

Zoning Amendments

EFFECTIVE DATE: JUNE 1, 2017

1. The Westchester Village Zoning District (WV), does not have a minimum front setback listed in Section 5.7 of the Regulations. The prior regulations had a minimum 50 foot setback in the Westchester Commercial Zone.

Amend Section 5.7.7

Minimum front side and rear Yard – Front yard setback shall be fifty (50) feet. No side or rear Yard required between abutting Lots where both are used for commercial purposes. Where a Lot abuts a strictly residential use and not a mixed or non-residential one, ten (10) feet shall be maintained, which Yard shall not be used for parking, loading or storage.

2. In the Arterial Commercial District (AC), a rear setback is not listed in Section 7.4.4.

Amend Section 7.4.4

Side and Rear Yard Setback are not required for areas that are adjacent on a side or rear to another non-residential use. In the case where a non-residential use abuts an existing residential use, the setback shall be seventy-five (75) feet.

Amendment to Section 8.10 DESIGN AND SITE DEVELOPMENT STANDARDS:

3. The regulations under Section 8.10.1.B Residential Lot Access under item 2 states "Driveways into a Lot shall have proper alignment and grade, not to exceed one percent (1%) in thirty (30) feet extending in from Town Roads." The issue with only allowing 1% in the first 30 feet end up requiring the driveway to be a steeper grade further into the property. The intent of the 1% restriction is that a vehicle can pull onto a relatively level surface when exiting a road and the 30 foot length is to ensure the vehicle can get completely off the road and not impede traffic. The Town Engineer has stated he believes the increase to 3% from 1% will not have an impact but, in no case, including in a variance request, should the driveway grade ever exceed 3% in the first 30 feet. The Town Engineer does support the increase to 3% because it will allow the driveway to be on a shallower slope for the portion of the driveway that is further than 30 feet from the entrance.

Section 8.10.1.B.2 will be replaced with the following:

Driveways into a Lot shall have proper alignment and grade, not to exceed three percent (3%) in thirty (30) feet extending in from Town Roads. No Driveway shall be greater than fifteen percent (15%) Slope at any point. Any Driveway, at any point, having a grade of ten percent (10%) or more, but not exceeding fifteen percent (15%), shall be paved for the entire length of the driveway. There shall be no exceptions from this Section.