

LOCAL LAW No. 1 of 2015
Amendments to the Code of the Town of Pawling
Chapter 215 Zoning
RE: Gas Filling Stations, Commercial Garages and Convenience Stores

Adopted: April 8, 2015

NOTE: The zoning law text below is from the Code of the Town of Pawling; and is shown as the adopted, amended text without any highlighting. Please refer to the highlighted version of this local law, which shows proposed amended text and text to be deleted, as needed.

Chapter 215. Zoning

1. Article II, entitled Definitions, Section 215-3 Definitions shall be revised to include the following new and revised terms and definitions, inserted in the proper order in this section, to read as set forth below. The remainder of section 215-3 shall remain as currently set forth in the code:

Article II. Definitions.

§ 215-3. Definitions.

COMMERCIAL GARAGES - A commercial establishment, in which motor vehicles are repaired, serviced. Such establishment may or may not be part of a Gasoline Filling Station/Convenience store.

GASOLINE FILLING STATION/CONVENIENCE STORE - Commercial garages and a gas station with commercial stores located on the premises for the sale of petroleum products, gas, diesel and any other products associated with the vehicle industry are with the retail of usual allowed convenience store items, such as food staples and household items over the counter. Only over the counter service is allowed.

Article IV. District Regulations

§ 215-15. Permitted uses.

#. The Schedule of Permitted Uses, for the HB (Highway Business) zoning district, referenced in Article IV District Regulations, section 215-15 Permitted Uses, shall be amended to add the following uses to the schedule's column listing Principal Uses:

- Commercial garages; and
- Gasoline filling station/convenience store.

#. Article V Supplementary Regulations shall be revised and renumbered to include the following revised supplemental requirements for Gas Filling Stations, Commercial Garages and Convenience Stores (revised section 215-28); and to add a new set of supplemental requirements for Commercial Garages (new section 215-28.1) as set forth below:

Article V. Supplementary Regulations.

§ 215-28. Gasoline filling stations, commercial garages and convenience stores.

- A. In no case shall a commercial garage and/or gasoline filling station be located nearer than 3,000 feet to any existing gasoline filling station/convenience store or any site previously approved for such use and not as yet terminated as provided in this chapter. The distance shall be measured between the nearest two points located any place on the property boundaries fronting on NYS Route 22 on each parcel in question. The north and south bound lanes of Route 22 should be measured separately.
- B. A multi-business operation must have a common entrance, whether or not the businesses have more than one owner.
- C. Pumps, lubricating and other dispensing devices, except air pumps, shall be located at least 50 feet from any adjoining lot line or street right-of-way.
- D. All motor fuel, oil or similar substances shall be stored at least 50 feet distant from any adjoining lot line or street right-of-way. In addition, all motor fuel shall be stored underground and in conformity with the latest edition of the Uniform Fire Prevention and Building Code.
- E. Premises shall not be used for the display of automobiles, trailers, mobile homes, boats or other vehicles, unless specifically permitted by Planning Board site plan approval.
- F. Outside displays and retail items on sidewalks and travel ways must be restricted to specific display locations.
- G. Ensure site layout and design, including landscaping, that complies with the supplementary regulations in this Chapter for Landscaping; and development in the Highway business (HB) zoning district; and creates a green way along the Route 22 corridor and proper landscape screening for the premises, if applicable.
- H. Premises shall not be constructed and/or approved within 700 feet of a historic site, church, school or hospital, or at a site and with a design that would significantly impact a scenic viewshed.
- I. Commercial garage/gas filling station/convenience stores not connected to commercial garages and gas filling stations should not be constructed and/or approved near a historic site or scenic viewshed.
- J. A special use permit is required for commercial garages/gasoline filling stations/convenience stores if they include tables for food and drink consumption.
- K. All applications for any entity covered by this provision must receive site plan approval from the Planning Board.

§215-28.1 Commercial Garages

In addition to all rules and regulations under §215-28, Commercial Garages shall be subject to the following:

- A. Premises shall not be used for the display of automobiles, trailers, motor homes, boats or other vehicles unless specifically permitted by the Planning Board site plan approval.
- B. Insofar as possible all repair work will be performed indoors.
- C. All automobiles parts, dismantled vehicles and similar articles shall be stored within a building.
- D. No inoperative motor vehicle shall be kept on the premises for longer than 30 days.