

**ARTICLE VII  
COMMERCIAL/RESIDENTIAL DISTRICT & HAMLET DISTRICT  
PERFORMANCE GUIDELINES**

**A. Purpose**

The Town of Northumberland recognizes that its NYS Route 50 corridor and the hamlet districts are important assets of the Town, reflecting a combination of commercial/ business and residential land uses. It is the intention of the Town to allow for the continued siting of certain well-designed residentially compatible commercial/business uses along the Route 50 corridor and in the Town's Hamlet areas which meet the following design guidelines subject to site plan review and the issuance of a special permit from the Town's Planning Board.

**B. Commercial/Residential & Hamlet District Design Guidelines**

All commercial/business uses identified in this ordinance's Commercial/ Residential District and Hamlet District schedule of uses and area and bulk regulations must also meet the following design guidelines, whenever feasible, in addition to the requirements of the aforementioned schedule:

1. Harmony in Scale: In many instances, the scale of new commercial structures is inharmonious with pre-existing residential buildings and their surroundings. The Planning Board should review each application for new commercial/ business structures within these Districts to determine its compatibility of scale with the existing nearby residential structures. Wherever possible, the Planning Board should require the applicant to design the scale of commercial and business structures to be compatible with the scale of existing structures within the area.
2. Setbacks: Where nearby existing buildings within these Districts reflect pre-zoning front setbacks creating a characteristically close relationship with the Route 50 corridor, it is highly desirable to continue this pattern in order to retain the area's character. Therefore, the maximum setback of new construction should harmonize with the average set-backs of existing adjacent buildings. Where commercial or business development is proposed adjacent to a residential use, a side yard setback of 30 feet shall be required for any buildings, parking or storage areas. This area is to be used as a buffer zone and shall be appropriately landscaped as required by the Planning Board.
3. Harmony in Façade Design: Proposed commercial and business development within these Districts should utilize design guidelines for structure façades which would allow for these uses to fit "comfortably" within

the existing Route 50 corridor surroundings and Hamlet areas within the Town. Façade requirements should be determined by the Planning Board on a case by case basis utilizing on-site inspection and the Board's site plan review process for assuring the proposed commercial/business use's exterior design "fits into" the Districts' neighborhood

4. Signage: The goal of regulating signage is to encourage legible signage for commercial and businesses located within the Route 50 corridor and Hamlet areas to enable the identification of goods and services available, while deterring excessive visual competition which degrades the quality of these District's visual character. All signs to be located within these Districts are subject to the review and approval of the Town Planning Board. Large, free-standing signs are prohibited within the C/R and Hamlet Districts. The Planning Board should require applicants to utilize the smallest sign possible, and in no instance shall the area of said sign be in excess of 10 square feet. Whenever possible, small freestanding signs shall only be permitted in the Commercial/Residential and Hamlet Districts when sited in conjunction with vegetative landscaping designed to integrate the sign into the adjoining residential character of these Districts.
5. Traffic Access and Circulation: As commercial areas become more densely developed and as traffic volumes increase, highways become more congested and traffic accidents increase. Many of these accidents are in large part due to poorly controlled vehicular circulation and poorly designed road access points. The Planning Board shall require that all commercial/business use access within the C/R and Hamlet Districts be limited to a single curb cut and, whenever possible, utilize existing side streets for ingress and egress where they abut the premises.
6. Parking: The visual impact of parking areas within these Districts' largely residential areas can easily be reduced through proper siting and the use of landscaped buffers. Parking areas within the District shall only be allowed, unless unfeasible, at the side or to the rear of buildings. Parking areas must also be screened along lot lines bordering residential uses. Screening shall consist of a landscaped area at least six (6) feet wide, densely planted with a mixture of deciduous and evergreen trees and shrubs, and shall create an effective visual barrier. All trees shall be a minimum of 2" trunk diameter when planted and native trees and shrubs shall be utilized, wherever possible. Parking lots containing ten or more spaces shall be planted with at least one tree per eight spaces, with each tree being surrounded by no less than 40 sq. ft. of permeable, unpaved area.
7. Buffers/screening: The Planning Board is encouraged to require adequate buffer and screening of all commercial and business uses within the C/R and Hamlet Districts, as appropriate, as part of its site plan review function. Open storage areas, exposed machinery, and outdoor areas used for the storage and collection of rubbish, must be visually screened from roads and surrounding

land uses. Suitable types of screening include natural colored wood fences and dense evergreen hedges of five (5) feet or more in height. Where evergreen hedges are proposed, a temporary fence should be built to provide screening until the evergreens are of sufficient height. In locations where potential health or safety hazards may arise (such as rubbish storage/collection areas), a solid wooden fence, six (6) feet in height is required to deter children and animals from entering the area. Where new fencing would create a continuous surface greater than ten (10) feet in length, it shall be "softened" visually with tree and shrub plantings.

8. Noise: Due to the proximity of residential uses near commercial/ business uses within these Districts, excessive noise emanating from commercial/ business uses will not be allowed and are subject to the requirements of Town of Northumberland Local law # 2 of 2005.
9. Air Emissions: Emission of dust, dirt, flyash, odors, fumes, vapors, or gases which could be injurious to human health, animals, or vegetation and detrimental to the enjoyment of adjoining or nearby properties, which are produced by any commercial or business establishment located within the C/R and Hamlet Districts shall be prohibited. Violation of this prohibition shall be determined by the Town of Northumberland Zoning Administrator and shall be grounds for the revocation of the commercial use's or business' special permit.
10. Lighting and Glare: Overspill from tall, unshielded or unfocused floodlights; parking lot luminaires; and security lighting can cause excessive glare and unwelcome illumination on neighboring properties. This is particularly bothersome with regard to fugitive light impacts on nearby residential structures, but can also cause traffic safety problems if intense rays from such fixtures are cast into the line of vision of drivers traveling along nearby highways and streets of the C/R and Hamlet Districts. The Planning Board is encouraged to require all commercial and business uses within these Districts to utilize reasonable lighting intensities and outdoor lighting fixtures that provide adequate shielding to prevent fugitive illumination from affecting nearby residential uses.
11. Use of Commercial/Business Parks: Potential commercial and business uses are also encouraged to utilize larger parcels of land within 1000 feet of NYS Route 50 to create suitable, well-designed commercial and business parks which could allow direct access to this NYS highway. It is suggested that applicants wishing to explore this commercial development concept may want to utilize Article V, Planned Unit Development section of this ordinance.