

Town of Glen Town Land Use Management Ordinance
Proposed Changes to 2006 Land Use Ordinance
4/11/2023

- Table of Contents
 - Section 7.20
 - Add
 - Wind Turbines
 - Section 7.21
 - Revise
 - Historical District Over-Lay Within Hamlet (H) District to Historical District.
 - Section 7.23
 - Revise
 - Reserved to Wells and Septic Systems.
 - Section 7.24
 - Revise
 - Reserved to Outhouse/Sanitary Privy.
 - Section 7.25
 - Revise
 - Reserved to Animal Density.
- Article ii- Definitions
 - Add
 - Battery Energy Storage System: One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle.
 - Cluster Housing: Subdivision technique in which detached dwelling units are grouped relatively close together, leaving open spaces as common areas.
 - Custom Workshop: a small establishment where manufacturing or handcrafts are carried on.
 - Composting Facility: Composting facilities are locations where composting of yard clippings or other organic materials occurs using mechanical handling techniques such as physical turning, windrowing, or aeration or using other management techniques.
 - Daycare: Provision of daytime training, supervision, recreation, and often medical services for children of preschool age, for the disabled, or for the elderly.
 - Domestic Animals: The animals identified by name in the following definitions, other than domestic pets, as well as any of the various animals adapted by humans to live and breed in domestication.
 - Domestic Pets: Dogs, cats, canaries, parakeets, parrots, and other animals and fowl commonly treated and considered as house pets, housed indoors and not prohibited by state and federal law.
 - Fowl: Chickens, ducks, geese, turkeys, swan, guinea fowl, pea fowl, pheasants, quail, and other fowl similar to the foregoing.
 - Large-Scale Solar Energy System: A Solar Energy generation facility, whether a ground-mounted and/or rooftop installation, principally used to convert solar energy to electricity, whether by photovoltaics, concentrating solar thermal

devices or various experimental solar technologies, designed, and intended to supply energy primarily into a utility grid for sale to the general public or to supply multiple users located off-site on which the energy system is located.

- Residential Property: A parcel of property on which is located one or more dwellings, and which does not meet the definition of "Farm" as defined in Section 2.02 Definitions.
- Small-Scale Solar Energy System: A solar energy system that is designed and/or built to provide power for use by owners, lessees, tenants, residents, businesses or other occupants of the premises on which they are erected, i.e. on premises consumption of the power to be produced.
- Solar Installer, Qualified: A person who is on the list of eligible photovoltaic installers maintained by the New York State Energy Research and Development Authority (NYSERDA) or is certified as a solar installer by the North American Board of Certified Energy Practitioners (NABCEP). **REMOVE** Persons who are not on either NYSERDA's or NABCEP's list may be deemed to be qualified solar installers if the Town determines such persons have had adequate training to determine the degree and extent of the hazard and the personal protective equipment and job planning necessary to perform the installation safely. Such training shall include the proper use of special precautionary techniques and personal protective equipment, as well as the skills and techniques necessary to distinguish exposed energized parts from other parts of electrical equipment and to determine the nominal voltage of exposed live parts.
- Solar Storage Battery: A device that stores energy from the sun and makes it available in an electrical form.
- Tool and Die Business: The industrial art of manufacturing stamping dies, plastic molds, and jibs and fixtures to be used in the mass production of solid objects.
- Sawmill: A facility utilized to process timber into boards, beams and related wood stock for commercial purposes.
- Solar Collector: A solar photovoltaic cell, panel, or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.
- Solar Installation: Ground-mounted and freestanding solar collectors are permitted as Accessory Structures in all zoning districts and require a Building Permit issued by the Code Enforcement Officer.
- Tiny Home: A permanent residential living structure containing 400 SF or less that is constructed in accordance with the most recent revision to Appendix Q of the International Residential Code and the New York State Uniform Fire Prevention and Building Code.
- Windmill: Wind powered devices that convert the energy of wind by means of vanes into mechanical energy. Supplies energy solely for on-site use. Windmill height not to exceed 75 feet to tip of blade in vertical position

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- Wind Turbine: A wind energy conversion system consisting of a tower, nacelle and associated control or conversion electronics and equipment contained within or atop a tower which convert the kinetic energy of wind to generate electricity. Supplies energy solely for on-site use and not connected to the power grid for commercial sale of electricity. Wind Turbine height not to exceed 75 feet to tip of blade in vertical position.
- Industrial Wind Turbine: A wind energy conversion system consisting of a tower, nacelle and associated control or conversion electronics and equipment contained within or atop a tower which convert the kinetic energy of wind to generate electricity to supply energy primarily into a grid for sale to the general public or to supply multiple users located off-site on which the energy system is located.
- *
- Revise
 - **REMOVE** Farm: A parcel or tract of land, which is used for growing agricultural products, horticulture products, raising livestock, raising fruits and/or vegetables or agriculture production. An "Agricultural operation" shall not include any farm having less than \$10,000 in annual gross sales. Land generally must be a minimum of 7 acres and farmed by a single operation. Parcels with fewer than 7 acres may qualify if the operation has an average gross sales value of \$50,000 or more per year.
 - Lot, Coverage: The portion of the lot that is covered by buildings or any impervious material (including all blacktop and concrete areas)."
 - Mobile Home: A moveable single dwelling unit equipped with a chassis designed for and providing housekeeping, facilities for year-round occupancy including plumbing, heating, electrical, cooking and refrigeration systems and equipment. Includes double wide units.
- Section 4.01 Rural Residential
 - Principal Permitted Uses
 - Remove
 - **Townhouse** (*Prefer to have this added to Special Permit*)
 - Picnic Grove
 - Mobile Home Park
 - Revise
 - Organic Fertilizer Manufacturing (Composting, accessory use only)
 - Mobile Home, including double wide
 - Windmill or wind turbine (accessory use only)
 - Add
 - Restaurant
 - Bakery
 - ~~Garage~~ (public and non-public~~e~~)
 - *ADD School (Public / Private)*
 - Historic Building Site

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- Small Scale Solar Energy System (Accessory Use)
- Permitted Uses by Special Permit
 - Add
 - Sawmill
 - Picnic Grove
 - Fish and Game Club
 - **Townhouse**
 - Large Scale (Utility) solar energy systems (Public or Private Utility Facility with or without a building)
- Prohibited Uses
 - Add
 - ~~Battery Energy Storage Systems for Commercial Use~~
 - ~~Large Scale Solar Systems~~
 - ~~Wind Mill/ Wind Turbines in excess of 75ft from to tip of blade in vertical position~~
 - ~~Industrial Wind Turbine~~
- Section 4.02 Hamlet
 - A. Principal Permitted Uses
 - Add
 - Home Occupation
 - Small Scale Solar Energy System (Accessory Use)
 - B. Permitted Uses by Special Permit
 - Remove
 - Marina
 - Home Occupation
 - Add
 - Bakery
 - Restaurant
 - C. Prohibited Uses
 - Add
 - ~~Battery Energy Storage Systems for Commercial Use~~
 - ~~Wind Mill/ Wind Turbines in excess of 75ft from to tip of blade in vertical position~~
 - ~~Industrial Wind Turbine~~
 - ~~Battery Energy Storage Systems for Large Scale Solar Systems~~
- Section 4.03 Commercial
 - A. Principal Permitted Uses
 - Add
 - Light Industrial Manufacturing, Fabrication or Assembly Facility
 - Garage (public and nonpublic)
 - Restaurant
 - Two Family Dwelling
 - ~~Small Scale Solar Energy System (Accessory Use)~~

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4/11/2023

- B. Permitted Uses by Special Permit
 - Revise
 - Windmill or Wind Turbine.
 - Add
 - Large Scale (Utility) solar energy systems (Public or Private Utility Facility with or without a building)
- C. Prohibited Uses
 - Add
 - Battery Energy Storage Systems for Commercial Use
 - Wind Mill/ Wind Turbines in excess of 75ft from to tip of blade in vertical position
 - Industrial Wind Turbine
 - Battery Energy Storage Systems for Large Scale Solar Systems
- Section 4.04 Industrial
 - A. Principal Permitted Uses
 - Remove
 - Tool, Die, Pattern or Machine Shop
 - Manufacture or Processing Dairy or Other Food Products
 - Distribution Center
 - Cold Storage Plant
 - Accessory use and building
 - Revise
 - Wholesale Storage or Warehouse to Warehousing, Storage & Distribution
 - Lightweight Assembly Plant to Light Industrial Manufacturing, Fabrication or Assembly Facility
 - Customary accessory use or building to Accessory use or building associated with approved primary use
 - Farm and Accessory Use or Building **REMOVE, (to include Hobby Farms)** to Farm Operations/Agriculture
 - Add
 - Small Scale Solar Energy System (Accessory Use)
 - B. Permitted Uses by Special Permit
 - Remove
 - Manufacture of textile produce or leather goods
 - Manufacture or fabrication of metal, concrete, stone, plastic paint, fiber or wood products
 - Truck Terminal
 - Windmill or Wind turbine
 - Revise
 - Bulk Storge of inflammable liquids to Bulk Storage of inflammable and non-hazardous liquids

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- Public Utility Facility to Public or Private Utility Facility
- Add
 - Crematorium
 - Public or Private Utility Facility with Building
 - Manufacture or Processing Dairy or Other Food Products
 - Communications Towers
 - Vehicle Wash
 - Animal/Veterinary Hospital, Commercial Kennel
 - Public Building/Firehouse/Emergency Services
 - Commercial Laundry Facility
 - Retail Store to Retail establishment which does not sell gasoline or diesel fuel
 - Sawmill/Wood Product Processing
- C. Prohibited Uses
 - Add
 - [Battery Energy Storage Systems for Commercial Use](#)
 - [Wind Mill/ Wind Turbines in excess of 75ft from to tip of blade in vertical position](#)
 - [Industrial Wind Turbine](#)
 - ~~[Battery Energy Storage Systems for Large Scale Solar Systems](#)~~
 - Slaughterhouse
 - Manufacture or Storage of Explosives & Fireworks
 - ~~Manufacture or Storage of Hazardous or Toxic Materials~~
 - **Temporary / Long-term storage intended for landfilled materials**
 - Auto Wrecking Yards or Scrap Metal Storage
- Section 5.02 Area Regulations
 - 1. Lots of Less Than Required Dimensions
 - Remove
 - The statement, "I.e., In the event that compliance with the yard and coverage requirements of the district would result in a residential structure of less width than 24 feet, the Board of appeals shall determine and fix yard and coverage requirements for said lot to permit its reasonable utilization for a permitted use."
 - 3. Corner Lots
 - Remove
 - The statement, "The Board of Appeals shall determine the yards and building width of a corner lot facing an intersecting street, and of record at the time of the passage of this ordinance, if the yard requirements would result in a residential structure less than twenty-four (24) feet wide."
- Section 5.03 V.C. Height Regulations
 - Remove

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- On Through Lots: "2. On Through Lots - On through lots 120 feet or less in depth, the height of a building may be measured from the grade of either street. On through lots more than 120 feet deep, the height regulations and basis of height measurement for the street permitting the greater height shall apply to a depth of not more than 120 feet from that street."
- Section 6.06 Standards For Review
 - Add
 - 10. Safety: "10. Safety - the control of recognized hazards to achieve an acceptable level of risk."
- Section 7.08 Permanent Building Foundations
 - Revise
 - "All dwellings, including One-family, Two-Family, Multiple-Family, Board or Rooming Houses, Mobile Homes, Tiny Homes, and Modular homes shall be placed upon a permanent foundation, except for temporary mobile homes allowed by special permit from the Planning Board."
- Section 7.12 Flag Lots
 - 1- Revise
 - **MORE EXPLANATION** The access strip of land shall be a minimum of 75 feet wide and a maximum of 300 feet long.
- Section 7.14 Exterior Lighting
 - Revise
 - Remove, "(annoying light producing glare)."
- Section 7.20 Windmills
 - Revise
 - Include Wind Turbines
 - Add
 - A wind turbine is a device that converts kinetic energy from the wind, also called wind energy, into mechanical energy in a process known as wind power. Windmills/wind turbines are often used to produce electricity or pump water. Windmills/wind turbines shall be allowed as an accessory use for an allowed primary use or approved special use, power generated shall be utilized on site and not sold commercially, with a maximum height of 75 feet to tip of blade in vertical position and shall maintain a setback of 2.5 times the height from the property lines.
- Section 7.23 Wells and Septic Systems
 - Add
 - The septic system includes all portions of the system including the leach field.
- Add Section 7.24 Outhouse/Sanitary Privy
 - Privy construction requires a watertight concrete vault.
 - Privies must be professionally pumped out by a NY Licensed septic tank pumper before the contents get within 12 inches of the top of the concrete vault. The contents must be disposed of off-site. The spreading of sewage sludge is prohibited in the town of Glen, see local law number 1, 1998.

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Commented [JM1]: One remark indicated 75 feet was ideal in case it ever needed to be turned into a town road.

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- **Add Section 7.25 Animal Density REMOVE THIS SECTION**

- **The keeping of farm animals, fowl, domestic pets and domestic animals on residential property, whether or not in an Agricultural District, must not unreasonably interfere with the rights and privileges of neighboring residential uses. To accomplish this goal the following criteria shall apply to wit:**

A. Fencing must be five feet from the property line.

B. Animal waste must be kept a minimum of 50 feet from the adjacent property line or contained within an enclosed structure more than 25 feet from the adjacent property line.

C. Animal housing, barns, chicken coops, hutches must be a minimum of 25 feet from adjacent property lines.

- Section 8.02 Building Permit
 - Remove
 - 4. The statement, "If the improvements described in the application for a building permit have not been completed within three years from the date that the permit is issued, the owner shall apply to the Zoning Board of Appeals to continue the permit in force."
- Section 9.01 Creation, Appointment and Organization
 - Remove
 - The statement, "The Zoning Board of Appeals shall prescribe rules for the conduct of its affairs."
- Section 11.01 Periodic Review of Zoning Ordinance
 - Revise
 - The review time from not more than three years to not more than five years.

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