

might prove detrimental to surrounding developed property and uses, and including plans for buffering adjacent properties; and

(4) Schools, upon a finding that adequate thoroughfare access exists to prevent undue traffic congestion and upon the condition that site plans be submitted.

§ 157.031 CBD CENTRAL BUSINESS DISTRICT.

(A) *Intent.* This district is designed to provide for a central, pedestrian-oriented concentration of retailing, personal services, public uses and office uses. The district provides for compact development of a wide variety of medium intensity, public-oriented uses to create a convenient and varied shopping area for citizens and a focal point of activity for the community. The regulations of the district are also designed to protect the historic character of the central business area and protect its historic value. There shall be no non-commercial operations located in this zoning district if the buildings are connected by a common wall.

(B) *Permitted uses.*

- (1) Alcoholic beverage (ABC) stores;
- (2) Amusement arcades and game rooms;
- (3) Antique shops;
- (4) Appliance sales and repairs;
- (5) Art and school supply stores;
- (6) Art galleries and studios;
- (7) Auto parts and accessories sales;
- (8) Bakeries;
- (9) Banks and other financial institutions;
- (10) Barber and beauty shops;
- (11) Bicycle sales and repairs;
- (12) Book and stationery stores;
- (13) Camera and photography supplies stores;
- (14) Candy and ice cream shops;
- (15) Carpet, rug and linoleum stores;
- (16) ;
- (17) Churches and customary related uses;
- (18) Craft and novelty stores;
- (19) Delicatessens;
- (20) Department stores;
- (21) Fish and meat markets;
- (22) Florists;

- (23) Funeral homes;
- (24) Furniture stores;
- (25) Garden supplies stores;
- (26) Gift shops;
- (27) Government offices, assembly halls, services and amenities;
- (28) Grocery stores;
- (29) Gunsmiths;
- (30) Hardware stores;
- (31) Hobby shops;
- (32) Hotels;
- (33) Jewelry stores;
- (34) Libraries;
- (35) Locksmiths;
- (36) Lodges and offices of fraternal, civic, professional, service organizations;
- (37) Medical and dental offices;
- (38) Music and musical instrument shops;
- (39) Newspaper publishing;
- (40) Newsstands;
- (41) Nightclubs;
- (42) Offices - business, financial, government, professional;
- (43) Office equipment and supplies sales;
- (44) Opticians and optometrists;
- (45) Paint and wallpaper stores;
- (46) Parking lots and garages;
- (47) Pawnshops;
- (48) Pet shops (indoor only);
- (49) Pharmacies;
- (50) Photographic studios;
- (51) Physical fitness and health services establishments;
- (52) Picture framing shops;
- (53) Printers;
- (54) Private clubs;

- (55) Radio and television broadcasting;
- (56) Restaurants;
- (57) Retail and service businesses similar to other permitted uses and enclosed in a building;
- (58) Second hand stores and swap shops;
- (59) Schools of art, dance and music;
- (60) Seed and feed stores;
- (61) Sewing machine stores;
- (62) Shoe sales and repair shops;
- (63) Sporting goods stores;
- (64) Tailors and seamstresses;
- (65) Taxi stands;
- (66) Theaters (indoor);
- (67) Ticket agencies and travel bureaus;
- (68) Tobacco groups;
- (69) Toy stores;
- (70) Trade schools;
- (71) Variety stores;
- (72) Wearing apparel shops;
- (73) Customary accessory uses;
- (74) Multi- and single-family dwellings, subject to the following requirements:
 - (a) Minimum non-ground level building floor area of 1,000 square feet per residential unit;
 - (b) All residential usage shall be on second floor or higher levels of buildings;
 - (c) All ground floor space shall be developed for commercial, non-residential uses, as

permitted in the central business district;

(d) If a building permit is obtained for exterior renovation, no renovation shall proceed until any plastic, aluminum or other metal system covering the original exterior of the building is removed;

(e) The building exterior shall be restored to its original appearance as closely as reasonably possible;

(f) Existing door or window openings shall not be closed, nor shall unique architectural features (as defined by the Secretary of the Interior's Standards for Rehabilitating Historic Buildings) such as cornices, mid-cornices and window surroundings be removed, except to be replaced with elements of like design; and

(g) If metal canopies are retained, at least the visible edges must be covered with canvas; new canopies or awnings shall be made of canvas or plans for projects which qualify for and have been certified eligible for an investment tax credit, as defined by § 251 of the Tax Reform Act of 1986 (IRC §§ 46 and 48).

(75) Convenience stores with gasoline sales;

(76) Town owned well sites, above ground water storage tanks, lift stations, pump stations and electrical substations; and

(77) Micro-Distillery/Micro-Brewery/Micro-Winery:

(a) Except for loading, all activities must occur within a building;

(b) Maximum floor area may not exceed 20,000 square feet;

(c) Must obtain all applicable ABC permits;

(d) Shall not produce odors, gas, dust, or any other atmospheric pollutant detrimental to the health, safety or general welfare of persons living or working in the surrounding area;

(e) The facility must include a tasting room, restaurant, or incorporate tours;

(C) *Special use permits.*

(1) Dwellings, upon findings by the Board of Adjustments that:

(a) Residential use of the property will not adversely affect the district by occupying commercial land needed for the district's economic vitality; and

(b) Residential use of the property will either assist the economic health of the district by providing consumer support or will help maintain a significant historical or architectural resource.

(2) Automobile service stations and tire services, upon findings that this use of the land will not adversely dilute the concentration of shopping opportunities, and that adequate safeguards and space will be provided for safe ingress, egress and temporary storage of vehicles. All repairs must be performed within a building;

(3) Drive-in banks, upon a finding that adequate off-street movement and standing space will be provided for vehicles being served and waiting to be served;

(4) Governmental and public utilities buildings and uses, such as sewage lift stations, pump stations,

electrical substations, water wells, maintenance or operations centers, and community centers, upon a finding that they will not create excessive noise, odor, smoke, dust or other adverse impacts which might prove detrimental to surrounding developed property and uses, and including plans for buffering of adjacent properties; and

(5) Shopping centers, upon a finding that the center will complement and contribute to the economic vitality of the district.

(a) *Buffer strips.* A densely planted buffer strip at least eight feet in height shall be planted and maintained along the rear and side yards of any residential district but shall not extend beyond the front building line of adjacent residential lots.

(b) *Service areas.* All uses shall provide adequate areas for bulk storage of solid waste and for placement of heating, cooling and similar facilities on the premises.

§ 157.032 GB GENERAL BUSINESS DISTRICT.

(A) *Purpose.* This district provides an area for conduct of a wide range of commercial activities, most of which are normally enclosed within a building, but some of which are more intense than central business uses and involve some outdoor sales or storage. The general business district shall normally be used for shopping areas and shopping centers subordinate to the central business district or incorporating a more vehicle-oriented range of services. There shall be no non-commercial operations located in this zoning district if the buildings are connected by a common wall.

(Amended 4-1-2008)

(B) *Permitted uses.*

- (1) All uses permitted by right in the central business district.;
- (2) Assembly halls, coliseums, gymnasiums and similar facilities;
- (3) Auction sales (not livestock);
- (4) Automobile service stations;
- (5) Garages;
- (6) Automobile and truck rentals;
- (7) Automobile washing facilities;
- (8) Bowling alleys;
- (9) Family Child Care Homes
- (10) Day Care Centers
- (11) Drive-in banks;
- (12) Dry cleaning stores and plants;
- (13) Garden supplies sales, including outdoor;
- (14) Motels;
- (15) Shopping centers, upon approval of the site plan by the Planning Board;