of land under single management which has been planned and improved for the rental or lease of lots and the provision of services for mobile homes for non-transient use.

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Mobile Home Pad - That part of an individual mobile home lot which has been reserved for the placement of the mobile home.

Mobile Home Subdivision - A parcel of land developed under single ownership where lots are sold for the use of mobile homes and where such services as water, sewage disposal, recreational facilities and laundry facilities may be provided by the management for a service charge.

Motel/Hotel - A building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building or in an accessory building.

Motor Vehicle Repair Shop - A building used for repair and servicing of motor vehicles for hire.

Non-Conforming Building - A building which in its design or location upon a lot does not conform to the regulation of this Ordinance for the zone in which it is located.

Non-Conforming Lot - A lot of record existing at the date of the passage of this Ordinance which does not have the minimum width or contain the minimum area for the zone in which it is located.

Non-Conforming Use - Use of a building or of land that does not conform to the regulation of the zone in which it is located.

Nursery - Any place used commercially as a garden for the open cultivation and growing of trees, shrubs and other plants, including the replanting of said plants grown at places other than the nursery, exclusive of retail sales.

Nursing Home or Convalescent Home - See Hospital.

Outdoor Recreation Facility - A parcel of land used or intended to be used for the following types of uses: golf, tennis, swimming, picnicking, court games, field games, skiing, ice skating, sledding or fish and game club. An outdoor recreation facility shall not include motorized vehicle race tracks or courses.

Owner - Person or persons holding legal or equitable title to the property.

Patio - An outdoor living space with a floor designed to supplement the residential living area.

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Parking Space, Off-Street Automobile - An off-street area suitable for vehicular parking and having direct access to a road. The minimum area per automobile shall be two hundred (200) square feet with a minimum width of ten (10) feet.

Planning Board - The officially designated Alexander Town Planning Board, as established by the Town Board in accordance with Chapter 62 of the Consolidated Laws, Article 16, Sections 271 and 272.

Ponds - A body of water created through construction or other similar method, having a minimum surface area of twenty-five hundred (2,500) square feet.

Primary Use - The main or principal use to which a building or lot is to be used.

Quarry, Sand Pit, Gravel Pit, Top Soil Stripping - See commercial excavation.

Recreational Vehicle - A vehicle type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are:

1. Travel Trailer - A vehicular portable unit, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle, and of a body width of no more than eight (8) feet and a body length of no more than thirty-two (32) feet when factory equipped for the road.
2. Camp Trailer - A vehicular portable unit, mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle.
3. Truck Camper - A portable unit, designed to be loaded onto, or affixed to, the bed or chassis of a truck. Truck campers are of two (2) basic types:
 - a. Slide-in camper - A portable unit designed to be loaded onto and unloaded from the bed of a pickup truck.
 - b. Chassis-mount camper - A portable unit designed to be affixed to a truck chassis.
4. Motor Home - A vehicular unit built on a self-propelled motor vehicle chassis.

Religious Institution - Church, temple, parish house, convent, seminary and retreat house.

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Restaurant - Any establishment, however designated, at which food is sold for consumption on the premises to patrons seated within an enclosed building. However, a snack bar or refreshment stand at a public, semi-public or community swimming pool, playground, play field or park operated by the agency or group of an approved vendor operating the recreational facilities and for the convenience of the patrons of the facility shall not be deemed to be a restaurant.

Restaurant, Drive-In - A restaurant at which food is sold for consumption off the premises. For the purposes of this Ordinance, a restaurant which sells food for both on premises and off-premises consumption shall be considered a drive-in restaurant.

Retail Store - Enclosed store for sale of retail goods, personal service shop, department store and restaurant, shall exclude any drive-up service, freestanding retail stand, gasoline service and motor vehicle repair service, new and used car sales and service, trailer and mobile home sales and service.

Rooming House - A dwelling in which three (3) or more persons, either individually or as families, are housed for remuneration with or without meals. A lodging house, boarding house or bed and breakfast shall be deemed a rooming house.

Satellite Dish - A structure which may be of various sizes and shapes but is designed and/or intended to receive, relay or send television signals to or from orbiting or geostationary satellites.

School - Parochial, private and public school, college, university and accessory use; and shall exclude commercially operated schools of beauty culture business, dancing, music and similar establishments.

Secondary Use - A subordinate use of a lot or building, the purpose of which is incidental to that of the primary use and which is located on the same lot.

Self Service Storage Facility – A building or group of buildings divided into separate units or compartments used to meet the temporary storage needs of businesses and residential users. All storage will be inside, concealed, secured and not defined as hazardous materials. A warehouse operated for a specific commercial or industrial establishment shall not be considered a "self service storage facility". [LL No. 2 of 2007]

Sign - Any device, structure, or object for visual communication that is used for the purpose of bringing the subject thereof to the attention of others, but not including any flag, badge, or insignia of any public, quasi-public, civic, charitable or religious groups.

Sign Area - The area defined by the frame or edge of a sign. Where there is no

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geometric frame or edge of the sign, the area shall be defined by a projected, enclosed, four-sided (straight sides) geometric shape which most closely outlines the said sign.

Sign, Advertising - An advertising sign directing attention to a business, commodity, service, entertainment, etc. conducted, sold or offered elsewhere than upon the premises where such sign is located.

Sign, Business - A business identification sign containing the name of the business enterprise located on the same premises.

Site - The parcel of land on which something is located (or is to be located), the physical position in relation to the surroundings. [LL No. 3 of 2007]

Site Plan - A plan of a lot or subdivision on which is shown topography, location of all buildings, structures, roads, right-of-way, boundaries, all essential dimensions and bearings and any other information deemed necessary by the Planning Board.

Special Use Permit - A specifically designated use that would not be appropriate generally or without restriction through the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would, in the opinion of the Planning Board, promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

Stable, Private - An accessory building in which one or more horses or other livestock are kept for private use and not for hire, remuneration, or sale.

Stable, Public - A building in which any horses or other livestock are kept for remuneration, hire or sale.

Stabling of Farm Animals - A concentration of livestock, poultry or fur bearing animals within a building, structure or other defined area for the purpose of housing or feeding.

Street/Road - A public thoroughfare which has been dedicated or deeded to the public for public use, and which has been improved in accordance with municipal standards.

Street/Road Grade - The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street shall be taken as the street grade.

Street/Road Right-of-Way Line - The line determining the limit of the highway rights of the public, either existing or contemplated.

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Structure - An assembly of materials, forming a construction framed of component structural parts for occupancy or use, including buildings.

Swimming Pool - All private or semiprivate swimming, bathing, wading pools or tanks of a permanent or semi-permanent nature which have a depth of two feet or more and which are erected or constructed either above, below, or partly above and below grade level. All farm ponds which come under other local or state jurisdiction shall be excluded from this Ordinance.

Swimming Pool, Private - A swimming pool operated as a secondary use to a residential dwelling unit or units, located on an individual residential lot and installed and operated in conformance with Section 609.

Swimming Pool, Public - A public or privately owned pool open to the general public or on a membership basis and having appropriate dressing room facilities, recreation facilities and off-street parking area.

Temporary Use - An activity conducted for a specified limited period of time which may not otherwise be permitted by the provisions of this Ordinance. Examples of such uses are buildings incidental to new construction which are removed after the completion of the construction work.

Tourist Home - Owner-occupied dwelling in which overnight accommodation is provided for transient guests for profit. Includes bed and breakfast. Also see Rooming House.

Trailer - Vehicle capable of being used as seasonal sleeping or living quarters, not exceeding four hundred fifty (450) square feet in floor area, whether self-propelled or towed, or a camper body mounted on a motor vehicle. Trailer shall also include any vehicle which may be towed and used for carrying goods, equipment, machinery, or recreational vehicles, or as a site office.

Use - The specific purposes for which land, water or a building is designed, arranged, intended or for which it is or may be occupied or maintained.

Use Variance - The authorization by the Zoning Board of Appeals for use of land for a purpose which is not allowed or is prohibited by this Zoning Ordinance.

Utility, Public - Any person, firm, corporation or governmental subdivision, duly authorized to furnish to the public, under public regulation, electricity, gas, water, sanitary sewers, storm sewers, steam, telephone, telegraph or cable television.

Wind Energy Conversion Facility or Wind Energy Conversion Facilities – Refers to the

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siting of two (2) or more mechanical devices such as a wind charger, windmill or wind turbine designed and used to convert wind energy into a form of energy that is generated to be fed into a power grid for sale. [LL No. 3 of 2007]

Wind Energy Device– A windmill that provides electrical or mechanical power to an individual residence, operating farm or single commercial enterprise and can be either the primary or a secondary source of energy. Sale or credit of excess electricity to the utility grid is permitted as tertiary use. [LL No. 3 of 2007]

Windmill Facilities – Infrastructure related to residential and/or commercial windmill or industrial windmill, or a series of windmills, including electrical lines and substation, access roads and accessory structures necessary to operate said windmill and transmit the electrical power which is generated. [LL No. 3 of 2007]

Windmill Height - The overall height of the structure including blades, above the existing ground level. [LL No. 3 of 2007]

Yard - An open unoccupied space on the lot, plot, or parcel of land on which the building stands, which extends the entire length of the front or rear of interior lot line.

Yard Area, Front - An open, unoccupied space on the same lot with the principal building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of that lot. Setback line shall be synonymous with the rear limit of the required front yard area.

Yard, Rear - A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of any building on the same lot. The depth of a rear yard shall be measured at right angles to the rear line of the lot, or if the lot is not rectangular, then in the general direction of its side building lines.

Yard, Side - An open, unoccupied space between the side line of the lot and the nearest line of the building. It shall extend from the front yard to the rear yard, or in the absence of either, to the street or rear lot lines as the case may be. The width of a side yard shall be measured at right angles to the side line of the lot.