

93. Mobile Home Park: Any lot, parcel or tract of land or portion thereof, together with the open space and facilities required by this Ordinance, used, designed or maintained, and having mobile home spaces as defined herein, available for lease to accommodate mobile homes as defined herein, or any premises on which two (2) or more mobile homes are located and occupied, regardless of whether or not any compensation is provided. Mobile homes being used as farm employee dwelling units shall not be considered a mobile home park.
94. Mobile Home Stand: A mobile home stand is a durable surface located on a mobile home lot which is to be used for placement and capable of supporting a mobile home.
95. Modular Home: A prefabricated dwelling unit which is constructed off site in two or more segments or sections, designed and constructed without a permanent chassis or undercarriage, which is permanently assembled upon a foundation and meets all applicable standards of the New York State Uniform Fire Prevention and Building Code.
96. Nonconforming Building: A building or structure existing at the time of enactment of this Ordinance or as a result of amendments thereto, which does not conform to the area regulations of the district or zone in which it is situated.
97. Nonconforming Use: A use of land existing at the time of enactment of this Ordinance or as a result of amendments thereto, which does not conform to the use regulations of the district or zone in which it is situated. The filing or approval of a map or a plan including a subdivision map or plan prior to the effective date of this Ordinance shall not constitute a "use of land" within the meaning of this definition.
98. Nursing Home: An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.
99. Office Building: A building that is divided into offices, either singles or suites, for the transaction of business other than for mercantile or manufacturing purposes where merchandise is on display and offered for sale. Offices used for a professional business or for public or semi-public activities in whole or part are included in this definition.
100. Open Space: Land not covered by buildings, parking lots, open storage, mining operations, or any other use that visually obscures the natural or improved landscape.

101. Open Space Recreation: Any recreational activity, particularly oriented to and utilizing the outdoor character of an area; including but not limited to, cross-country skiing; hiking; back packing; bicycling; riding; playing on playground equipment; picnicking, snowmobiling, trail biking, jeep riding or use of all-terrain vehicles.
102. Park: A tract of land, designated and used by the public, for active and passive recreation.
103. Parking Lot: Any space for the storage of more than three (3) vehicles on a continuing basis, such space either being for hire or accessory to an existing building or use of land.
104. Parking Space, Off-Street: An off-street area or berth which is at least nine (9) feet in width and eighteen (18) feet in length, with an appropriate means of vehicular access to a street, intended for the temporary storage of vehicles.
105. Person: Any individual, corporation, partnership, association, trustee, or other legal non-governmental entity.
106. Personal Service Establishment: A commercial operation, office, store or other place of business catering to the personal needs of a customer, such as normally conducted by a beautician, tailor or dressmaker.
107. Pharmacy: A retail business where medicines are compounded and dispensed.
108. Plan: The design of a development, including a plat or subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, private streets, ways and parking facilities.
109. Planned Unit Development: A tract of land which is planned and developed as a unit with a grouping(s) of residential, commercial or industrial buildings together with their accessory buildings, and all appurtenant roadways, parking areas, loading areas, open spaces, and service buildings and facilities.
110. Professional Offices: The office of a doctor, lawyer, engineer, architect, dentist, accountant, insurance agent, real estate broker, income tax preparer, or other similar professionals.
111. Public Utility Use: A building, structure, or location with other appurtenances used for or in connection with the transmission, distribution

or regulation of water, gas, electric, telephone, or other public utility service.

112. Public & Semi-Public Use: Land use or buildings under the auspices of a governmental unit, public agency or those involving public benefit or advantage; hospitals, cemeteries, passenger stations, fire stations, government offices or facilities (i.e. Town garage, landfill operation, water or waste material treatment or pumping facilities, etc.) community centers and like uses are included in this definition.
113. Quick-Stop Retail Food Store: A commercial facility selling basic foods and household items. The intent of such a facility is to address transient or last minute needs, not supply a full complement of groceries and household supplies.
114. Recreation Areas: Land or structures designed for conventional recreation pursuits.
115. Recyclables Handling and Recovery Facility: A solid waste management facility, other than collection and transfer vehicles, at which recyclables are separated from the solid waste stream, or at which previously separated recyclables are collected.
116. Research and Development Center: An establishment or other facility for carrying on investigation on the natural, physical or social sciences, or engineering and development as an extension of investigation with the objective of creating end products.
117. Restaurant: An establishment where food and drink is prepared, served and consumed primarily within the principal building, but may include catering.
118. Retail Business: Any building or structure in which one or more articles of merchandise are sold at retail, including department and grocery stores. Retail outlets in which minor manufacturing or processing are incidental to the sale of goods or services on the same premises (i.e. bakery, jeweler, cleaner, photographer, tailor, potter, etc.) are included in this definition.
119. Satellite (Dish) Antenna: Any parabolic dish and/or other device(s) or equipment of whatever nature or kind, whose purpose is to receive television, radio, microwave, or other such signals, or communications, from orbiting satellites.
120. Sawmill: Any building, site or place used for the sale, storing, cutting or milling of raw timber into dimensional lumber.

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121. School: An educational institution housing a curriculum, a physical plant consisting of adequate facilities, and a qualified staff to carry out the institution's objectives.
122. Screening: Fences, berms, bushes, or trees or other natural and/or artificial material which obscures the visual character of any given building or use of land.
123. Setback: The minimum horizontal distance from the property line to any structure, roadway, parking area, accessory building or such other improvement on a lot, except necessary driveways.
124. Sewerage, Private: An on-site method of sewage treatment (usually a septic tank and a drainage field or fields) designed, installed, operated and maintained by the owner of the premises in accordance with the requirements and standards outlined in the New York State Department of Health's Waste Treatment Handbook, Individual Household Systems.
125. Sewerage, Community: A system whereby water-borne wastes from toilets, wash laundry, and/or other facilities in dwellings, accessory buildings, business or industrial establishments or any combination thereof on two (2) or more lots are treated and are discharged into the ground or through an outfall sewer into an acceptable stream or other permanent body of water which is acceptable to applicable standards of the New York State Department of Health and the New York State Department of Environmental Conservation.
126. Soil Disturbing Activity - Any activity which directly or indirectly changes the natural topography or vegetative cover of more than one (1) acre of land by any kind of soil disturbance (including but not limited to, excavation, grading and filling), or by the cutting of trees or clearing of any type of vegetation.
127. Sign: Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, demonstrations, symbols, fixtures, colors, illumination or projected image.
128. Sign Area: Means the total area of all faces or surfaces of a sign anywhere upon which writing or any illustrative, emblematic or other artistic or expressive matter appears; in cases where such writing or other expressive matter is not set against any face or surface, the total area within a single continuous rectangular perimeter enclosing the extreme limits of such matter shall constitute the sign area. If the sign area is composed of two

(2) surfaces back-to-back, the area of the larger side shall constitute the total sign area.

129. Stable/Riding Academy: An establishment primarily engaged in providing horseback riding instruction, and/or the boarding of horses, including customary accessory buildings and uses.
130. State Environmental Quality Review Act (SEQR): As codified in Article VIII of the Environmental Conservation Law and the implementing regulations codified in Title 6 of the New York Code of Rules and Regulations Part 617.
131. Storage Shed: Any structure used to store equipment, supplies, tools, etc., which is subordinate to or supports the activities of the principal use or structure. In no case shall a storage shed exceed 240 sq. ft.
132. Stormwater Management: The environmentally sound management of water runoff from any construction or building site which includes a physical disturbance of one (1) acre or more and is subject to the requirements of NYSDEC's Phase 2 Stormwater Management Permit program for construction-related activities.
133. Street: A public or private way which affords the principal means of access to abutting properties. The term "street" includes the terms "avenue", "place", "way", "drive", "lane", "boulevard", "highway", "road" and any other thoroughfare.
134. Street, Centerline: The line determined by connecting the mid-points of the surfaced portion of any street, road or highway.
135. Streetline: For the purpose of this Ordinance, streetline shall be the highway right-of-way line.
136. Structure: Anything constructed or erected, the use of which requires location on or in the ground or attachment to something having location on or in the ground.
137. Subdivision: The division of a single parcel into two or more lots, plots sites or other divisions of land for immediate or future sale or for building development whether or not the subdividing creates a street. The term "subdivision" is used to denote the act of subdividing or the property which is subdivided. (*See Town of Northumberland Subdivision Regulations*).

138. Swimming Pool: Any body of water or receptacle for water having a depth at any point greater than two (2) feet, used or intended to be used for swimming, and constructed, installed or maintained in or above the ground. A swimming pool shall be deemed a structure for all purposes under the provisions of this Ordinance.
139. Tavern: An establishment used primarily for the serving of liquor by the drink to the general public and where food or packaged liquors may be served or sold only as accessory to the primary use.
140. Theater: A place of assembly for the showing of movies and the production of plays and special events.
141. Travel Trailer: Any portable vehicle, including a tent camper, truck camper or motor home, which is designed and intended to be used for temporary living quarters for travel, recreational or vacation purposes, and which may or may not include all of the accommodations and facilities customarily included in a mobile home.
142. Truck Terminal: An area and building where cargo is stored and where trucks are stored, repaired, and cargo is loaded or unloaded on a regular basis.
143. Veterinarian Clinic/Hospital: A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.
144. Utility Facility Structures: Facilities, such as but not limited to, electric lines and poles, gas mains, water mains, sewer and communication lines. This also includes any subsidiary utility substations such as but not limited to electric, gas, water, sewer and communication.
145. Warehouse: A building designed or used as a wholesale storage and/or distribution center.
146. Water Supply, Private: A supply of potable water from a reliable source adequate to meet the daily needs of a dwelling and its permitted accessory building or a business or an industry.
147. Water Supply and Distribution System, Community: A supply of water from a reliable source adequate to meet the daily needs of dwellings and their permitted accessory buildings or business or industrial establishments or any combination thereof on two (2) or more lots or parcels of land and having a system of intake conduits or pipes, pumps, purification and storage equipment and facilities, hydrants and other ancillary equipment,

and a system of distribution mains and pipes whereby the potable water is conducted to the dwellings, accessory buildings, business or industrial establishments or any combination thereof located on the lots served by the system. Such system shall be approved for potability, adequacy and reliability by the New York State Department of Health and the New York State Department of Environmental Conservation.

148. Wholesale Storage and Trade: Establishments or places of business primarily engaged in the storing of merchandise and selling of same to retailers; industrial, commercial, institutional, or professional business users, or to other wholesalers.
149. Yard: An open space on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein.
150. Yard, Front Setback: An open unoccupied space on the same lot with a principal building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the highway right-of-way. Covered porches, whether enclosed or unenclosed, shall be considered as part of the principal building and shall not project into a required front yard.
151. Yard, Rear Setback: An open space extended across the entire width of the lot between the rear wall of the principal building and the rear line of the lot.
152. Yard, Side Setback: The space extending from the front yard to the rear yard and from the side lot line to the part of the principal building which is nearest to such side lot line.
153. Zoning Administrator: Individuals appointed by the Town Board for the purpose of administering and enforcing the New York State Building and Fire Code and the Town's Zoning Ordinance.