

**TOWN OF MOREAU
LOCAL LAW NO. 9
AMENDING THE ZONING LAW OF THE TOWN OF MOREAU
RELATING TO THE M-1, M-1A AND M-2 DISTRICTS**

BE IT ENACTED by the Town Board of the Town of Moreau, Saratoga County, New York as follows:

Section 1. Purpose. The purpose of this local law is to update the purposes, use regulations, area, yard and coverage regulations, and supplemental regulations applicable to the M-1, M-1A, and M-2 Zoning Districts set forth in the Zoning Law of the Town of Moreau to promote the health, safety and general welfare of the community.

Section 2. Authority. This Local Law is adopted pursuant to Municipal Home Rule Law Section 10, Article 16 of the Town Law, and Chapter 149 of the Moreau Town Code.

Section 3. Definitions. Section 149-5 of the Moreau Town Code is amended by adding the following definitions to read as follows:

CANNABIS

All parts of the plant of the genus cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. It does not include hemp, cannabinoid hemp or hemp extract as defined by this section or any drug products approved by the Federal Food and Drug Administration.

FARM BREWERY

An establishment where no more than 75,000 barrels of New York State labeled beer is manufactured annually (minimum of 50 barrels). New York State labeled beer is made with no less than a certain percentage, by weight as set forth in Alcoholic Beverage Control Law § 3, Subdivision 20-d, of its hops grown in New York State and no less than a certain percentage, by weight, of all of its other ingredients, excluding water, grown in New York State.

WASTE

Any of the following, or combination of the following: sewage (including, but not limited to, methane or other emissions from animal or human sewage (unless done in association with agricultural uses), and including the water carrying human or animal wastes from residences, buildings, industrial establishments or other places, together with such groundwater infiltration and surface water as may be present); solid or liquid waste, including but not limited to all putrescible and nonputrescible materials or substances that are discarded, discharged, deposited, injected, dumped, burned, spilled, leaked, or placed into or on any land or water, or otherwise disposed of, or rejected as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection; garbage; trash; rubbish; refuse; industrial, commercial and household waste; plastics; any material that has been source separated for recycling or composting purposes; ash (including, but not limited to, bottom ash, boiler ash, fly ash, incinerator ash); ash and sludge from air or water treatment facilities; sewage sludges; biosolids; "biomass" as defined in Appendix B of New York State Public Service Commission's 9-24-2004 Order Approving Retail Renewable Portfolio Standard (Case 03-E-0188); coal refuse; waste coal; contained gaseous material; incinerator residue; offal; construction and demolition debris; disaster debris; industrial waste, hazardous waste as defined by New York Environmental Conservation Law § 27-0901(3); "waste" as defined by New York Environmental Conservation Law § 27-0901(11); low-level radioactive waste as defined by New York Environmental Conservation Law § 29-0101(1); source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923); high-level radioactive waste; transuranic waste; regulated medical waste as defined by New York Environmental Conservation Law § 27-1501(1); "solid waste" as defined in the Resource Conservation and Recovery Act of 1976 ("RCRA") § 1004(27), 42 U.S.C. § 6904(27); "solid waste" as defined in 6 NYCRR Part 360.2; "solid waste" as defined in NY ECL § 27-0701(1); automobile shredder residue; discarded automobiles; waste tires as defined by New York Environmental Conservation Law § 27-1901(13); pharmaceutical wastes or expired

pharmaceuticals; contaminated soil; electronic wastes; processed engineered fuel, refuse-derived fuel, any material determined by the United States Environmental Protection Agency or state agency to be a nonhazardous secondary material; the solid residue of any air or water pollution control device; and liquid or solid waste generated by stores, offices, warehouses, institutions, and restaurants. Any material that falls under this definition shall not be considered fuel, unless approved and permitted by New York State Department of Environmental Conservation and/or the US Environmental Protection Agency as a fuel, at which time it shall no longer be treated as a waste for purposes of this chapter.

Section 4. M-1A Districts. Section 149-6 of the Moreau Town Code is amended by adding the M-1A District to the enumerated list as follows:

M-1A Light Manufacturing A Districts

Section 5. Repeal of Section 149-24 and adoption of new Section 149-24. Section 149-24 of the Moreau Town Code is repealed and a new Section 149-24 is adopted to read as follows:

§ 149-24. Light Manufacturing and Commercial Districts (M-1).

A. Intent. The intent of this section §149-24 is allow those uses found below to better reflect those ideals and recommendations found in the Town Comprehensive Plan as adopted by the Town of Moreau Town Board.

B. Purpose.

- (1) The M-1 District provides for the maintenance and expansion of industry, manufacturing, renewable energies, as well as select commercial, recreational, and other uses which may be complementary and appropriate to be sited along with these uses in this area of Town. Site plan review shall be required for all uses in the M-1 District.
- (2) Use regulations. Permitted, accessory and special permit uses in M-1 Districts shall be as set forth below and within the Schedule of Regulations included at the end of this chapter.
- (3) Area, yard and coverage regulations. Bulk regulations in M-1 Districts shall be as set forth in the Schedule of Regulations included at the end of this chapter.

C. Applicability. This section shall be applicable to all uses on lands zoned M-1 in the Town of Moreau except where otherwise noted.

D. Permitted uses with Site Plan Review:

- (1) Manufacture through compounding, assembling, fabricating or treatment of articles or merchandise from the following previously prepared materials: fiber, fur, glass, leather, paper, plastics, precious or semiprecious stones or metals, sheet metal, textiles, tobacco, wax, wire or wood.
- (2) Tool or die manufacture, including precision instruments and 3-dimensional printing and fabrication or similar assembly.
- (3) Agricultural product packaging, processing or storage facility, including cold storage, except as prohibited herein.
- (4) Junkyards to include tow-yards, auto wrecking and auto-salvaging operations and to be reviewed in accordance with Chapter 87 (Junkyards) of the Town of Moreau Town Code.
- (5) Automobile or other vehicle servicing, detailing, and/or finishing, but not car washing for the general public.
- (6) Heavy equipment or Boat/ RV sales, rental, service maintenance and storage, including construction equipment.

- (7) Warehouse(s) or warehousing of products.
- (8) Commercial forestry uses.
- (9) Public utility power generating facility structure or use that is non-fuel generated including, but not limited to battery storage facilities; solar energy system, large-scale; windmills; hydroelectric uses; or similar uses.
- (10) Supply and building material sales yard, lumberyard including saw mill and other mill work in association, and cabinetmaking or other products from a woodshop.
- (11) Farm brewery, distillery, or meadery, which may also sell other majority New York State produced products.
- (12) Wholesale and retail sales when incidental to the primary use.
- (13) Self-service storage facility.
- (14) Laboratory: research, experimental or testing, provided that no operation shall be conducted which may cause hazardous, noxious or offensive conditions in the district in which such laboratory is located.
- (15) Professional Offices or Office Building(s).
- (16) Public or private educational facility or school.
- (17) Governmental Service facilities.
- (18) Social organization or group facilities.
- (19) Park and recreation facilities including public and private, and indoor and outdoor.
- (20) Enclosed multi-use facilities which include offices, retail, industrial and/or manufacturing, or recreational uses on lots 25 acres or over.
- (21) Accessory uses as outlined in the bulk and use table at the end of this Chapter.

E. Uses permitted upon issuance of a special permit by the Planning Board, subject to site plan review.

- (1) Single-family dwellings and accessory uses thereto.
- (2) Temporary and/or permanent outdoor storage or display of any product or material, or for parking of any vehicles and/or storage containers or for the conduct of any other business operations, unless otherwise regulated within this Section.
- (3) Recycling center.
- (4) Sand and gravel processing, quarrying and cement manufacturing.
- (5) Day care facilities as defined.
- (6) Restaurants and bars which may include outside dining not to exceed 50% of floor space or approved seating whichever is less.
- (7) Convenience store which may or may not include sales of gasoline or other fuels for automobiles.
- (8) Specialized retail operations.

- (9) Flex space facilities for two or more uses on one parcel within one structure, or where parking or other spaces may be shared.
- (10) Facilities subject to the approval of a Air Facility Permit or Air Facility Registration by DEC.

F. Uses strictly prohibited: In accordance with the provision of this article, the following list of uses do not meet the intended purpose of this chapter and particularly for this district and are therefore prohibited. This is for illustrative purposes only. It is not meant to be determinative of all uses which are not to be permitted in the district. It is meant to give direction to applicants who are reviewing this chapter for the purpose of determining what will be an appropriate use in the district and to allow reasonable variations, knowing that all uses cannot be anticipated or defined.

- (1) Abattoir or rendering of grease, tallow or fats.
- (2) Manufacture or storage of non-consumable alcohol, dye or rubber.
- (3) Manufacture or storage of fertilizer, involving the recovery or refining or products from fish, human or animal, or mineral refuse.
- (4) Manufacture or storage of fireworks, munitions or explosives, excepting for sale of sparkling or other firework devices in accordance with State regulations.
- (5) Production or refining of petroleum or other flammable liquids.
- (6) Atomic power facilities, storage or nuclear waste.
- (7) Any uses in the Town which use wastes originating outside the Town of Moreau, as prohibited in Town of Moreau Town Code Chapter 92 and as defined herein.

G. General requirements:

- (1) A maximum of sixty percent of the lot may be covered and twenty percent shall be green space that must be incorporated into development plans. A minimum of 50% of the above-referenced green space shall be set aside for snow storage (i.e., no shrubbery or plantings).
- (2) No front yard storage is allowed. All storage areas must be to the rear and side of the building. Where a site is subject to multiple front yards, a fence shall be installed as approved by the Planning Board. Said fence shall not be subject to height restrictions for front yard as outlined in Chapter 70, however no fence shall exceed eight (8) feet in height.
- (3) No on-street parking is permitted, and parking and loading shall be in accordance with §149-47 and §149-48 respectively. In this district loading should be located at the rear of the building as feasible.
- (4) All industrial, commercial, and other service uses shall be sited 100 feet from any residential uses or district, except for solar uses which may be within 75 feet of a residential district or residential use property line. Multifamily uses shall be sited at minimum 50 feet away from single-family uses.
- (5) Floating and/or mapped cross-access easements shall be granted leading to, and for adjacent parcels in the district as practicable to keep traffic off public surface streets to the greatest extent as feasible. This provision may be waived by the Planning Board where not practicable.

H. Performance standards.

- (1) Noise. Requirements and regulations in accordance with Chapter 100.
- (2) Discharge of toxic or noxious matter. No activity in the M-1 District shall permit any type of discharge either on or off site of any toxic or noxious matter in such concentrations as to be detrimental to or endanger the health of the public or significant bird and mammal wildlife. For purposes of this section, "noxious" is defined as that which causes or tends to cause injury to health.

- (3) Vibration. In no case shall any vibration from the M-1 District be perceptible without the aid of instruments along the boundary line of the zone, except during initial construction of the facility, or normal maintenance work thereafter.
- (4) Heat or glare. No use shall be permitted that will produce heat or glare beyond the property line of the lot on which the facility is located.
- (5) Odor. No emission of any odorous matter shall be permitted so as to be detected outside the property line of the lot on which the facility is located. Any facility which may involve the emission of any odor shall be equipped with a secondary safeguard system, so that control will be maintained if the primary system should fail.

I. Exceptions.

- (1) This provision for allowable uses outlined herein shall not be applicable to those developments which have received all required Town approvals and permits and, have commenced substantial construction related to development of a proposed use.
- (2) Performance standards shall not be applicable for existing uses if failing to meet performance standards shall be considered preexisting and non-conforming. Any change which will increase or modify the non-conformity, including on a non-conforming performance standard in another location of a structure, or on a different location on the land, shall not be permitted.

Section 6. Adoption of new Section 149-24.1. A new Section 149-24.1 of the Moreau Town Code is adopted to read as follows:

§ 149-24.1. M-1A. Light Manufacturing A Districts (M-1A).

A. Intent. The intent of this section §149-24.1 is to avoid industrial or manufacturing uses that have potentially adverse impacts on residential neighborhoods in accordance with the Comprehensive Plan as adopted by the Town of Moreau Town Board, and to protect the general health, safety and welfare of the community overall while allowing for sustainable economic growth.

B. Purpose

- (1) The M-1A District provides for the maintenance and expansion of industry, manufacturing, renewable energies, as well as select commercial, recreational, and other uses which may be complementary and appropriate to be sited along with these uses in this area of Town. The M-1A also provides for businesses that are defined and subject to Chapter 65 Adult Entertainment. Site plan review shall be required for all uses in the M-1A District.
- (2) Use regulations. Permitted, accessory and special permit uses in M-1A Districts shall be as set forth below and within the Schedule of Regulations included at the end of this chapter.
- (3) Area, yard and coverage regulations. Bulk regulations in M-1A Districts shall be as set forth in the Schedule of Regulations included at the end of this chapter.

C. Applicability. This section shall be applicable to all uses on lands zoned M-1A in the Town of Moreau except where otherwise noted.

D. Permitted uses with Site Plan Review:

- (1) Manufacture through compounding, assembling, fabricating or treatment of articles or merchandise from the following previously prepared materials: fiber, fur, glass, leather, paper, plastics, precious or semiprecious stones or metals, sheet metal, textiles, tobacco, cannabis, wax, wire, or wood.
- (2) Tool or die manufacture, including precision instruments and 3-dimensional printing and fabrication or similar assembly.

- (3) Agricultural product packaging, processing or storage facility, including cold storage, except as prohibited herein.
- (4) Automobile or other vehicle servicing, detailing, and/or finishing, but not car washing for the general public.
- (5) Warehouse(s) or warehousing of products.
- (6) Public utility power generating facility structure or use including, but not limited to battery storage facilities; solar energy system, large-scale; windmills; hydroelectric uses; or similar uses.
- (7) Supply and building material sales yard, lumberyard including saw mill and other mill work in association, and cabinetmaking or other products from a woodshop.
- (8) Wholesale and retail sales when incidental to the primary use.
- (9) Park and recreation facilities including public and private, and indoor and outdoor.
- (10) Water-dependent uses such as ferries, marinas, boat yards, public piers, boat/canoe launches, swimming areas, and commercial and recreational fishing.
- (11) Accessory uses as outlined in the bulk and use table at the end of this Chapter.

E. Uses permitted upon issuance of a special permit by the Planning Board, subject to site plan review.

- (1) Single-family dwellings and accessory uses thereto.
- (2) Sand and gravel processing, quarrying and cement manufacturing.
- (3) Adult entertainment in accordance with the regulations as outlined in Chapter 65 of the Town of Moreau Town Code.
- (4) Cannabis growing (indoor in greenhouses) and cannabis processing (indoor).

F. Uses strictly prohibited: In accordance with the provision of this article, the following list of uses do not meet the intended purpose of this chapter and particularly for this district and are therefore prohibited. This is for illustrative purposes only. It is not meant to be determinative of all uses which are not to be permitted in the district. It is meant to give direction to applicants who are reviewing this chapter for the purpose of determining what will be an appropriate use in the district and to allow reasonable variations, knowing that all uses cannot be anticipated or defined.

- (1) Abattoir or rendering of grease, tallow or fats.
- (2) Manufacture or storage of non-consumable alcohol, dye or rubber, not associated with another permitted use.
- (3) Manufacture or storage of fertilizer, involving the recovery or refining or products from fish, human or animal, or mineral refuse.
- (4) Manufacture or storage of fireworks, munitions or explosives, excepting for sale of sparkling or other firework devices in accordance with State regulations.
- (5) Production or refining of petroleum or other flammable liquids.
- (6) Atomic power facilities, storage or nuclear waste.
- (7) Any uses in the Town which use wastes originating outside the Town of Moreau, as prohibited in Town of Moreau Town Code Chapter 92 and as defined herein.

G. General requirements:

- (1) A maximum of sixty percent of the lot may be covered and twenty percent shall be green space that must be incorporated into development plans. A minimum of 50% of the above-referenced green space shall be set aside for snow storage (i.e., no shrubbery or plantings).
- (2) No front yard storage is allowed. All storage areas must be to the rear and side of the building. Where a site is subject to multiple front yards, a fence shall be installed as approved by the Planning Board. Said

fence shall not be subject to height restrictions for front yard as outlined in Chapter 70, however no fence shall exceed eight (8) feet in height.

- (3) No on-street parking is permitted, and parking and loading shall be in accordance with §149-47 and §149-48 respectively.
- (4) All industrial, commercial, and other service uses shall be sited 100 feet from any residential uses or district, except for solar uses which may be within 75' of a residential district or residential use property line.
- (5) Floating and/or mapped cross-access easements shall be granted leading to, and for adjacent parcels in the district as practicable to keep traffic off public surface streets to the greatest extent as feasible. This provision may be waived by the Planning Board where not practicable.

H. Performance standards.

- (1) Noise. Requirements and regulations in accordance with Chapter 100.
- (2) Discharge of toxic or noxious matter. No activity in the M-1A District shall permit any type of discharge either on or off site of any toxic or noxious matter in such concentrations as to be detrimental to or endanger the health of the public or significant bird and mammal wildlife. For purposes of this section, "noxious" is defined as that which causes or tends to cause injury to health.
- (3) Vibration. In no case shall any vibration from the M-1 District be perceptible without the aid of instruments along the boundary line of the zone, except during initial construction of the facility, or normal maintenance work thereafter.
- (4) Heat or glare. No use shall be permitted that will produce heat or glare beyond the property line of the lot on which the facility is located.
- (5) Odor. No emission of any odorous matter shall be permitted so as to be detected outside the property line of the lot on which the facility is located. Any facility which may involve the emission of any odor shall be equipped with a secondary safeguard system, so that control will be maintained if the primary system should fail.

I. Exceptions.

- (1) This provision for allowable uses outlined herein shall not be applicable to those developments which have received all required Town approvals and permits for their use and have commenced substantial construction related to development of a proposed use.
- (2) Performance standards shall not be applicable for existing uses if failing to meet performance standards shall be considered preexisting and non-conforming. Any change which will increase or modify the non-conformity, including on a non-conforming performance standard in another location of a structure, or on a different location on the land, shall not be permitted.

Section 7. Repeal of Section 149-25 and adoption of new Section 149-25. Section 149-25 of the Moreau Town Code is repealed and a new Section 149-25 is adopted to read as follows:

§ 149-25. Manufacturing Districts (M-2).

A. Intent. The intent of this section 149-25 is allow those uses found below to better reflect those ideals and recommendations found in the Town Comprehensive Plan as adopted by the Town of Moreau Town Board.

B. Purpose

- (1) The M-2 District provides for the maintenance and expansion of industry, manufacturing, renewable energies, as well as select commercial, recreational, and other uses which may be complementary and appropriate to be sited along with these uses in this area of Town. Site plan review shall be required for all uses in the M-2 District.

- (2) Use regulations. Permitted, accessory and special permit uses in M-2 Districts shall be as set forth below and within the Schedule of Regulations included at the end of this chapter.
- (3) Area, yard and coverage regulations. Bulk regulations in M-2 Districts shall be as set forth in the Schedule of Regulations included at the end of this chapter.

C. Applicability. This section shall be applicable to all uses on lands zoned M-2 in the Town of Moreau except where otherwise noted.

D. Permitted uses with Site Plan Review:

- (1) Manufacturing assembly or other industrial operation.
- (2) Tool or die manufacture, including precision instruments and 3-dimensional printing and fabrication or similar assembly.
- (3) Agricultural product packaging, processing or storage facility, including cold storage, except as prohibited herein.
- (4) Heavy equipment sales, rental, service maintenance and storage, including construction equipment.
- (5) Warehouse(s) or warehousing of products.
- (6) Public utility power generating structure or use that is non-fuel generated, including battery storage facilities; solar energy system, large-scale; windmills; hydroelectric uses; or similar uses.
- (7) Supply and building material sales yard, lumberyard including saw mill and other mill work in association, and cabinetmaking or other products from a woodshop.
- (8) Farm brewery, distillery, or meadery, which may also sell other majority New York State produced products.
- (9) Wholesale and retail sales when incidental to the primary use.
- (10) Self-service storage facility.
- (11) Laboratory: research, experimental or testing, provided that no operation shall be conducted which may cause hazardous, noxious or offensive conditions in the district in which such laboratory is located.
- (12) Office buildings.
- (13) Recreation facilities, indoor - including public and private.
- (14) Distribution centers.
- (15) Accessory uses as outlined in the bulk and use table at the end of this Chapter.

E. Uses permitted upon issuance of a special permit by the Planning Board, subject to site plan review.

- (1) Single-family dwellings and accessory uses thereto.
- (2) Sand and gravel processing, quarrying and cement manufacturing.
- (3) Commercial agricultural uses, including stables, commercial, riding arena.
- (4) Commercial kennels, animal grooming, and commercial animal boarding.

F. Uses strictly prohibited: In accordance with the provision of this article, the following list of uses do not meet the intended purpose of this chapter and particularly for this district and are therefore prohibited. This is for illustrative purposes only. It is not meant to be determinative of all uses which are not to be permitted in the district. It is meant to give direction to applicants who are reviewing this chapter for the purpose of determining what will be an appropriate use in the district and to allow reasonable variations, knowing that all uses cannot be anticipated or defined.

- (1) Abattoir or rendering of grease, tallow or fats.

- (2) Manufacture or storage of non-consumable alcohol, dye or rubber.
- (3) Manufacture or storage of fertilizer, involving the recovery or refining or products from human refuse.
- (4) Manufacture or storage of fireworks, munitions or explosives, excepting for sale of sparkling or other firework devices in accordance with State regulations.
- (5) Production or refining of petroleum or other flammable liquids.
- (6) Atomic power facilities, storage or nuclear waste.
- (7) Any uses in the Town which use wastes originating outside the Town of Moreau, as prohibited in Town of Moreau Town Code Chapter 92 and as defined herein.

G. General requirements:

- (1) A maximum of sixty percent of the lot may be covered and twenty percent shall be green space that must be incorporated into development plans. A minimum of 50% of the above-referenced green space shall be set aside for snow storage (i.e., no shrubbery or plantings).
- (2) No front yard storage is allowed. All storage areas must be to the rear and side of the building. Where a site is subject to multiple front yards, a fence shall be installed as approved by the Planning Board. Said fence shall not be subject to height restrictions for front yard as outlined in Chapter 70, however no fence shall exceed eight (8) feet in height.
- (3) No on-street parking is permitted, and parking and loading shall be in accordance with §149-47 and §149-48 respectively.
- (4) All industrial, commercial, and other service uses, shall be sited 100 feet from any residential uses or district, except for solar uses which may be within 75 feet of a residential district or residential use property line.
- (5) Floating and/or mapped cross-access easements shall be granted leading to, and for adjacent parcels in the district as practicable to keep traffic off public surface streets to the greatest extent as feasible. This provision may be waived by the Planning Board where not practicable.

H. Performance standards.

- (1) Noise. Requirements and regulations in accordance with Chapter 100.
- (2) Discharge of toxic or noxious matter. No activity in the M-2 District shall permit any type of discharge either on or off site of any toxic or noxious matter in such concentrations as to be detrimental to or endanger the health of the public or significant bird and mammal wildlife. For purposes of this section, "noxious" is defined as that which causes or tends to cause injury to health.
- (3) Vibration. In no case shall any vibration from the M-2 District be perceptible without the aid of instruments along the boundary line of the zone, except during initial construction of the facility, or normal maintenance work thereafter.
- (4) Heat or glare. No use shall be permitted that will produce heat or glare beyond the property line of the lot on which the facility is located.
- (5) Odor. No emission of any odorous matter shall be permitted so as to be detected outside the property line of the lot on which the facility is located. Any facility which may involve the emission of any odor shall be equipped with a secondary safeguard system, so that control will be maintained if the primary system should fail.

I. Exceptions.

- (1) This provision for allowable uses outlined herein shall not be applicable to those developments which have received all required Town approvals and building permits for their use and have commenced substantial construction related to development of a proposed use.

- (2) Performance standards shall not be applicable for existing uses if failing to meet performance standards shall be considered preexisting and non-conforming. Any change which will increase or modify the non-conformity, including on a non-conforming performance standard in another location of a structure, or on a different location on the land, shall not be permitted.

Section 8. Adoption of new Sections 149-50.3 through 149-50.16. New Sections 149-50.3 through 149-50.16 of the Moreau Town Code are adopted to read as follows:

§ 149-50.3. Adult Businesses.

Adult businesses are regulated in accordance with Chapter 65 Adult Entertainment of the Town of Moreau Town Code.

§ 149-50.4 Automobile Service and Repair Shops.

A. Motor vehicle service stations.

- (1) Entrance and exit driveways shall have an unrestricted width of not less than 12 feet, with maximum to be approved by the Planning Board. The maximum width should be no less than the minimum width necessary for public safety purposes. The location of such driveways shall be determined by the Planning Board, but in no event shall they be located closer than ten (10) feet to any lot line.
- (2) No entrance or exit driveway or parking space shall be located so as to require the backing of any vehicle into a public right-of-way.
- (3) All vehicle lifts, dismantled automobiles, parts or supplies, goods, materials, refuse, garbage or debris shall be located within a building enclosed on all sides.
- (4) All services or repair of motor vehicles shall be conducted in a building enclosed on all sides; however, this requirement is not to be construed as meaning that the doors to any repair shop must be kept closed at all times.
- (5) Gasoline or flammable oils in bulk shall meet New York State storage requirements.
- (6) All registered vehicles awaiting service, pick-up by customers, or otherwise stored overnight on the lot shall be parked within a vehicle parking area approved by the Planning Board.
- (7) The Planning Board may require a green space buffer, vegetative screening, and/or solid or picket fencing in order to reduce visual impact upon surrounding properties.
- (8) The sale of vehicles shall not be a permitted accessory use to a motor vehicle service station.
- (9) A New York State Department of Motor Vehicle license for repair shall be required.
- (10) This section shall not apply to licensed repair shops legally in use at the time of the adoption of this section however any modification exceeding such use by 33%, or reconfiguration of a site, shall be required to conform to these requirements.

§ 149-50.5. Cannabis growing and processing.

A. Security and Safety. Security measures at all New York State licensed premises shall comply with the requirements of this section, the New York State Cannabis Law and all such applicable rules and regulations promulgated by the New York Cannabis Control Board and Office of Cannabis Management.

B. Security Plan. A description of the security plan shall be submitted with the application for a site plan for use of premises in association with cannabis processing or growing. The security system shall be maintained in good working order and provide 24 hours per day coverage. The security plan must include, at a minimum, the following security measures:

- (1) Cameras. The applicant, owner and holder of a license to operate a cannabis facility pursuant to the New York Cannabis Law shall install and use security cameras to monitor and record all areas of the premises

(except in restrooms) where persons may gain or attempt to gain access to marijuana maintained by the cannabis business entity.

- (2) Cameras shall record operations of the business to an off-site location, as well as all potential areas of ingress or egress to the business with sufficient detail to identify facial features and clothing.
- (3) Recordings from security cameras shall be maintained for a minimum of 30 days in a secure off-site location in the Town of Moreau or through a service over a network that provides on-demand access, commonly referred to as a "cloud." The off-site location shall be included in the security plan submitted to the Town and provided to law enforcement upon request and updated within 72 hours of any change of such location.
- (4) Alarm system. The establishment shall install and use an alarm system that is monitored by a company that is staffed 24 hours a day, seven days a week. The security plan submitted to the Town shall identify the company monitoring the alarm, including contact information, and updated within 72 hours of any change of monitoring company.

C. Any person proposing to use premises as a cannabis cultivation or processing facility shall submit an odor management plan to the Building Department and with any site plan application. The odor management plan shall describe sufficient processes which, if implemented, will prevent odors from the cannabis establishment from being detected by a person outside of the establishment. The odor management plan shall adhere to the following conditions and be inclusive of a description of the following:

- (1) The ventilation system used by the cannabis establishment, including but not limited to, how the ventilation systems prevent odor from escaping the interior of the building and how to mitigate any fumes or gases.
- (2) The owner shall be responsible for the development, implementation, and maintenance of the odor management plan. Odor mitigation practices shall be based on industry-specific best control technologies and best management practices. The plan shall include the range of odor mitigation practices to be deployed to control odor-emitting activities, sources, and locations, how and when these practices will be deployed, and accounting for any identified odor-emitting activity.
- (3) The permittee, operator, or person in charge of a cannabis establishment shall maintain, and provide to the Building Department monthly, all records relating to odor management, including but not limited to, system installation, maintenance, any equipment malfunctions and deviations from the odor management plan.
- (4) The permittee, operator or person in charge of a cannabis facility shall maintain records of odor complaints received and response actions thereto.
- (5) If an inspection or complaint investigation by the Building Department reveals any deviation from the odor management plan, such deviation shall be a violation of this section.
- (6) If an inspection reveals that the existing odor management plan does not effectively mitigate odors emanating from the cannabis facility or cannabis facility's cultivation site, the Building Department shall provide the operator or person in charge with a notice of deficiencies. The owner, operator or person in charge of the cannabis establishment shall be required to submit a modified odor management plan within 30 days. Failure to submit a modified odor management plan within the required time period shall be a violation of this section.
- (7) When a modification is made to a cannabis establishment or operation of the establishment that has the potential to impact the nature or degree of odor, or affects the control of odor, the cannabis facility operator must update its odor management plan within 30 days of modification. Failure to submit an updated odor management plan within 30 days of modification shall be a violation of this section.

§ 149.50-6. Farm Brewery. In addition to the manufacture of beer, a farm brewer is authorized to perform the following activities on the premises:

A. Sale and distribution of beer.

- (1) Sell in bulk beer manufactured by the farm brewer to any person licensed to manufacture alcoholic beverages in this state;
- (2) Sell or deliver beer manufactured by the farm brewer to persons outside the state pursuant to the laws of the place of such delivery;

- (3) Sell beer manufactured by the farm brewer to wholesalers and retailers licensed in this state to sell beer, licensed farm distillers, licensed farm wineries, licensed farm cideries, and any other licensed farm brewery;
 - (4) Sell at the premises beer manufactured by the farm brewer, or any other licensed farm brewery, at retail for consumption on or off the premises; and
 - (5) Total sales of items not derived from on-site shall not be in excess of 49% annually subject to State Alcoholic Beverage Control Laws.
- B. Conduct tastings at the premises of beer manufactured by the farm brewer or any other licensed farm brewery.
- C. Manufacture, bottle, and sell food condiments and products such as mustards, sauces, hop seasonings, beer nuts, and other hops- and beer-related foods in addition to beer and hops soaps, hop pillows, hop wreaths and other such foods and crafts on and from the premises.
- D. Store and sell gift items in a tax-paid room upon the premises incidental to the sale of beer. These items shall be limited to the following categories:
- (1) Nonalcoholic beverages;
 - (2) Food items for the purpose of complementing beer tastings, which shall mean a diversified selection of food that is ordinarily consumed without the use of tableware and can be conveniently consumed while standing or walking;
 - (3) Food items, which shall include locally produced farm products and any food or food product not specially prepared for immediate consumption upon the premises;
 - (4) Beer supplies and accessories, which shall include any items utilized for the storage, serving, or consumption of beer or for decorative purposes;
 - (5) Beer-making equipment and supplies; and
 - (6) Souvenir items, which shall include, but not be limited to, artwork, crafts, clothing, agricultural products, and any other articles which can be construed to propagate tourism within the region.
- E. Conduct tours of the premises.
- G. All mechanical equipment visible from the street or an adjacent residential use shall be screened using architectural features consistent with the principal structure.
- H. Access and loading bays are discouraged from facing toward any street.
- I. Access and loading bays facing any street or adjacent residential use shall have the doors closed at all times, except during the movement of raw materials, other supplies and finished products into and out of the building.
- J. Public Wastewater Conveyance. Where facilities are on public sewer systems, a sign-off from the Town Sewer Department and Town Engineer will be required ensuring adequate pretreatment of sewage is achieved in advance of entering the town sanitary sewer system.
- K. Private Wastewater Conveyance and Treatment. Where facilities are located that are not connected to public wastewater treatment, a sign-off will be required from the Town Engineer reviewing the project proposal to current standards to ensure efficient and safe operations of the wastewater treatment system and adequacy of design capacity.
- L. Solid and Other Wastes. All Dumpsters or garbage / refuse containers which are designed to contain wastes from brewery related uses shall be maintained with a lid or cover, suitably protected on all sides by opaque fencing or screening at least twelve (12) inches above the height of the dumpster or refuse container(s) to assure protection from open view and such areas shall be kept in a clean and neat condition, and the surrounding area shall be free of litter. Dumpster and refuse container maintenance shall require "leak free" containment, clean surfaces that are safe and free of liquid refuse.

- (1) Enclosures shall primarily be located in the rear of the property. Consideration shall be given to side yards if the rear area of the property is unsuitable. Dumpsters or refuse containers of any type shall not be located in any front yard of any premises. This provision shall not be construed to limit regular curbside pickup service by a commercial refuse hauler.
- (2) On any project, land use or development which involves the Planning Board for a site plan review, the Planning Board shall be authorized to consider and approve the design of enclosure, location, setbacks, location of gate openings (including swing) dimensions, materials, height, landscaping and all things pertinent to compliance with the requirements of this provision.

§ 149-50.7. Forestry Uses.

A. Permits required.

- (1) It is hereby required that any timber harvesting and forestry activity shall require a Site Plan Approval from the Planning Board by anyone desiring to harvest timber for profit.
- (2) Such permit shall be applied for jointly by the property owner and the logger. If the owner of the property on which said timber is located is an active cooperator under in a State or Federal Forest Management Program, or if the property is currently receiving tax benefits under the provisions of § 480-a of the Real Property Tax Law, the Planning Board, in its discretion, may waive this Site Plan Review requirement provision. However, the Town shall enforce all other provisions of this Article pertaining to the application procedure.

B. Clearing of land solely for agricultural purposes by agricultural use in accordance with this Chapter shall be exempt from the timber harvesting and forestry regulations.

C. Standards for operation.

- (1) All commercial timber harvesting pursuant to this section shall comply with the following standards:
 - [a] No forest haul road or skid trail shall be constructed to exceed a slope of 25% for a distance of more than 200 feet. The applicant shall take appropriate measures to divert running water from the roads at intervals in order to minimize erosion.
 - [b] All timber harvesting should follow New York State Department of Environmental Conservation Forestry Best Management Practices Field Guide for Water Quality, as may be amended from time to time.
 - [c] All streams shall be crossed by temporary culverts or bridges and such crossings shall be made in a direction at a right angle to the flow of the stream unless a Department of Environmental Conservation permit requires more stringent measures, which more stringent measures shall be complied with by the logger and the landowner.
 - [d] There shall be no skidding in any stream channel, and all logging slash and debris shall be promptly removed from any stream channel.
 - [e] The Planning Board may require placement and maintenance of waterbars to protect streams at such points as landings or other areas of considerable disturbance.
 - [f] Buffer strips shall be retained at least 50 feet wide along streams and at least 100 feet wide along public roads. Within such buffer strips, no trees of less than 12 inches' Diameter at Breast Height (DBH) shall be harvested unless the property is in the Cooperative Forest Management Program and the trees have been marked by a professional forester. No landings shall be located within buffer strips abutting streams. Landings located within buffer strips abutting roads shall be properly graded and waterbarred to prevent sediment from washing into the drainage ditches along the public road.

- [g] The entrance of haul roads onto Town roads shall be done in compliance with all applicable New York State, Town and County regulations, and at minimum meet the requirements of a construction entrance.
- [h] The applicant shall file with the Town a certificate of insurance, or like document evidencing a valid general liability insurance policy issued in the name of the applicant and under which the Town of Moreau is listed as an additional insured. The limits of such policy shall not be less than one (1) million dollars (\$1,000,000) unless for good cause shown by the applicant a lesser amount is authorized by the Planning Board. Such policy shall be submitted and kept on file at the Building Department.
- [i] Haul roads shall have waterbars or other water diversion structures as outlined by the New York State Department of Environmental Conservation Forestry Best Management Practices Field Guide for Water Quality, placed at the following intervals unless the Planning Board determines an alternate water diversion is desirable:

Road Grade (percent)	Spacing (feet)
2 to 5	300 to 500
6 to 10	200 to 300
11 to 15	100 to 200
16 and greater	100

- [j] Site Reclamation. Haul roads shall be smoothed, sloped, ditched and seeded with perennial grasses, as needed. Landings shall be smoothed, seeded and protected with waterbars, as needed. At stream crossings, temporary stream culverts and bridges shall be removed, and stream banks shall be restabilized. All reclamation efforts shall be subject to inspection by the Town to assure compliance with this provision.

D. Permit approval procedure.

- (1) No commercial timber harvesting shall be undertaken until granted Site Plan Review, as approved by the Planning Board, in accordance with procedures outlined in accordance with this section.
- (2) An application for a timber harvesting permit shall include:
 - [a] An application fee and inspection fee in accordance with the adopted fee schedule.
 - [b] A description of the proposed harvesting activity including the proposed selection cutting. All trees to be harvested shall be marked via some specified criteria before the harvesting begins.
 - [c] The dates between which such harvesting activity will occur.
 - [d] Sufficient information to determine that the proposed harvesting activity will comply with the standards for harvesting set forth in this section.
 - [e] A map showing the specific areas to be harvested and the location of proposed forest haul roads, landings and stream crossings. The map shall be at a scale of 1:24,000 (such as a United States Geological Survey Topographic Map, a New York State Department of Transportation Planimetric Map or Town Tax Map) or any scale of a smaller ratio such that a larger map is produced.
 - [f] A bond or certified check as required herein at the discretion of the Planning Board.
- (3) Upon receipt of an application for a timber harvesting special use permit, the Planning Board shall, at its option, submit the application to the Department of Environmental Conservation and request a review of the application by a Department of Environmental Conservation forester or to a professional forester selected by the Planning Board for review. In a case where the timber is being harvested for the purpose of clearing the land for conversion to agricultural use, building purposes or for utility line rights-of-way, the Planning Board may, in its discretion, waive this review requirement.
- (4) Performance cash bond. As a part of the permit requirement procedure as defined herein, a performance cash bond or certified check or surety in a form acceptable to the Town Board for the purposes of restoration of the site and repair of any Town roads as a condition approved by the Planning Board shall be posted with the Town Clerk by the logger in the amount of \$30 per acre of

land or a minimum of \$1,000 accordance with the adopted Town of Moreau fee schedule in order to assure compliance with the provisions of this Article. This may be waived by the Town Planning Board.

§149-50.8. Kennels.

- A. In order to promote the general welfare of the Town, kennels shall be allowed only by special use permit.
- B. A site plan shall be provided which displays the kennel building(s) and all other inhabited dwellings in the vicinity, information on buffers, number and type of animals and any other information deemed appropriate.
- C. The minimum lot size shall be two (2) acres.
- D. Additional factors to be considered when reviewing an application for a kennel special use permit:
 - (1) The closeness to adjacent properties.
 - (2) The maximum number of animals to be maintained and frequency of use.
 - (3) The effect on character of neighborhood.
 - (4) Existing or proposed natural or man-made buffers.

§ 149-50.9. Junkyards.

Junkyards are regulated in accordance with Chapter 87 Junkyards of the Town of Moreau Town Code.

§ 149-50.10. Recycling centers.

- A. In order to protect the clean, wholesome, safe and attractive environment of the community, the Town Planning Board shall take the following additional factors into consideration in granting or denying any approvals:
 - (1) Type of road servicing the recycling center or from which the recycling center can be seen;
 - (2) Natural or artificial barriers protecting the recycling center from view;
 - (3) Proximity of the site to established residential or recreational areas or main access route thereto;
 - (4) The nature and development of surrounding property;
 - (5) Whether or not the proposed location will affect the public health and safety by reason of offensive or unhealthy noise, odors or smoke, or of other causes;
 - (6) The proximity of floodplains, groundwater supplies, and public water supplies;
 - (7) Local drainage patterns;
 - (8) The availability of fire protection and the adequacy of the water supply for fire protection purposes;
 - (9) The Comprehensive Plan for the Town;
 - (10) Availability of other suitable sites for the recycling center;
 - (11) The type of material to be stored or deposited in the recycling center.
- B. Specific requirements. No recycling center storage area shall be located within:
 - (1) One hundred feet of any adjoining property line;
 - (2) Five hundred feet of the property line of any public park, church, educational facility, nursing home, public building or other place of public gathering;
 - (3) One hundred feet of any stream, lake, pond, wetland or other body of water; or
 - (4) One hundred feet from the property line of any public highway.

C. There must be erected and maintained an eight-foot-high fence enclosing the entire recycling center and a locking gate, adequate to prohibit the entrance of children and others into the area of the activity or business, and to

contain within such fence all recyclable appliances, furniture, mobile homes, vehicles and materials originating from such items. Fencing requirements may be waived where topography or other natural conditions effectively prohibit the entrance of children and others to the recycling center, provided screening is not necessary.

D. Where a recycling center is or would be visible from a public highway or from neighboring properties, the fence provided in Subsection C above shall be of wood or other materials sufficient to totally screen the recycling center from view of such roadways or neighboring properties. Such screening may be permitted by adequate planting of evergreen trees or shrubbery.

E. The Planning Board shall specify in the approvals which types of recyclable materials may be stored or deposited in the materials storage area. No items shall be stored in any recycling storage area other than those items specified in a site plan approved by the Planning Board pursuant to this chapter.

E. No materials shall be burned in a recycling center.

§ 149-50.11. Self-storage.

The following standards shall apply to all self-storage units:

A. Vegetative buffering and/or fencing shall be provided along any road frontage and adjacent properties where determined necessary by the Planning Board. Fencing adjacent to the street shall be a decorative type.

B. Lighting shall be downward facing and shielded and not trespass onto adjacent properties excepting any lighting designated for security as approved by the Planning Board.

C. Buildings shall be sited perpendicular to the road so that only the end unit faces the road.

D. The building shall be designed so that it is in harmony with the appearance of the surrounding neighborhood. A false facade or roof shall be used for end units facing the roadway.

E. The storage of flammable liquids, explosives, hazardous chemicals, radioactive wastes, pets or animals or illegal substances is prohibited.

F. Hours of access may be specified by the Planning Board in keeping with the character of the surrounding neighborhood.

§ 149-50.12. Sand and gravel processing, quarrying and cement manufacturing.

Sand and gravel processing, quarrying and cement manufacturing uses, which include the mining of sand and gravel, as defined in Chapter 113 shall be regulated in accordance with Chapter 113 of the Town of Moreau Town Code, and be required to receive a Special Permit from the Town of Moreau Town Board.

§ 149-50.13. Stables, commercial; riding arenas.

A. The minimum lot area shall be five (5) acres.

B. Manure storage area be not be located within 100 feet of any stream or other water body or well providing a source of potable water, nor within 200 feet of the nearest neighboring residence, unless otherwise regulated elsewhere.

§ 149-50.14. Wind energy conversion system (WECS).

A. Any application for the construction of a WECS shall include, but not be limited to, the following information:

- (1) The location of the tower on the site and the tower height, including blades.
- (2) The location of underground utility lines within a radius equal to the proposed tower height, including blades.
- (3) A dimensional representation of the various structural components of the tower construction, including the base and footings.
- (4) Design data indicating the basis of design, including manufacturer's dimensional drawings, installation and operation instructions.

- (5) A certification by a registered professional engineer or manufacturer's certification that the tower design is sufficient to withstand wind-load requirements for structures as established by the New York State Uniform Fire Prevention and Building Code.

B. In addition, the following standards shall apply:

- (1) No WECS shall be erected in any location where its overall height, including blades, is greater than the distance from its base to any property line.
- (2) Access to the tower shall be limited either by means of a fence eight (8) feet high around the tower base with a locking portal or by limiting tower climbing apparatus to no lower than 12 feet from the ground. Front yard standards for fencing as outlined in Chapter 70 shall not be applicable, however the Planning Board may require screening or a specific type of fencing to better complement adjacent land uses.
- (3) No WECS shall be installed in any location along the major axis of an existing microwave communications link, where the operation of the WECS is likely to produce an unacceptable level of electromagnetic interference, unless the applicant provides sufficient evidence satisfactory to the Code Enforcement Officer indicating the degree of expected interference and the possible effect on the microwave communications link.
- (4) WECS shall be located or installed in compliance with the guidelines of the Federal aviation regulations with regard to airport approach zones and clearance around VOR and DVOR stations.
- (5) No WECSs shall produce noise in excess of the limits established by the Noise Chapter of the Code of the Town.
- (6) All sites proposed for WECS shall have sufficient access to unimpeded air flow for adequate operation in accordance to the Siting Handbook for Small Wind Energy Conversion Systems, PNL-2521, or other nationally recognized reference.
- (7) Contiguous property owners may construct a WECS for their common use. If property held by more than one (1) single owner is used to meet the setback requirements, a site plan establishing easements or reserved areas must be submitted to the Planning Board for approval.
- (8) No WECS shall be installed in a location where the impact on the neighborhood character is determined by the Planning Board to be detrimental to the general neighborhood character.
- (9) If the WECS is to be interconnected to an electric utility distribution system, the applicant shall provide evidence of approval of the proposed interconnect by the utility company.
- (10) Towers shall be located in rear yards and screened as determined appropriate by the Planning Board.
- (11) Guy wires and anchors for towers shall not be located closer than ten (10) feet to any property line.
- (12) All WECS shall be designed with an automatic brake to prevent over speeding and excessive pressure on the tower structure.
- (13) The minimum distance between the ground and any protruding blades shall not be less than 15 feet, as measured at the lowest point of the arc of the blades.

C. Approval procedure. No WECS or wind generator shall be constructed until approved by the Planning Board, in accordance with procedures outlined in Article VI herein.

§ 149-50.15. Warehouse.

Any building used as a warehouse in the M-1 Zoning District shall not exceed 45,000 square feet in area. One warehouse shall be permitted per lot.

§ 149-50.16. Industrial Operations and Production.

A. No person shall be permitted to utilize waste in production of any goods or products to be produced in the Town of Moreau.

B. Exceptions. The following uses shall not be subject to this requirement:

- (1) Approved Landfills
- (2) Publicly owned treatment works;
- (3) Anaerobic digesters;
- (4) Systems used exclusively for combustion of fuels in association with home maintenance or transportation purposes;
- (5) Reuse or repurpose of products which do not affect air quality
- (6) Personal composting and gardening on residential or agricultural premises

Section 7. Repeal of Schedule of Regulations for Light Manufacturing and Commercial Districts (M-1) of the Moreau Town Code and adoption of new Schedule of Regulations for Light Manufacturing and Commercial Districts (M-1). The Schedule of Regulations for Light Manufacturing and Commercial Districts (M-1) of the Moreau Town Code is repealed and a new Schedule of Regulations for Light Manufacturing and Commercial Districts (M-1) is adopted to read as follows:

149 Attachment 12
Schedule of Regulations - Light Manufacturing and Commercial District (M-1)

Permitted Principal Uses'	Permitted Accessory Uses'	Uses Permitted by Special Permit by Planning Board	Minimum Lot Area (Feet)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Lot Coverage (% of Area)	Minimum Floor Area (Feet)	Maximum Structure Height (Feet)	Minimum Setbacks ^a			
									Front	Side	Rear	
Manufacturing, Light	Accessory building or use customarily incidental to the principal use including wholesale and retail sales in association with the principal use; Public Utility, as defined; Signs		65,340	200	200	60%	None	38	30	25	30	
Tool and Die, Instrument Manufacture			65,340									
Junkyards, Tow Yards, Salvaging			80,000									
Vehicle service, detail, finishing			65,340									
Heavy Equipment Sales, rental, service			80,000									
Warehousing			80,000									
Public utility – Power Generation			80,000									
Supply and Material Yards			65,340									
Farm Brewery			43,560									
Self-Storage			65,340									
Laboratory			80,000									
Professional Offices/ Office			65,340									
Educational Facility/ School			43,460									
Government Facilities			21,730									
Social Organizations			43,460									
Park and Recreation Facilities			80,000									
Enclosed Multiuse Facilities, as defined			25 Acres							50	50	50
Commercial Forestry			43,560							10	10	10
Agricultural packaging, processing, storage			80,000							50	50	50
			↑ Same as R-2; ↓							As indicated in R-2		
		Plus: Single-Family Residential	22,500 w/ Water or 32,500						40	15	30	
		Outdoor Storage	1-Acre						40	20	40	
		Recycling Center	1-Acre						40	20	40	
		Restaurants/ Bars	63,450						30	30	30	
		Convenience Stores	63,450						30	30	30	
		Flex Space, as defined	1-Acre						40	20	40	
		Facilities Subject to Air Facility Permit or Registration	5 Acres						100	50	100	

(see “149 Attachment 12 chart - Use, Bulk and Area TableM1” document, attached separately in Word)

Section 8. Repeal of Schedule of Regulations for Light Manufacturing Districts (M-1A) of the Moreau Town Code and adoption of new Schedule of Regulations for Light Manufacturing Districts (M-1A). The Schedule of Regulations for Light Manufacturing Districts (M-1A) of the Moreau Town Code is repealed and a new Schedule of Regulations for Light Manufacturing Districts (M-1A) is adopted to read as follows:

149 Attachment 12

Schedule of Regulations - Light Manufacturing A District (M-1A)

Permitted Principal Uses ⁱ	Permitted Accessory Uses ⁱⁱ	Uses Permitted by Special Permit by Planning Board	Minimum Lot Area (Feet)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Lot Coverage (% of Area)	Minimum Floor Area (Feet)	Maximum Structure Height (Feet)	Minimum Setbacks ⁱⁱⁱ			
									Front	Side	Rear	
Manufacturing, Light	Accessory building or use customarily incidental to the principal use including wholesale and retail sales in association with the principal use; Public Utility, as defined; Signs		65,340	200	200	60%	None	38	30	25	30	
Tool and Die, Instrument Manufacture			65,340									
Vehicle service, detail, finishing			65,340									
Warehousing			80,000									
Public utility – Power Generation			80,000									
Supply and Material Yards			65,340									
Park and Recreation Facilities			80,000									
Water-Dependent Uses			21,730									
			Same as R-2:	As indicated in R-2								
			Plus: Single-Family Residential	22,500 w/ Water or 32,500						40	15	30
		Adult Entertainment	80,000						50	50	50	
		Permitted Cannabis Uses	5-Acres						100	100	100	

(see “149 Attachment 12 chart - Use, Bulk and Area TableM1A” document, attached separately in Word)

Section 9. Repeal of Schedules of Regulations for Manufacturing Districts (M-2) of the Moreau Town Code and adoption of new Schedule of Regulations for Manufacturing Districts (M-2). The Schedule of Regulations for Manufacturing Districts (M-2) of the Moreau Town Code is repealed and a new Schedule of Regulations for Manufacturing Districts (M-2) is adopted to read as follows:

149 Attachment 12

Schedule of Regulations - Manufacturing District (M-2)

Permitted Principal Uses ⁱ	Permitted Accessory Uses ⁱⁱ	Uses Permitted by Special Permit by Planning Board	Minimum Lot Area (Feet)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Lot Coverage (% of Area)	Minimum Floor Area (Feet)	Maximum Structure Height (Feet)	Minimum Setbacks ⁱⁱⁱ		
									Front	Side	Rear
Manufacturing, assembly, or other industrial operation	Accessory building or use customarily incidental to the principal use including wholesale and retail sales in association with the principal use; Public Utility, as defined; Signs		80,000	200	200	60%	None	38	30	25	30
Tool and Die, Instrument Manufacture			63,540								
Agricultural packaging, processing, storage			80,000								
Heavy Equipment Sales, rental, service			80,000								
Warehousing			80,000								
Public utility – Power Generation			80,000								
Supply and Material Yards			65,340								
Farm Brewery			43,560								
Self-Storage			63,540								
Laboratory			80,000								
Professional Offices/ Office			65,340								
Recreation Facilities			43,560								
Distribution Center			160,000								
			Same as R-2:	As indicated in R-2							
		Plus: Single-Family Residential	22,500 w/ Water or 32,500						40	15	30
		Commercial Agricultural Uses	5-Acres						40	20	40
		Commercial Kennels, Grooming, Boarding	5-Acres						40	20	40

(see “149 Attachment 12 chart - Use, Bulk and Area TableM1A” document, attached separately in Word)

Section 10. Severability. The invalidity of any section, clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or provision thereof.

Section 11. Effective date. This Local Law shall take effect immediately upon filing by the Office of the New York Secretary of State.

149 Attachment 12

Schedule of Regulations - Light Manufacturing and Commercial District (M-1)

Permitted Principal Uses ⁱ	Permitted Accessory Uses ⁱⁱ	Uses Permitted by Special Permit by Planning Board	Minimum Lot Area (Feet)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Lot Coverage (% of Area)	Minimum Floor Area (Feet)	Maximum Structure Height (Feet)	Minimum Setbacks ⁱⁱⁱ			
									Front	Side	Rear	
Manufacturing, Light	Accessory building or use customarily incidental to the principal use including wholesale and retail sales in association with the principal use; Public Utility, as defined; Signs		65,340	200	200	60%	None	38	30	25	30	
Tool and Die, Instrument Manufacture			65,340									
Junkyards, Tow Yards, Salvaging			80,000									
Vehicle service, detail, finishing			65,340									
Heavy Equipment Sales, rental, service			80,000									
Warehousing			80,000									
Public utility – Power Generation			80,000									
Supply and Material Yards			65,340									
Farm Brewery			43,560									
Self-Storage			65,340									
Laboratory			80,000									
Professional Offices/ Office			65,340									
Educational Facility/ School			43,460									
Government Facilities			21,730									
Social Organizations			43,460									
Park and Recreation Facilities			80,000									
Enclosed Multiuse Facilities, as defined			25 Acres							50	50	50
Commercial Forestry			43,560							10	10	10
Agricultural packaging, processing, storage			80,000							50	50	50
			Same as R-2,:	As indicated in R-2								
		Plus: Single-Family Residential	22,500 w/ Water or 32,500						40	15	30	
		Outdoor Storage	1-Acre						40	20	40	
		Recycling Center	1-Acre						40	20	40	
		Restaurants/ Bars	63,450						30	30	30	
		Convenience Stores	63,450						30	30	30	
		Flex Space, as defined	1-Acre						40	20	40	
		Facilities Subject to Air Facility Permit or Registration	5 Acres						100	50	100	

¹ All uses in the M-1 require site plan review.

¹ Accessory structures exceeding 144 sq/ft shall be subject to the setback lines of the principal use, except for single family homes in accordance with §149-5

¹ 100' setback shall be required from any residential district or use.

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Schedule of Regulations - Light Manufacturing and Commercial District (M-1)

ⁱ All uses in the M-1 require site plan review.

ⁱⁱ Accessory structures exceeding 144 sq/ft shall be subject to the setback lines of the principal use, except for single family homes in accordance with §149-5

ⁱⁱⁱ 100' setback shall be required from any residential district or use.

ⁱ All uses in the M-1 require site plan review.

ⁱ Accessory structures exceeding 144 sq/ft shall be subject to the setback lines of the principal use, except for single family homes in accordance with §149-5

ⁱ 100' setback shall be required from any residential district or use.

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Schedule of Regulations - Light Manufacturing A District (M-1A)

Permitted Principal Uses ⁱ	Permitted Accessory Uses ⁱⁱ	Uses Permitted by Special Permit by Planning Board	Minimum Lot Area (Feet)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Lot Coverage (% of Area)	Minimum Floor Area (Feet)	Maximum Structure Height (Feet)	Minimum Setbacks ⁱⁱⁱ			
									Front	Side	Rear	
Manufacturing, Light	Accessory building or use customarily incidental to the principal use including wholesale and retail sales in association with the principal use; Public Utility, as defined; Signs		65,340	200	200	60%	None	38	30	25	30	
Tool and Die, Instrument Manufacture			65,340									
Vehicle service, detail, finishing			65,340									
Warehousing			80,000									
Public utility – Power Generation			80,000									
Supply and Material Yards			65,340									
Park and Recreation Facilities			80,000									
Water-Dependent Uses			21,730									
			Same as R-2,:	As indicated in R-2								
			Plus: Single-Family Residential	22,500 w/ Water or 32,500						40	15	30
		Adult Entertainment	80,000						50	50	50	
		Permitted Cannabis Uses	5-Acres						100	100	100	

ⁱ All uses in the M-1A require site plan review.

ⁱⁱ Accessory structures exceeding 144 sq/ft shall be subject to the setback lines of the principal use, except for single family homes in accordance with §149-5

ⁱⁱⁱ 100' setback shall be required from any residential district or use.

149 Attachment 12
Schedule of Regulations - Manufacturing District (M-2)

Permitted Principal Uses ⁱ	Permitted Accessory Uses ⁱⁱ	Uses Permitted by Special Permit by Planning Board	Minimum Lot Area (Feet)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Lot Coverage (% of Area)	Minimum Floor Area (Feet)	Maximum Structure Height (Feet)	Minimum Setbacks ⁱⁱⁱ		
									Front	Side	Rear
Manufacturing, assembly, or other industrial operation	Accessory building or use customarily incidental to the principal use including wholesale and retail sales in association with the principal use; Public Utility, as defined; Signs		80,000	200	200	60%	None	38	30	25	30
Tool and Die, Instrument Manufacture			63,540								
Agricultural packaging, processing, storage			80,000								
Heavy Equipment Sales, rental, service			80,000								
Warehousing			80,000								
Public utility – Power Generation			80,000								
Supply and Material Yards			65,340								
Farm Brewery			43,560								
Self-Storage			63,540								
Laboratory			80,000								
Professional Offices/ Office			65,340								
Recreation Facilities			43,560								
Distribution Center			160,000								
			Same as R-2,:	As indicated in R-2							
		Plus: Single-Family Residential	22,500 w/ Water or 32,500						40	15	30
		Commercial Agricultural Uses	5-Acres						40	20	40
		Commercial Kennels, Grooming, Boarding	5-Acres						40	20	40

ⁱ All uses in the M-2 require site plan review.

ⁱⁱ Accessory structures exceeding 144 sq/ft shall be subject to the setback lines of the principal use, except for single family homes in accordance with §149-5

ⁱⁱⁱ 100' setback shall be required from any residential district or use.