

SPECIAL USE - A use or activity, which because of its characteristics, is not permitted as a matter of right in a zoning district but may be considered on an individual case by case basis by the Planning Board. In accordance with the provisions of this law, the Planning Board may recommend certain conditions and safeguards including, but not limited to, hours of operation before such a use is permitted.

SPECIAL USE PERMIT - A permit, issued by the Planning Board, authorizing a particular land use, in a particular zoning district, subject to conditions imposed herein to assure that such use is in harmony with and will not adversely affect the neighborhood in which it is located.

SPECIFIED ANATOMICAL AREAS - The male genitals and/or the vulva or more intimate parts of the female genitals, the male or female anus or the areola and/or nipple of the female breast.

SPECIFIED SEXUAL ACTIVITY OR DEPICTION - Activities or depictions which imply or suggest sexual conduct, including but not limited to:

- A. The human genitals in a state of sexual stimulation or arousal;
- B. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
- C. Sex acts, normal or perverted, actual or simulated, including but not limited to intercourse, oral copulation or sodomy;
- D. Masturbation, actual or simulated;
- E. Masochism, erotic or sexually oriented torture or flagellation, beating or infliction of pain;
- F. Erotic touching, fondling or other such contact between an animal and a human being; or
- G. Excretory functions as part of or in connection with any of the activities or depictions set forth in A. through F. above.

SPORT FACILITY - A structure or building and/or space consisting of 10,000 sq. feet in area or less, operated and owned by a private or non-profit entity, used primarily for playing or practicing one or more sports, including, but not limited to, skating activities, swimming, gymnasium activities, baseball, golf, tennis, racquetball, or lacrosse. Accessory use within sports facilities may include locker rooms, changing rooms, training rooms, vending machines and non-alcoholic juice bars. Use of sports facilities shall be limited to participants or trainees, coaches, owners and employees of the sport facility.

STORY - The part of a building comprised between a floor and the floor or roof next above it. A basement shall be considered a "story." A cellar shall not be considered a "story."

STORY, HALF - That portion of a building situated above a full story and having at least two (2) opposite exterior walls meeting a sloping roof at a level not higher above the floor than a distance equal to one-half (1/2) the floor-to-ceiling height of the story below. An attic with a finished floor shall be considered a "half story."

STREET - An existing public or private way which affords principal means of access to abutting properties and is suitably improved; or a proposed way shown on the Official Map and recorded in the office of the County Clerk. (See "alley.")

STREET, LOCAL - A street or road designed primarily to provide access to abutting properties.

STREET, MARGINAL ACCESS - Those streets which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.

STREET, PRIMARY - A street which serves or is designed to serve heavy flows of traffic and which is used primarily as a route for traffic between communities and/or other heavy traffic areas.

STREET, PRIVATE - A drive that services or is designed to serve no more than two (2) principal uses and is built to village specifications, that remains in the ownership of and is maintained by the developer or development association and is not dedicated to the village.

STREET, PUBLIC - A road or street that serves three (3) or more principal uses, that is built to village specifications and is dedicated to the village for maintenance.

STREET, SECONDARY - A public street which serves or is designed to serve as a trafficway for a neighborhood or as a feeder to a primary street.

STRUCTURE - A static construction of building materials, framed of component structural parts for occupancy or use, including buildings, stadiums, platforms, towers, sheds, display stands, storage bins, signs, fences, reviewing stands, gasoline pumps, mobile dwellings and the like.

SWIMMING POOL - An artificial pool of water having a depth at any point of more than thirty (30) inches and a surface area of greater than one hundred (100) square feet, designed or intended for the purpose of bathing or swimming, and including all appurtenant equipment.

SWIMMING POOL, PRIVATE - A swimming pool operated as an accessory use to a residential dwelling unit or units and located on an individual residential lot or site.

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

TOWNHOUSE - A building consisting of three (3) or more attached single-family dwelling units, each having separate entrances and common vertical party walls. (See also "building, semidetached.")³

TRANSFER OF OWNERSHIP OR CONTROL - A change affecting a lot, building or use which includes any of the following:

- A. The sale, lease or sublease of a lot, building, any portion thereof or the use thereof; or
- B. The transfer of securities which constitute a controlling interest in a lot, building, portion thereof or use thereof whether by sale, exchange or similar means; or
- C. The establishment of a trust, gift or other similar legal device, which transfers the ownership or control of a lot, building, portion thereof or the use thereof.

TRAVEL TRAILER - A registered vehicle which is used or designed to be used for seasonal

and/or temporary living or sleeping purposes and which is customarily standing on wheels or rigid supports. A recreational vehicle ("RV") is also considered a "travel trailer."

TRUCKING TERMINAL - A building or part of a building or premises for the storage and/or transfer of goods, wares and merchandise for the owner or others by truck transport.

USE - This term is employed in referring to:

- A. The purpose for which any buildings, other structures or land may be arranged, designed, intended, maintained or occupied; or
- B. Any occupation, business activity or operation conducted in a building or other structure, or on a lot.

USE, PRINCIPAL - The main or primary purpose for which a building, other structure and/or lot is designed, arranged or intended or for which it may be used, occupied or maintained under this chapter.

VEHICLE SALES AREA - A premises, including open areas other than a street or way, and enclosed showrooms for the display and sale of new or used automobiles, trucks, trailers, motorcycles, boats and/or recreational vehicles.

VETERINARY HOSPITAL - A building for the treatment of animal illness, including facilities for boarding animals receiving treatment.

WAREHOUSE - A building or premises for storing of goods, wares and merchandise, whether for the owner or for others, whether publicly or privately owned or used.

WAY - A thoroughfare, however designated, permanently established for passage of persons or vehicles.

WHOLESALE (STORE, BUSINESS, ESTABLISHMENT) - A business establishment engaged in selling to retailers or jobbers rather than directly to consumers.

WIND ENERGY CONVERSION SYSTEM (WINDMILL) - Any mechanical device designed for the purpose of converting wind energy into electrical or mechanical power.

YARD, FRONT - An open area extending the full width of the lot between the street right-of-way and the building line projected to the side lot lines.

YARD, REAR - An open area extending the full width of the rear lot line situated between the rear lot line and the building line projected to the side lot lines-

YARD, REQUIRED - That portion of the open area of a lot extending open and unobstructed from the ground upward, along a lot line for a setback depth or width as specified by the bulk regulations of the district in which the lot is located. No part of such yard shall be included as part of a yard or other open space similarly required for buildings on another lot.

YARD, SIDE - An open area extending between the building line and the side line of a lot and

extending from the front yard rear line (or from the front lot line, if there is no required front yard) to the rear yard front line (or to the rear lot line if there is no required rear yard)-