

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Smithtown, Suffolk County, State of New York met at the Victor T. Liss Board Room, Town Hall, 99 West Main Street, Smithtown, New York, on the 3rd day of November, 2015 at 2:00 PM, time then in effect and duly adopted amendments to Chapter 322 of the Code of the Town of Smithtown entitled Building Zone Ordinance as it relates to commercial uses as follows:

Additions indicated by underlines

Deletions indicated by ~~strikeouts~~

§322-3. Word usage; definitions.

B. Definition of terms. As used in this chapter, the following terms shall have the meanings indicated:

~~COIN OPERATED MACHINES – All machines purveying a service or commodity located on the outside of a structure, either attached thereto or freestanding upon the premises. - Said machines may be operated with coins or tokens.~~

~~COMMERCIAL CENTER—A use of land, buildings or structures by one or more enterprises for a commercial purpose specifically permitted within the particular zone district in which this term is applied, where the proposed use occupies a site of two or more acres or where the total floor area of the buildings or structures is 15,000 square feet or more, in each case whether built at one time as a unit or in two or more construction stages.~~

§322-8.B. Table of Use Regulations.

| BUSINESS USES | BUSINESS | | INDUSTRIAL | |
|-----------------------------------|----------|----------|------------|----------|
| | SCB | NB | CB | WSI |
| Coin-operated machines | P | P | P | P |

ARTICLE III

DISTRICT REGULATIONS

§322-11. Prohibited uses.

- B. No building, structure, lot or land in any district within ½ mile of the Nissequogue River, measured from the bank of the river at any point downstream from Veteran’s Memorial Highway or Brooksite Drive, shall be used for the following uses:

~~Discotheque~~ Dance club

ARTICLE IV

SUPPLEMENTARY USE AND BUILDING REGULATIONS

§322-12. Placement of accessory buildings, structures and uses.

- I. Outdoor storage and display shall not be permitted in any district except as an accessory use and in accordance with the following:

- (3) For uses other than one- and two-family dwellings, refuse containers or compactors must be screened from view from adjoining properties and highways, ~~by being enclosed on three sides by six-foot high decorative walls of the same material and design as the principal building. The Board of Site Plan Review may allow a wall or fence of different materials, provided that the Board determines that the materials would reduce the visual contrast with the surrounding environment.~~

§322-20. Required buffer yards and screening adjoining residential districts.

- ~~E. On all sites reviewed by the Board of Site Plan Review, there shall be in-ground irrigation systems adequate to cover all landscaped areas between the building setback line and any public street, unless otherwise determined by the Board of Site Plan Review.~~

ARTICLE XIII

SITE PLAN REVIEW

§322-87. Compliance and Standards

- A. The Board’s review of the application and plans shall include but not be limited to verifying and/or considering the following:

- (10) Before the Board may approve a site plan containing residential units, such site plan shall also show, when required by the Board, a park or parks suitably located for playground or other recreational purposes or a sum of money in lieu thereof in conformity with §274-a of the Town law.

DELETE IN ITS ENTIRETY §322-22. COMMERCIAL CENTER AND REPLACE WITH THE FOLLOWING:

§322-22. (RESERVED)

DELETE IN ITS ENTIRETY §322-28. COIN OPERATED MACHINES AND REPLACE WITH THE FOLLOWING:

§322-28. (RESERVED)

Dated: November 3, 2015

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF SMITHTOWN
VINCENT PULEO
TOWN CLERK