

ARTICLE 2
DEFINITIONS

§ 2.1 Word Usage

1. Unless otherwise listed below, the numbers, abbreviations, terms and words used herein shall have the meanings of common usage as set forth in the latest edition of Merriam-Webster's Collegiate Dictionary (currently 11th Edition). Terms of law shall have the meanings as set forth in the latest edition of Black's Law Dictionary.
2. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the singular include the plural; words used in the plural include the singular; the word "herein" means in this law; the word "requirements" means the minimum requirements necessary for the purposes set forth in Article 1; and the words "this law" shall mean this local law and the schedules and maps included herein as enacted or subsequently amended.
3. The word "person" as used in this chapter, shall be defined to include, but not limited to, an individual, a partnership, a joint venture, a corporation, an unincorporated association, a firm or any other form or entity, contractors, subcontractors, or journeymen.
4. The word "lot" includes the word "plot".
5. The term "occupied" or "used", as applied to any land or building, shall be construed to include the words "intended", "arranged", or "designed to be occupied or used".
6. "Shall" is always mandatory.

§ 2.2 Specific Definitions

Access Area – A property used as an area of entry to a stream or other body of water for the purpose of launching or landing of watercraft. The access area may also include ancillary services or facilities other than base operations for watercraft rentals and may be operated as a private business.

Accessory Use, Building or Structure – A subordinate use, building or structure customarily incidental to and located on the same lot occupied by the main use, building or structure. The term "Accessory Building" may include a private garage, garden shed, a private playhouse, and a private greenhouse. "Accessory Buildings" may be constructed without a primary use in some zones for recreational, agricultural, or construction storage.

Agricultural Use – A use involving the production, keeping, or maintenance for sale, lease or personal use of plants and animals useful to man, including but not limited to forages, grain and seed crops, dairy animals, poultry, beef, sheep, horses, pigs, bees, fur animals, trees, food of all kinds, vegetables, nurseries, and lands devoted to soil conservation or forestry management programs.

Alteration – A change, enlargement or rearrangement in the structural parts of a structure, whether by extending on a side or by increasing in height; or moving from one location or position to another.

Arena, or Sports Arena – A coliseum, stadium, arena or other place of public assembly for purposes of sport, equestrian and other animal, entertainment, athletic, recreational, craft fairs, shows, or other similar purposes and events (see definition of Event).

Bait and Tackle Shop – A retail establishment in which hunting and fishing equipment, supplies and accessories are sold to the public.

Basement – A story in a building having a floor below the finished grade at any point on the periphery of the building and having a structural ceiling at least four feet above the average finished grade along each side of the building facing the street (see cellar).

Bed and Breakfast – An existing residence which is used, in the manner of a home occupation, to provide overnight lodging with breakfast as part of the consideration and involving shared bath and dining facilities; also including youth hostels.

Building – See structure.

Building Contractor’s Storage Yard – A building or area of land where persons, firm or corporations engaged in the construction business, or a related field, store building materials, equipment and supplies used exclusively in that contracting business. Retail and wholesale sale of any contractor’s materials or supplies is prohibited.

Building Height – The vertical distance measured from the average elevation of the proposed finished grade to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

Building Inspector – The person **or consultant** charged by the Town Board with responsibility for administration and enforcement of this **law and responsible as Building Department Head**.

Business Service – Establishment primarily engaged in rendering services to businesses on a fee or contract basis, such as advertising and mailing, building maintenance, unemployment service, office equipment rental and leasing, commercial research, development and testing, photofinishing, and business supplies.

Camp and Conference Center – A site and group of structures facilitating the gathering of people, whether children, youth, adults or families; whether via pickup and delivery (as in the case of a “day camp” of multi-day duration); a one-day event; or a short-term event requiring the provision of overnight accommodations in permanent or semi-permanent structures. Food service, specialized facilities and staff support are provided promoting the particular purposes of the gathering, whether athletic, recreational, outdoor education, religious, cultural, or the sharing of information, and the conduct of organizational business. Year-round accommodations for staff may be provided.

Campground – A tract of land providing two or more sites (for rent or sale) for the temporary parking of recreational vehicles or the erection of tents or other portable sleeping accommodations.

Car Wash – A building, portion of a building, and/or area arranged, intended or designed to be used for the washing, spraying, waxing, polishing or drying of motor vehicles, and/or the vacuum or dry-cleaning of same, on a commercial basis.

Cellar – A space in a building with structural ceiling level less than four (4) feet above the average finished grade along any side of the building facing a street.

Cemetery – A place used for burials, whether in the ground or in mausoleums, provided that no new cemetery shall result in in-ground burials within a 100-year floodplain area or the construction of any mausoleum structure **(of greater than five hundred (500) square feet in size)**.

Community Wastewater System – Facilities serving two or more dwellings or properties with collection and treatment of wastewater prior to discharge to an approved disposal location.

Club, Membership – An organization catering exclusively to members and their guests, which is not conducted primarily for gain, provided there are not conducted any vending stands, merchandising or commercial activities except as required generally for the membership and purposes of such club. Accessory uses and/or structures may include such subordinate purposes as administration, operation, accommodations, and the sale of food and drink primarily to members and their guests.

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Cluster Development – Grouping of buildings (whether on individual lots or in condominium ownership) in proximities closer than permitted by the existing zoning and subdivision regulations in order to preserve open space and to minimize infrastructure improvements (also known as “conservation subdivision”).

Code Enforcement Officer – The person or consultant charged by the Town Board with responsibility for administration and enforcement of this law serving as or under the Building Department Head.

Community Center – A meeting house for the residents of a development (whether the homeowners of a large-scale residential development, the seasonal residents of a bungalow colony or resort, of the residents of a mobile home park), for such occasions and purposes as social, cultural, recreational, and community governance. Such a structure may be owned and operated either by the management of the development or a homeowners association, and shall be considered to be an accessory building.

Condominium – A mode of ownership wherein each unit of enclosed space may be owned in fee simple individually and separately from all others, but where all such owners have an indivisible interest in the common areas. Thus, they share ownership and attendant responsibilities for the provision, maintenance and/or repair of common internal facilities, utilities, services, exterior building surfaces, land, landscaping, parking, lighting and other outdoor facilities.

Convenience Retail Store – A retail store containing less than three thousand (3,000) square feet of gross floor area that is designed and stocked primarily to sell food, beverages, and household supplies to customers who purchase only a relatively few items.

Cooperative – A mode of ownership for which title is held jointly by a group of cooperators, each member owning a given number of shares in the corporation in proportion to the value of his individual dwelling unit, which he “owns” under an occupancy agreement. Each cooperator is assessed, according to the number of shares owned, for maintenance of common areas.

Custom Work, Shop for – A business premises used for the making of clothing, millinery, shoes or other personal articles to individual order and measure, for sale at retail on the premises only, not including the manufacture of “ready-to-wear” or standardized products.

Customary Residential Accessory Uses – Garden house, playhouse, tool house, greenhouse, swimming pool, satellite dish antennas and private garage; the keeping of domestic animals as pets; the raising of field and garden crops, vineyards, and orchard farming, provided such crops or produce are for the sole and exclusive use of the occupant or owner of the premises, and not for resale.

Density – The number of families, individual dwelling units or principal structures per unit of land.

Dwelling – A building designed or used as the living quarters for one or more families. The term “dwelling” shall include seasonal homes and mobile homes provided that they meet all requirements of this law, the building code, and all other regulations or ordinances applicable to dwellings.

Dwelling, Multi-family – A building or portion thereof containing more than two dwelling units but intended for single ownership. Single ownership is not intended to preclude cooperative or condominium ownership.

Dwelling, One-family – A detached building designed or occupied exclusively by one family and having two side yards, with at least 1,000 square feet of living area, the shortest dimension, longitudinally or transversely, of which must be at least 24 feet, erected on a permanent foundation, with/without basement and equipped for year-round occupancy.

Dwelling, Two-family – A structure containing two dwelling units.

Dwelling Unit – A building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, including any domestic servants employed on the premises, and having no enclosed space

(other than vestibules, entrance or other hallways or porches) or cooking or sanitary facilities in common with any other dwelling unit.

Event – With reference to the Arena or Outdoor Recreational Activity uses incorporated into this Chapter, an activity or occasion that is planned and intended for general public attendance.

Essential Services – The construction and maintenance of underground, surface or overhead electrical, gas, telephone, water and sewage collection systems along with normal accessory activities.

Extractive Uses (Mining) – A lot or land, or part thereof, used for the purposes of extracting stone, sand or gravel, as an industrial operation, and including quarries, stone crushers, screening plants, concrete product plants, storage of quarry screenings, accessory to such uses. This definition shall not encompass the process of grading a lot preparatory to the constructions of a building for which application for a building permit has been made.

Family – As many as six (6) persons living together as a single, permanent and stable nonprofit housekeeping unit, using all rooms in the dwelling and housekeeping facilities in common and having such meals as they eat at home generally prepared and eaten together with sharing of food, rent, utilities or other household expenses. Households or groups of more than six (6) persons living together shall not be considered families for purposes of this Law unless affirmative evidence is presented to indicate to the satisfaction of the Building Inspector that the household or group meets the other criteria contained herein.

Farm Stand – A building, whether fully or partially enclosed, that is intended for the display and sale of primarily locally raised agricultural produce and products.

Floor Area – The sum of the gross horizontal areas of the several floors of the building or buildings on a lot measured from the exterior faces of exterior walls or from the center line of party walls separating two buildings, excluding cellar and basement areas used only for storage or for the operation and maintenance of the building.

Floor Area Ratio – The floor area in square feet of all buildings on a lot divided by the area of such lot in square feet.

Garage, Parking – A building, not a private garage, used for the storage of automobiles, or trucks, and not used for making repairs thereto.

Garage, Private – An enclosed space for the storage of one or more vehicles, provided that no business, occupation or service is conducted for profit therein nor space for more than one car leased to a nonresident off the premises.

Greenhouse, Commercial – An enclosed structure of a permanent or temporary nature within which is conducted a commercial agricultural operation, generally the propagation of one or more horticultural species from seeds or cuttings to a stage fit for transplanting elsewhere or sale, including retail as well as wholesale operations.

Hazardous – Any material defined by the United State Environmental Protection Agency (EPA) as hazardous or toxic due to its characteristics, including but not limited to direct or indirect toxicity, radioactivity, explosivity, and flammability, or other characteristics as the EPA or its successors may revise from time to time.

Health Care, Rehabilitative and Medical Facilities – Any land use or facility that is devoted to human health care and maintenance, treatment of substance abuse problems or the provision of medical services, whether offered in a residential setting or as day-treatment.

Home-energy Generation Device – A device, used at a residence, for the purpose of providing a power source for the residence, whether driven by the wind, supplied from the sun or generated from some other resource (e.g. geothermal).

Home Occupation – Any use customarily conducted entirely within the principal structure and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the principal use and does not change the character thereof. Such occupations may include, but are not limited to, professions and trades, real estate and insurance offices, and beauty and barber shops.

Hospital – Unless otherwise specified, the term “hospital” shall be deemed to include sanatorium, nursing home, convalescent home, and any other place for the diagnosis, treatment or other care of ailments, and shall be deemed to be limited to places for the diagnosis, treatment or other care of human ailments.

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

Hotel – A building containing rooms used for overnight accommodations of those in transit, or for a short-term or extended business stays or short term personal stays. Single-room occupancy residential projects will not be considered to be hotels but shall be considered to be multi-family dwellings under the provisions of the Zoning Law. A hotel may have facilities that provide meals and other services within the main building or in an accessory building located on the hotel site.

Hunting Club – A privately held area of open space used by a non-profit organization for the purposes of recreational hunting and/or fishing on a non-commercial basis, which may be accompanied by a clubhouse, cabin, shooting range and similar accessory uses.

Industrial Park – A highly restricted type of planned industrial development in which special emphasis and attention are given to aesthetics and community compatibility and the property is developed according to a comprehensive plan which includes detailed provisions for streets and all necessary utilities as well as serviced sites for a community of industrial and industry-oriented uses.

Industrial Uses – Uses involving manufacturing or processing involving changing the nature, size, or shape of substances of raw materials, or recombining raw materials. Industrial uses may involve the use of chemical applications, heat, pressure or other mechanical processing methods.

Junkyard – An area of land with or without buildings used for or occupied by a deposit, collection or storage, outside a completely enclosed building, of used or discarded materials, such as waste paper, rags, scrap metal, or discarded material; tires; or used building materials, house furnishings, machinery, or parts thereof; with or without dismantling, processing, salvage, sale or use or disposition of same; including vehicle junkyard and wrecking facilities as further defined herein.

Kennel – A structure used for the harboring of more than five dogs or cats with attendant commercial services that may include boarding, grooming, breeding, raising, and/or veterinary care.

Lot – A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

- (a) Conforming – a lot having not less than minimum area and dimensions required by this law for a lot in the district in which such land is situated, and having its principal frontage on a street or on such other means of access as may be determined in accordance with the provisions of State law to be adequate as a condition of the issuance of a building permit for a building on such land.
- (b) Non-conforming – a parcel of land owned individually and separately, and separated in ownership from any adjoining tracts of land, which has a total area and/or dimensions less than prescribed by this law for a lot in the district in which such land is situated.

Lot, Corner – A lot at the junction of, or abutting on, two or more intersecting streets where the interior angle of intersection does not exceed 135 degrees. A lot abutting a curved street shall be deemed a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street lines intersect on an interior angle of less than 135 degrees.

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Lot Depth – The mean distance from the street line of a lot to the rear lot line of such lot, not to include the street or road right-of-way.

Lot Line, Rear – The lot line generally opposite the street line.

Lot Width – The shortest distance between side lot lines measured at the front yard setback line.

Manufactured (Mobile) Home – A structure, transportable in one or more sections, which is built on a permanent chassis and designed, to be used as a dwelling unit, when affixed to a permanent foundation or placed on a concrete slab, and connected to the required utilities. Manufactured home does not include a modular home.

Manufactured Home Park – A parcel of land under single ownership which has been planned and approved for the commercial renting of manufactured home sites.

Manufacturing, Light – Industrial uses such as manufacturing, processing and assemblage that are of a nonpolluting nature, particularly in regard to reservoir and ground water resources, and in regard to ambient air quality, noise and light radiation.

Modular Home – Factory-manufactured housing, subject to the requirements and regulations of the New York State Uniform Fire Prevention and Building Code, in which prefabricated components assembled at the plant are sent to a housing site in two (2) or more pieces, depending on the size and style of said housing, to be joined together to form a complete house on a permanent foundation.

Motel – A building containing overnight accommodations intended or designed to be used or which are occupied for sleeping purposes by transients and where meals may be served and which caters to the motoring public. The ordinary length of stay is overnight, but may extend as long as one week under unusual circumstances.

Nursery – A place where trees, shrubs, vines and/or flower and vegetable plants are propagated or grown for a period of at least six months and/or where flowers and vegetables of an annual variety are germinated before being offered for sale and transplanting. (Such definitions shall not encompass those retail establishments that buy the majority of their horticulture stock wholesale, not propagating it themselves).

Nursery School – A facility designed to provide daytime care or instruction for two or more children from infancy to five years of age inclusive, and operated on a regular basis.

Nursing and Senior Care Facilities – Any dwelling where persons are housed or lodged and furnished with meals and nursing care for hire.

Office, Business and Professional – A place or establishment used for the organizational or administrative aspects of a trade, or used in the conduct of a profession or business, and not involving the manufacture, storage, display or direct retail sale of goods. This may include, but is not limited to, offices of salesmen, sales representatives, architects, engineers, physicians, dentists, attorneys, insurance brokers, real estate brokers, and persons with similar occupations.

Permitted Use – A specific main use of a building, structure, lot or land, or part thereof, which this Law provides for in a particular district as a matter of right. Any use that is not listed as permitted, special use or accessory use shall be considered a prohibited use, unless a use variance shall have been granted by the Zoning Board of Appeals.

Permitted Use With Planning Board Approval – The specific main use of a building, structure, lot or land, or part thereof, which this Chapter provides for within a particular district as a matter of right only upon Planning Board approval and site plan review. Any use that is not listed as a permitted use, permitted use with Planning Board approval, special use or accessory use shall be considered a prohibited use, unless a use variance shall have been granted by the Zoning Board of Appeals.

Personal Services – An establishment primarily engaged in providing services involving the care of a person or personal apparel, such as a beauty parlor, barber shop, health and fitness center, tailor, or custom cleaning services.

Principal Structure – A building in which is conducted the main or principal use of the lot on which it is located.

Public Buildings and Uses – Structures and uses operated by a governmental agency (whether municipal, county, regional, state or federal) in the proper exercise of their jurisdiction.

Research, Design, and Development Laboratory – A building for experimentation in pure or applied research, design, development and production of prototype machines or of new products, and uses accessory thereto, wherein products are not manufactured for wholesale or retail sale, wherein commercial servicing or repair of commercial products is not performed, and wherein there is no outside display of any materials or products.

Resort – A parcel of land providing lodging, recreation and entertainment primarily to vacationers. A primary place of residence, a medical or other rehabilitative facility or a single-room occupancy residential project shall not be considered a resort.

Restaurant – A business enterprise engaged in preparing and serving food and beverages selected from a full menu by patrons seated at a table or counter, served by a waiter or waitress and consumed on the premises, with takeout food (if any) as an accessory use, but excluding fast food establishments.

Restaurant, Fast Food – A business enterprise primarily engaged in the sale of quickly prepared food and beverages selected by patrons from a limited line of prepared specialized items such as hamburgers, chicken, pizza, tacos, and hot dogs, for take-out and/or on-premises consumption. In the latter case, where orders are placed at a counter as opposed to table service via a waiter/waitress, in a facility where the floor area available for dining is less than one-half (1/2) of the gross floor area, and a major portion of the sales to the public is at a drive-in or standup type of counter. The term “Fast Food Restaurant” shall not include bakeries, delicatessens, or similar types of retail establishments. See also “Restaurant”.

Retail Establishments – Stores and shops where goods are sold primarily at retail. Such sales are primarily made directly to the consumer and include, but are not limited to, goods such as food and beverages; florists; shoes and clothing; hardware, paint and wallpaper; carpeting; hobby and crafts; books; furniture; antiques; art supplies; music; pharmacies; jewelry; photographic supplies; pets; gifts; stationery; sporting goods; fabrics; optical goods; launderette/laundromat, and such appliances; but excluding lumber yards, restaurants, and fast-food restaurants. Outside storage or display of goods for such is permitted only with Site Plan approval by the Planning Board.

River Related Recreational Facilities – Recreational facilities which are principally oriented toward river uses including but not limited to boat accesses and bases, bait and tackle shops, campgrounds, swimming areas, comfort areas, snack stands if part of a larger recreational facility, and other facilities which offer an array of recreational activities and services, but not including hotels, motels, restaurants, amusement parks, amenities installed for use by individual residents, and the like.

Room, Habitable – A room separated from other rooms by walls and doorways, but not including kitchens, bathrooms, or similar utility spaces, foyers or halls.

Satellite Earth Stations – Dish-shaped antennas designed to receive television broadcasts relayed by microwave signals from earth orbiting communications satellites.

Setback, Existing or Established – The median setback (front, rear or side) of all existing structures located on the same side of the street and within the same block and same zoning district.

Setback, Front – The required minimum distance from the building or use to the front lot line.

Setback, Rear – The required minimum distance from the building or use to the rear lot line.

Setback, Side – The required minimum distance from the building or use to any lot line other than to the front or rear lot lines.

Social Hall – A structure used for periodic non-profit social events such as church dinners, weddings, penny socials, and other public gatherings.

Soil Scientist – An individual with: (1) a Bachelor’s degree from an accredited institution in soil science or a related field with a minimum of two years professional experience in natural resources management; (2) a Master’s degree in soil science or a related field; or (3) a Professional Engineer licensed in New York State.

SPDES General Permit for Construction Activities GP-02-01 – A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.

SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems GP-02-02 – A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA-established water quality standards and/or to specify stormwater control standards.

Special Use – A use which, because of its unique characteristics, required individual consideration through a site plan review process by the Planning Board as established by Section 274A of the Town Law of the State of New York. Such a use may require the meeting of certain conditions and safeguards before being permitted.

Stabilization – The use of practices that prevent exposed soil from eroding.

Stable, Private – An accessory structure in which horses are kept for private use and not for hire, remuneration or sale.

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

State Building Construction Code – Rules and regulations relating to building construction as promulgated in the New York State Uniform Building and Fire Prevention Code.

Stop-Work Order – An order issued which requires that all construction activity on a site be stopped.

Storage, Bulk – The accumulation of wholesale quantities of raw or finished materials (solids, liquids and gases) preparatory to use in a manufacturing process, or to retail sales, a permanent reserve being maintained. Junk and scrap materials do not qualify for inclusion in this category.

Stormwater – Rainwater, surface runoff, snowmelt, and drainage.

Stormwater Hotspot – A land use or activity that generates higher concentrations of hydrocarbons, trace metals, or toxic substances that are found in typical stormwater runoff, based on monitoring studies.

Stormwater Management – The use of structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources, and the environment.

Stormwater Management Facility – One or a series of stormwater management practices installed, stabilized, and operating for the purpose of controlling stormwater runoff.

Stormwater Management Officer – An employee or officer designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board, and inspect stormwater management practices.

Stormwater Management Practices (SMPs) – Measures, either structural or non-structural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or non-point source pollution inputs to stormwater runoff and water bodies.

Stormwater Pollution Prevention Plan (SWPPP) – A plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

Stormwater Runoff – Flow on the surface of the ground resulting from precipitation.

Street – A street improved to the satisfaction of the Superintendent of Highways and one of the following: a street shown on the official map of the Town of Deerpark, or an existing Town, County, State highway or street shown on an approved subdivision plat, or a street shown on a plat filed with the County Clerk (in accordance with Section 280A of the Town Law) prior to the Planning Board’s authorization to review subdivision.

Street Line – The dividing line between a lot and a street right-of-way.

Structure – Structure means a combination of materials to form a building or other construction that is safe and stable and includes, among other things, stadiums, radio towers, sheds, storage binds, billboards, and display signs.

Surface Waters of the State of New York – Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial seas of the State of New York, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the State or within its jurisdiction. Storm sewers and waste treatment systems, including treatment ponds or lagoons, which also meet the criteria of this definition are not waters of the State. This exclusion applies only to man-made bodies of water which neither were originally created in waters of the State (such as a disposal area in wetlands) nor resulted from impoundment of waters of the State.

Trade Shop – A work shop of any person employed in a skilled trade such as, but not limited to, plumbing, electrical, heating and ventilating, painting, woodworking, carpentry and upholstery, printing and copying, machine printing, and general repair shops.

Utility, Private – Those normal and customary services to a building or group of buildings within a corporate park or subdivision necessary to provide heat, electric power, water, sanitary waste disposal, and/or fire protection.

Utility, Public – Any person, firm, corporation, or municipal agency duly authorized to furnish to the public, under public regulation, electricity, gas, water, sewage treatment, steam, cable TV, telephone, or telegraph.

Variance – A relief from the regulations of the law, granted on grounds of practical difficulties or unnecessary hardships, not self-imposed, by the Zoning Board of Appeals.

Vehicle and Equipment Sales – A building and/or area arranged, intended or designed to be used for the rental, lease, sale and/or resale of motor vehicles, new or used; boats or trailers; shipping containers and other equipment. A selection of motor vehicles, boats or trailers or other equipment may be displayed within a totally enclosed building but still others may require an outdoor area for their storage.

Vehicle Junkyard and Wrecking – An area of land, with or without buildings, used for or occupied by a deposit, collection or storage outside a completely enclosed building of used or discarded motor vehicles, or parts thereof, with or without the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles and their parts. A deposit, collection or storage on a lot of two or more motor vehicles no longer in condition for legal use on the public highways, or parts thereof, for sixty days or more in a residential district, or for ninety days or more in a non-residential district, shall constitute a motor vehicle junkyard. Farm machinery and off-highway vehicles and equipment utilized in agricultural operations shall not be deemed to constitute a motor vehicle junkyard.

Vehicle, Recreational – A vehicular unit or structure primarily designed as temporary housing 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: travel trailer, camping trailer, truck camper, and motor home.

Vehicle Service Establishment – A building, or a portion of a building, arranged, intended or designed to be used for making repairs to motor vehicles, their mechanical systems and their body structure (including painting). This category is intended to include, but is not limited to, “jiffy lubes”, and such repair shops as specialize in transmissions, mufflers, tires, as well as the sale of gasoline or any other motor vehicle fuel or oil or other lubricating substances.

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Warehouse – A building, or part of a building, for storing of goods, wares, and merchandise whether for the owner or for others, and whether it is a public or private warehouse.

Warehouse, Self-storage – A compartmentalized warehouse in which the renter of a self-contained storage unit has direct access to the space.

Worship, Place of – A structure used for religious observances, such as a church, a synagogue or a temple, including a church school building, a parish office, a social hall, and a storage building. A rectory or parsonage of no more than 3,000 square feet of floor area for a single family may also be included on the same lot but shall meet the requirements applicable to a single-family dwelling and be limited to occupancy by clergy and their family.

Yard – A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitation and requirements limiting obstruction of visibility.

Yard, Front – A yard extending between side lot lines across the front of a lot adjoining a public street. In the case of through lots or corner lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages.

Yard, Rear – A yard extending across the rear of the lot between inner side yard lines. In the case of through lots, there will be no rear yard, but only front and side yards.

Yard, Side – A yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of through lots, side yards shall extend from the rear lines of required front yards. In the case of corner lots, one of the yards remaining after the designation of front yards shall be considered the side yard, and the other the rear yard.

Zoning Officer – Chief Operating Officer, Building Inspector, Planning Board Chairman or consultant designated to direct the zoning procedures through the use of this ordinance. Zoning Officer is appointed by the Town Board.