

**FREDERICK P. CLARK ASSOCIATES, INC.**

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*David H. Stolman, AICP, PP*  
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**MEMORANDUM**

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To: Town of New Castle Planning Board  
Town of New Castle Millwood Task Force

Date: July 3, 2009

Subject: **Millwood Hamlet Center Zoning Analysis & Area Site Plan Study**  
**[#161.065]**

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In preparation for the June 20, 2009 field trip to the Study Area, several maps were distributed to members of both boards for reference and further discussion. These maps included the following:

- Figure 1 - Study Area (dated June 15, 2009)
- Figure 2 - Block Numbers (dated June 15, 2009)
- Figure 3 - First Floor Land Use (dated June 15, 2009)
- Figure 4 - Second Floor Land Use (dated June 15, 2009)
- Figure 5 - Third Floor Land Use (dated June 15, 2009)
- Figure 6 - Industrial Related Establishments - First Floor (dated June 15, 2009)
- Figure 7 - Industrial Related Establishments - Second Floor (dated June 15, 2009)

It is noted that Figures 3, 4 and 5 were prepared to graphically illustrate all land use conditions in the Study Area by floor of building where those land uses exist. For purposes of preparing those three maps, retail stores selling food but without any seating were classified as "Retail" uses, not "Eating Establishment" uses. It is also important to note that the graphic depiction of land use data on Figures 3-7 is intended to be illustrative only. Where multiple land uses occur on the same floor of a building, there is no significance to the amount of color shown on the land use maps and the amount of floor area occupied by the land uses shown. The land use maps were prepared to simply identify the location of various land uses within the Study Area. This is particularly true of the information depicted on the detailed land use maps for "Industrial Related Establishments" (Figures 6 and 7), where an entire lot may be filled in with a particular

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land use color but only a portion of the floor area in the building on that lot may correspond to the land use being highlighted on that map.

In preparation for the July 7, 2009 joint work session, we are distributing additional background information on the land use classification system that was used to prepare the previously distributed graphic documents as well as summary tables that were prepared to present additional information on existing land use, history of variance approvals, and zoning provisions applicable to properties in the Study Area. These include the following additional documents:

Document entitled "Classifications for Land Use Survey of Each Property and/or Occupancy within a Building"

Table 1 – Detailed Summary of Existing Land Use by Study Area Parcel and Location in Building

Table 2 – Existing Land Use by Floor of Building and Zoning District

Table 3- Variances Approved (1960 to Present) by Study Block and Zoning District

Table 4 – Variances Approved (1960 to Present) by Study Block and Specific Time Period

Table 5 – Comparison between Provisions Applicable to Existing Zoning Districts in Study Area

By way of review, the Study Area for the special study includes the following specific zoning districts or portions thereof:

- B-R District along north side of Millwood Road west of North County Trailway Road and at the southeasterly corner of Millwood Road and Station Road.
- I-G District located along north side of Millwood Road between North County Trailway and Allen Avenue "paper street" right-of-way.
- I-G District located between Station Road and Schuman Road south of Millwood Road.
- MFR-M District located along portions of and to the north of Allen Avenue "paper street" right-of-way.
- R-¼A District located along south side of Millwood Road east of Schuman Road.

The Study Area in total includes 15.4± acres, excluding street rights-of-way. Of that total, 3.9± acres (25.3%) are located in the B-R District; 8.3± acres (53.9%) are located in the I-G District; 2.8± acres (18.2%) are located in the MFR-M District; and 0.4± acres (2.6%) are located in the R-¼A District. For purposes of data gathering and analysis, the



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Study Area was divided into seven blocks. One of those blocks is bisected by a zoning district boundary line; the other blocks are in a single zoning district.

At the July 7, 2009 joint work session, we look forward to accomplishing the following:

- Discuss the boards' impressions and observations from the June 20, 2009 field trip to the Millwood Hamlet Center.
- Discuss *existing* zoning provisions and preliminarily identify recommended amendments, if any, in terms of permitted land uses, bulk requirements, design guidelines, and zoning district designations for properties in the Study Area.

Following the July 7, 2009 work session, we will be summarizing recommended amendments to *existing* zoning provisions and/or design guidelines for review and consideration, initially by the Planning Board and the Millwood Task Force. That step in the work program will be followed by the preparation of an area site plan for the Study Area under *existing* zoning provisions and design guidelines. Once that task has been completed, we will also prepare an area site plan under *proposed* zoning provisions and guidelines if any modifications to *existing* provisions are recommended.

In preparation for the July 7, 2009 joint work session, you may wish to consider the following questions:

1. Are there areas within the Study Area that should be rezoned to another district?
2. What are the most appropriate land uses for the Study Area? What types of uses that are currently permitted would be considered noxious and/or otherwise inappropriate and should be eliminated?
3. Should certain types of land uses be either encouraged or further limited in the future?
4. Should any of the existing bulk requirements be modified?
5. Should any of the existing design guidelines be modified?

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If you have any questions in advance of the July 7, 2009 joint board work session, please let us know.

Joanne P. Meder, AICP  
Vice President/Planning

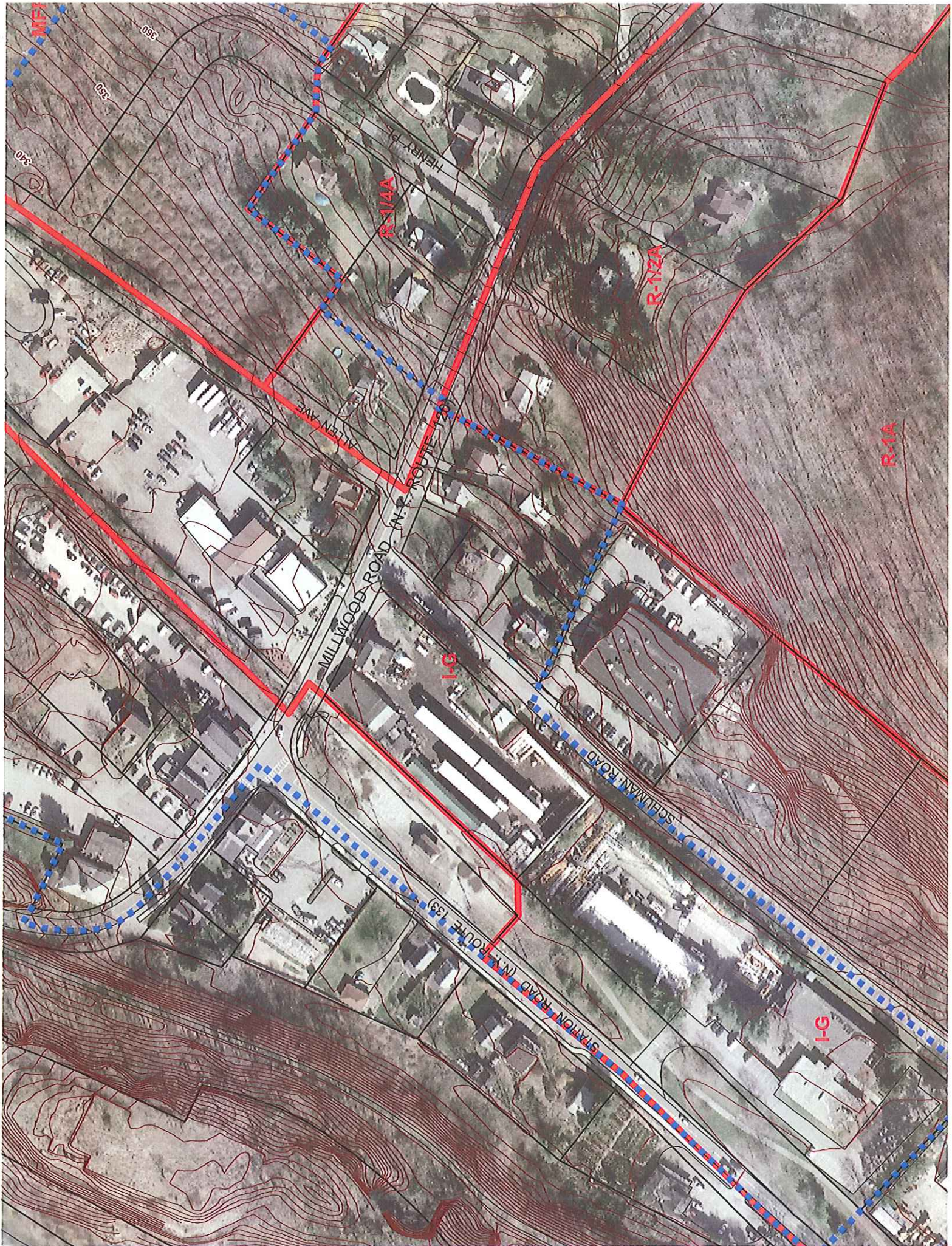
Michael E. Landler, AICP  
Senior Associate/Planning

Sarah L. Brown  
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cc: Town Board  
Gennaro Faiella  
Clinton Smith  
Lincoln Daley  
Robert Cioli, P.E.  
Lester Steinman, Esq.  
Janice Friend

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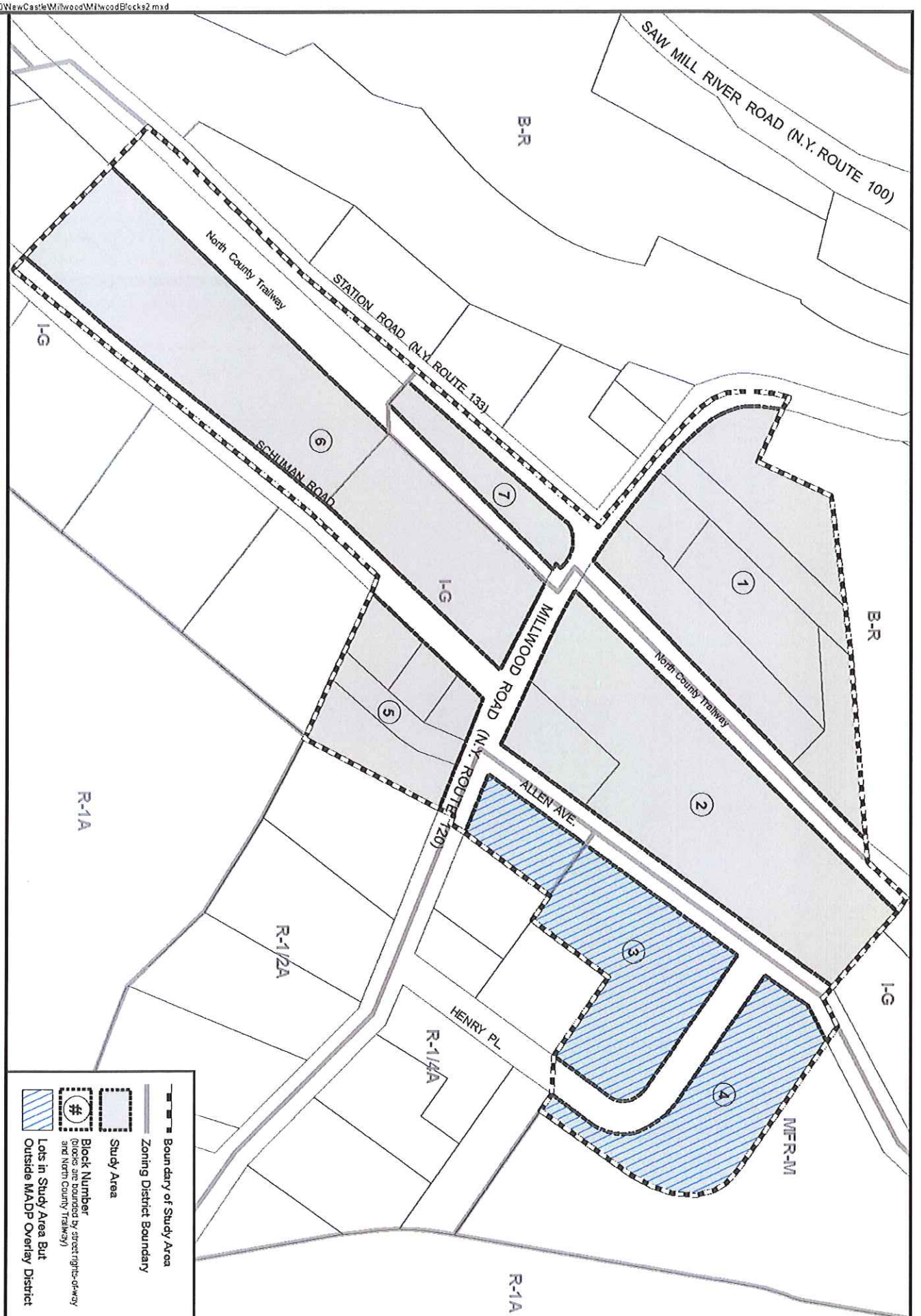


**MILLWOOD HAMELET CENTER ZONING ANALYSIS & AREA SITE PLAN STUDY - BLOCK NUMBERS**  
TOWN OF NEW CASTLE, WESTCHESTER COUNTY, NY

NOTE: This map was compiled from multiple datasets with different scales and projections and should only be used for general planning purposes.  
DATA SOURCES: Digital aerial orthophotography (NY's GIS Clearinghouse)



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June 15, 2009  
Figure 2



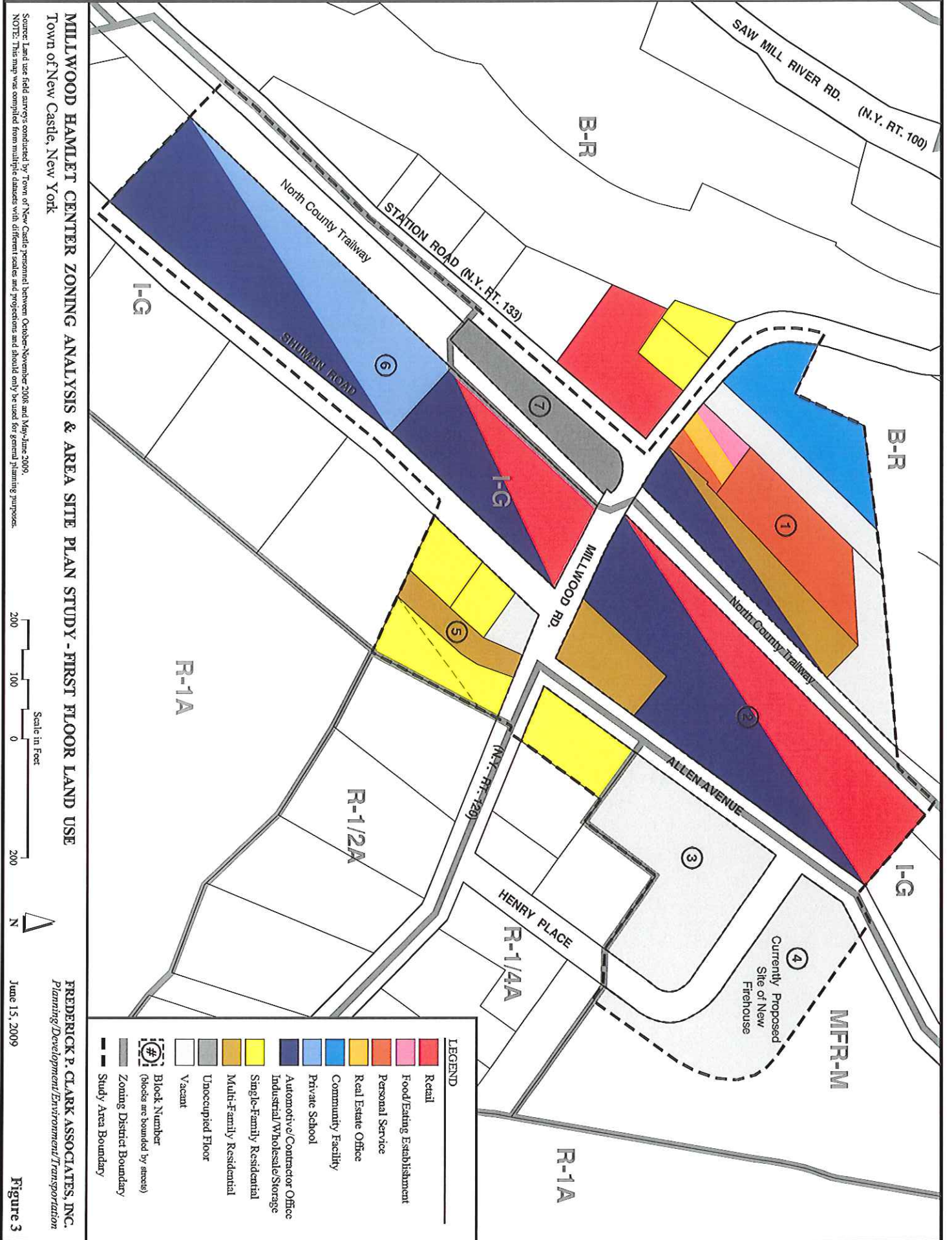


Figure 3



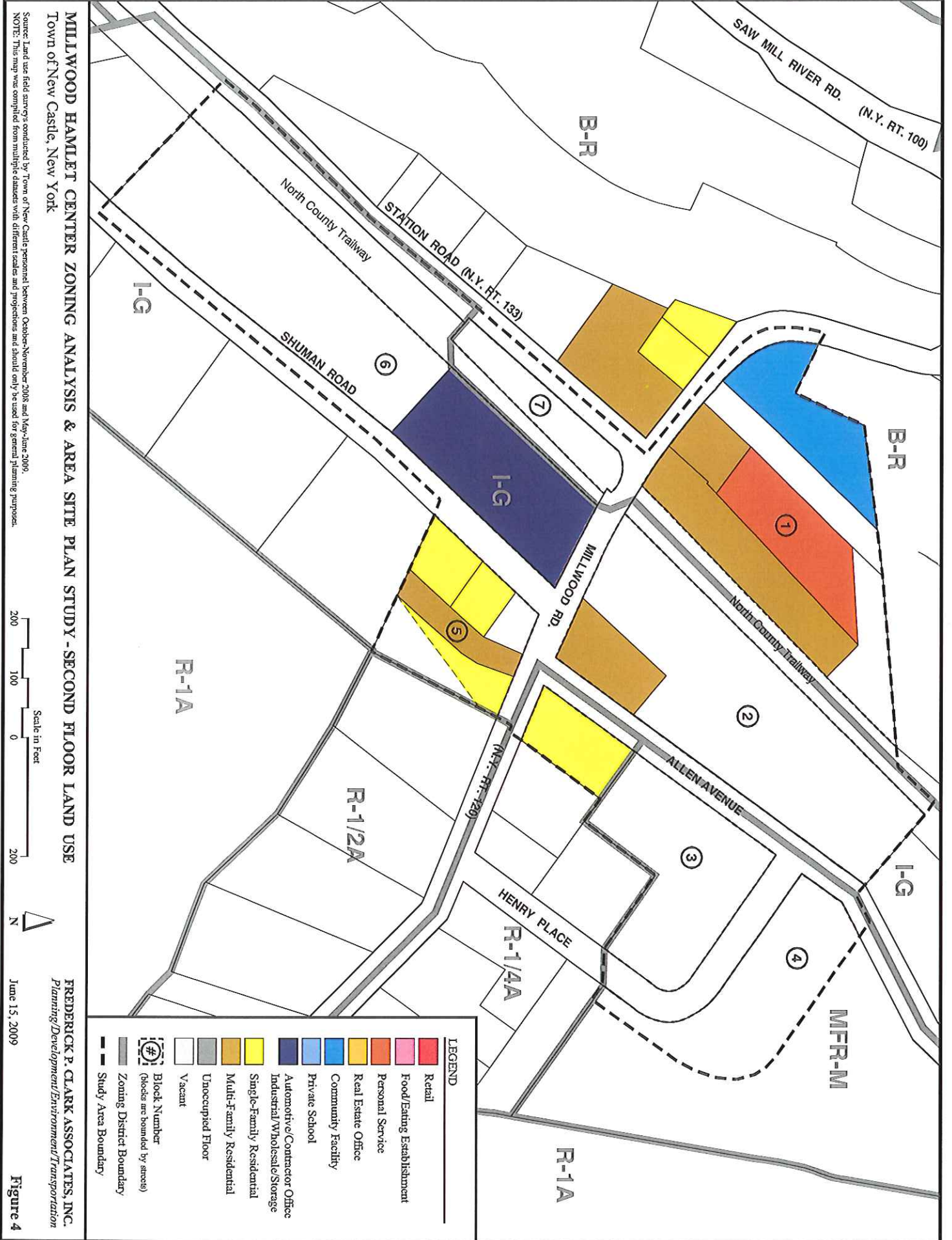
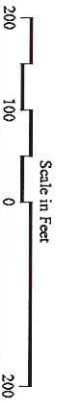


Figure 4

Source: Land use field surveys conducted by Town of New Castle personnel between October-November 2008 and May-June 2009.  
NOTE: This map was compiled from multiple datasets with different scales and projections and should only be used for general planning purposes.

# MILLWOOD HAMLET CENTER ZONING ANALYSIS & AREA SITE PLAN STUDY - THIRD FLOOR LAND USE

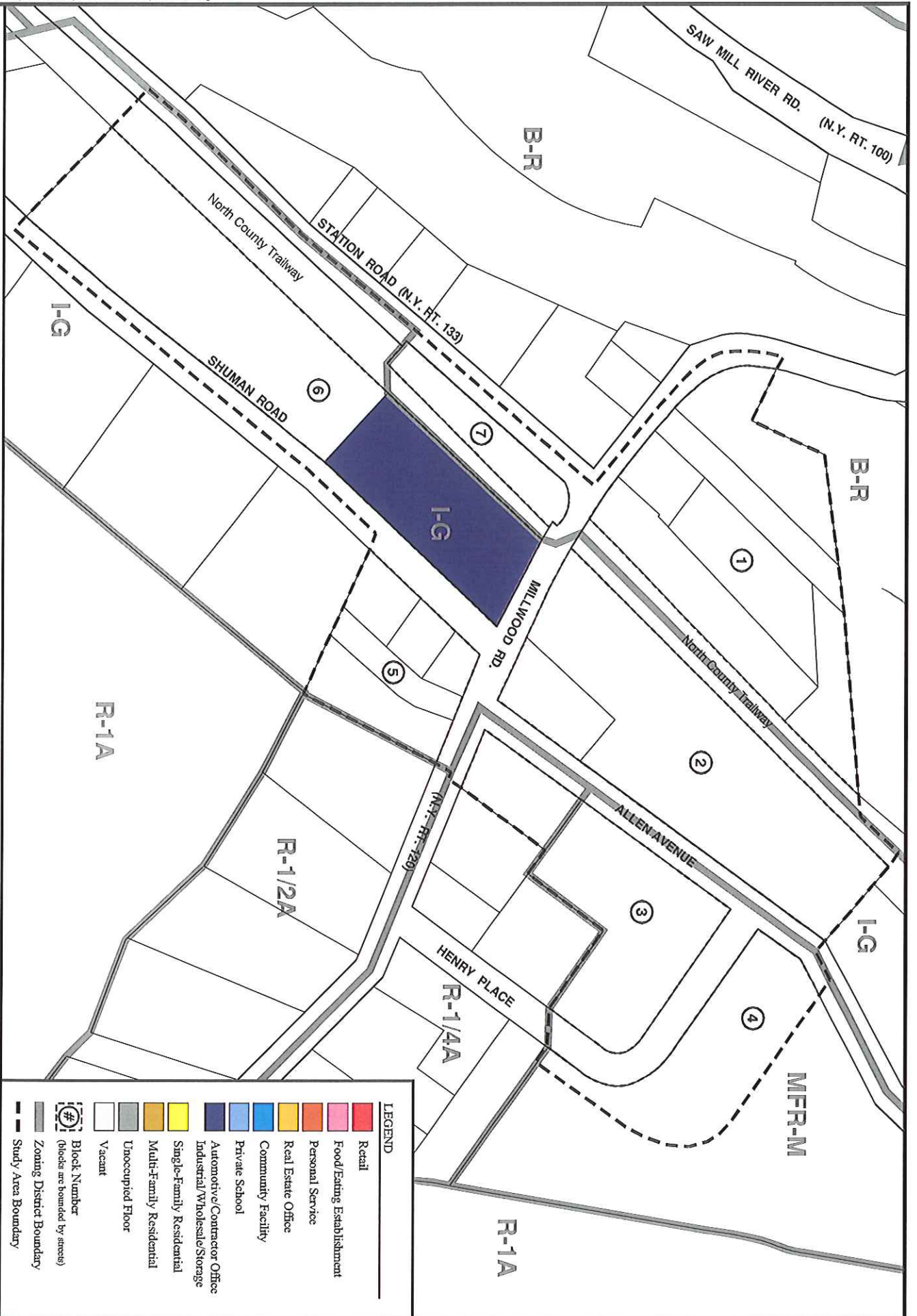
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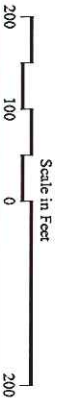
Figure 5





**MILLWOOD HAMLET CENTER ZONING ANALYSIS & AREA SITE PLAN STUDY**  
**INDUSTRIAL RELATED ESTABLISHMENTS - FIRST FLOOR**  
 Town of New Castle, New York

Source: Land use field surveys conducted by Town of New Castle personnel between October-November 2008 and May-June 2009.  
 NOTE: This map was compiled from multiple datasets with different scales and projections and should only be used for general planning purposes.



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**Figure 6**





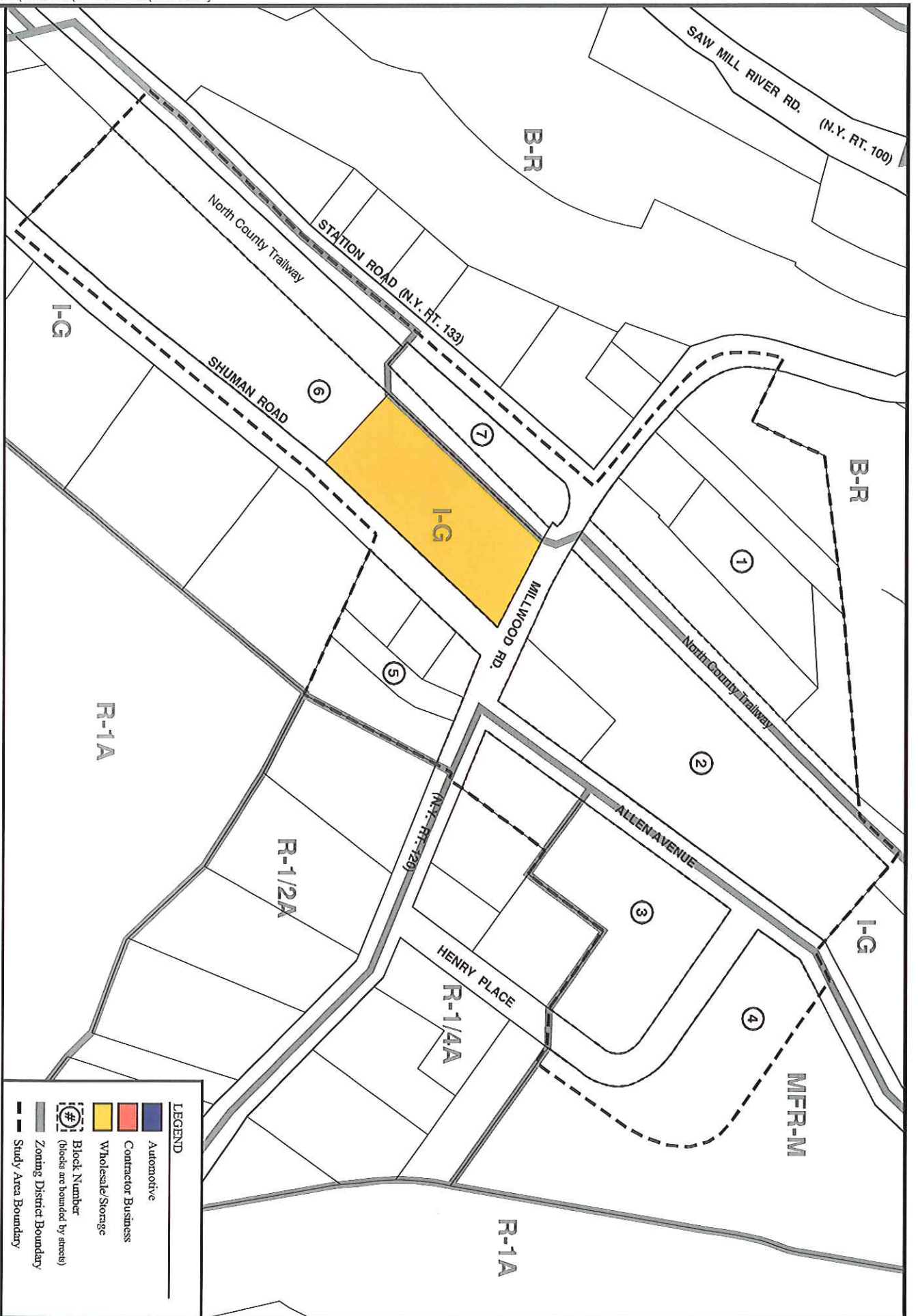
**MILLWOOD HAMLET CENTER ZONING ANALYSIS & AREA SITE PLAN STUDY**  
**INDUSTRIAL RELATED ESTABLISHMENTS - SECOND FLOOR**  
Town of New Castle, New York

Source: Land use field surveys conducted by Town of New Castle personnel between October-November 2008 and May-June 2009.  
NOTE: This map was compiled from multiple datasets with different scales and projections and should only be used for general planning purposes.

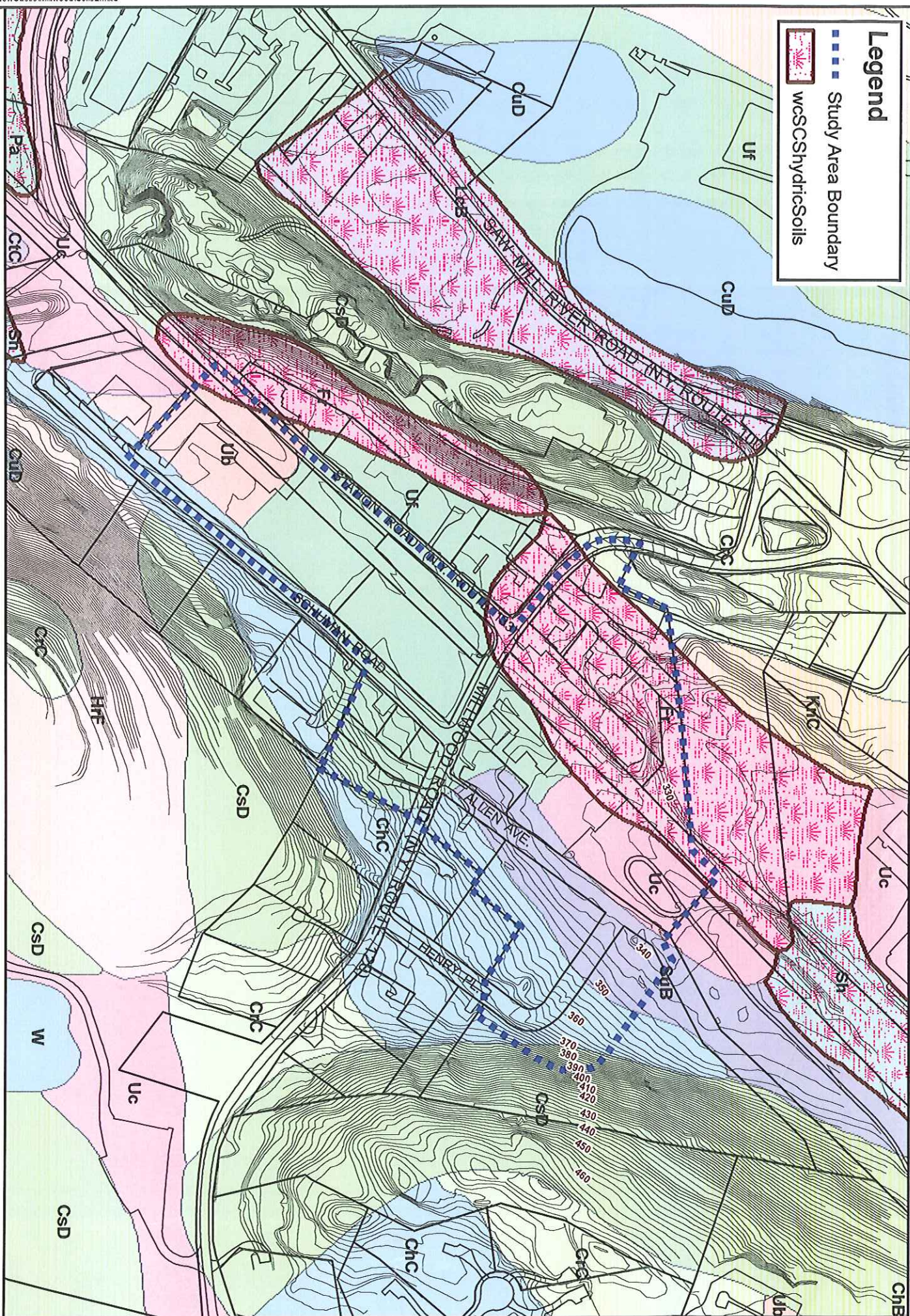


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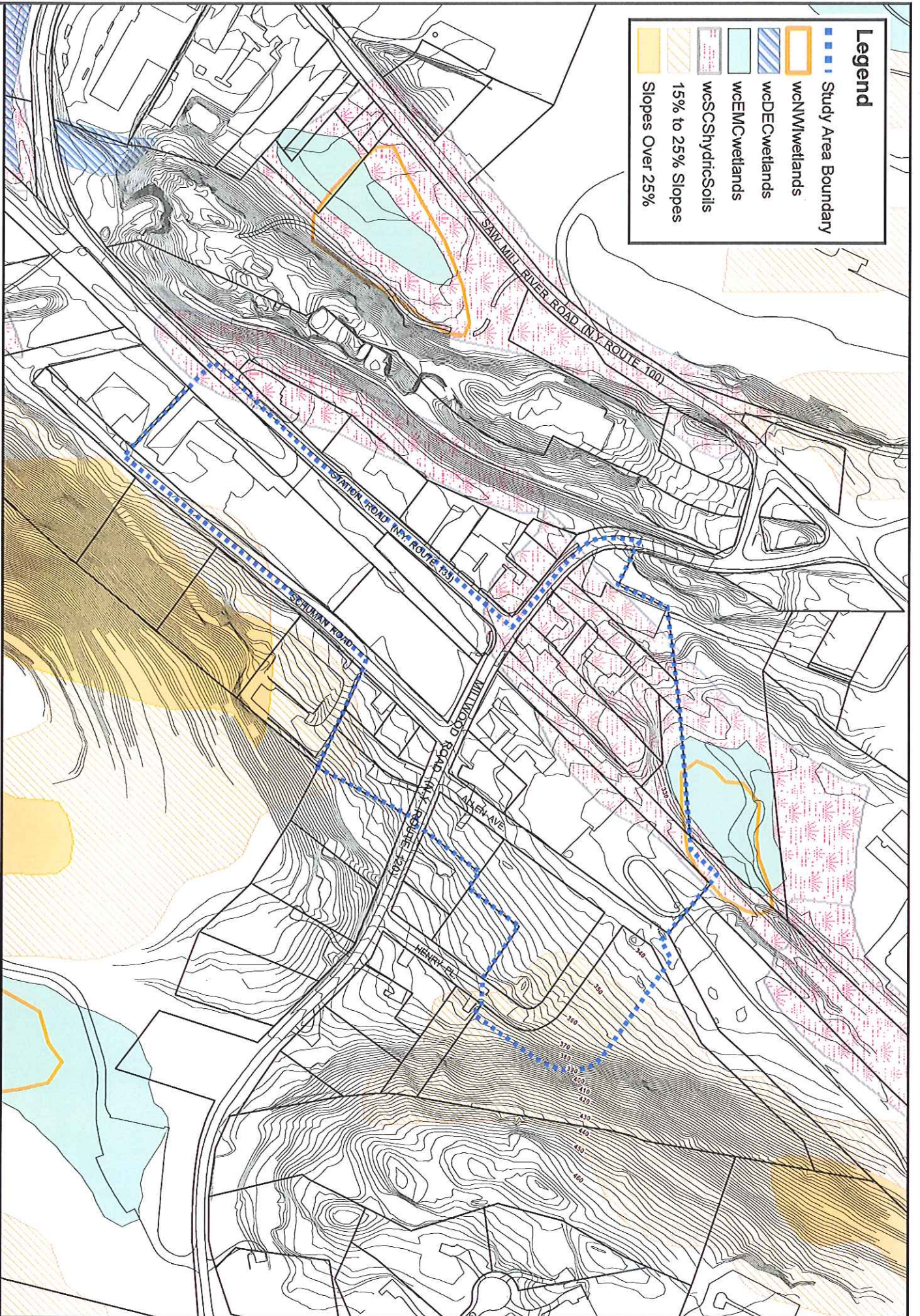
Figure 7











**MILLWOOD HAMLET CENTER - WETLANDS, STEEP SLOPES & HYDRIC SOILS**  
Town of New Castle, Westchester County, NY

NOTE: This map was compiled from multiple datasets with different scales and projections and should only be used for general planning purposes.  
DATA SOURCES: Digital aerial orthophotography (NTS GIS Clearinghouse) 2007 photography

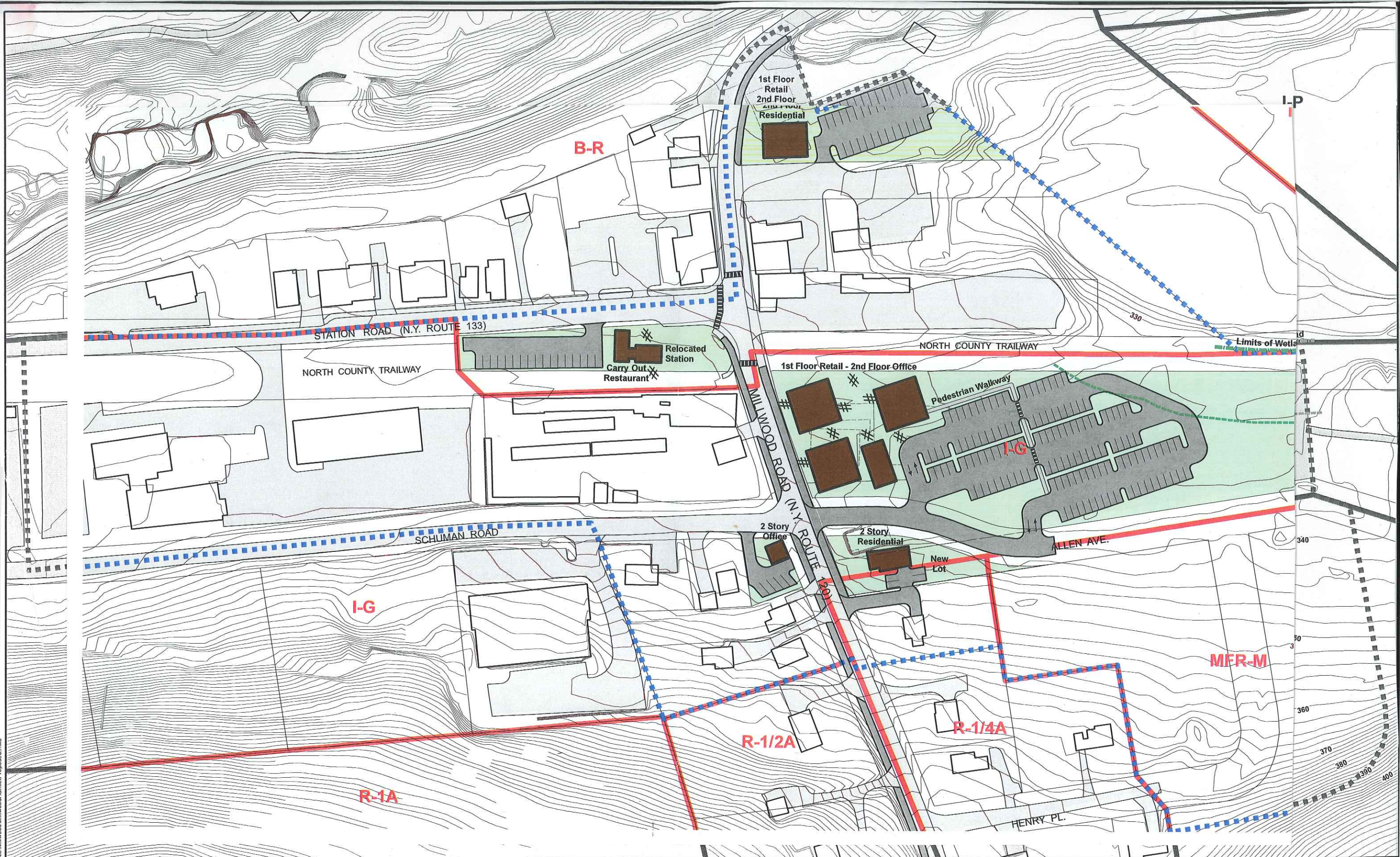
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August 31, 2009

**Figure 9**



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**MILLWOOD HAMLET CENTER COORDINATED PARKING / ACCESS PLAN - PRELIMINARY CONCEPT UNDER EXISTING ZONING**  
Town of New Castle, Westchester County, NY  
NOTE: This map was compiled from multiple datasets with different scales and projections and should only be used for general planning purposes.  
DATA SOURCES: Digital aerial orthophotography (NYS GIS Clearinghouse) 2007 photography

- Legend**
- |                            |                      |                                    |
|----------------------------|----------------------|------------------------------------|
| ■ ■ ■ Study Area Boundary  | ■ Landscaped Areas   | ■ Existing Buildings to be Removed |
| ■ Zoning District Boundary | ■ Proposed Buildings | ■ Existing Buildings to Remain     |
| ■ Wetland Buffer Limits    | ■ Proposed Sidewalk  |                                    |



**Table 1**  
**TOWN OF NEW CASTLE**  
**MILLWOOD HAMLET CENTER ZONING ANALYSIS & AREA SITE PLAN STUDY**  
**DETAILED SUMMARY OF EXISTING LAND USE BY STUDY AREA PARCEL AND LOCATION IN BUILDING**

Study Block (See Note 1)	Tax Map	Street Address	Land Use Category (See Note 2)	Existing Land Use	Gross Floor Area (Square Feet)				
					Total	First Floor	Second Floor	Third Floor	Basement
1	81.17-1-2	60 MILLWOOD RD	31	Community Facility	4,168	4,168			
1	81.17-1-2	60 MILLWOOD RD	31	Community Facility	2,400		2,400		
1	81.17-1-5	0 SAND STREET	33	Vacant	0	0	0	0	0
1	81.17-1-6	70 MILLWOOD RD	5	Personal Service	1,104	1,104			
1	81.17-1-6	70 MILLWOOD RD	5	Personal Service	744		744		
1	81.17-1-7	14 STATION PL	33	Vacant	0	0	0	0	0
1	81.17-1-8	84 MILLWOOD RD	24	Multi-Family Residential	1,188	1,188			
1	81.17-1-8	84 MILLWOOD RD	24	Multi-Family Residential	1,529		1,529		
1	81.17-1-8	84 MILLWOOD RD	19	Automotive/Contractor Office/Industrial/ Wholesale/Storage	264	264			
1	81.17-1-8	84 MILLWOOD RD	18	Automotive/Contractor Office/Industrial/ Wholesale/Storage	391	391			
1	81.17-1-9	74 MILLWOOD RD	2	Food/Eating Establishment	1,239	1,239			
1	81.17-1-9	76 MILLWOOD RD	24	Multi-Family Residential	1,859		1,859		
1	81.17-1-9	78 MILLWOOD RD	6	Personal Service	658	658			
1	81.17-1-9	80 MILLWOOD RD	11	Real Estate Office	801	801			
1	81.17-1-9	82 MILLWOOD RD	5	Personal Service	801	801			
1	81.17-1-9	84 MILLWOOD RD	24	Multi-Family Residential	1,602		1,602		
Subtotal of Floor Area for Study Block 1					18,748	10,614	8,134	0	0
2	81.17-3-1	86 MILLWOOD RD	1	Retail	1,641	1,641			
2	81.17-3-1	86 MILLWOOD RD	19	Automotive/Contractor Office/Industrial/ Wholesale/Storage	1,282	1,282			
2	81.17-3-1	86 MILLWOOD RD	17	Automotive/Contractor Office/Industrial/ Wholesale/Storage	1,918	1,918			
2	81.17-3-1	86 MILLWOOD RD	17	Automotive/Contractor Office/Industrial/ Wholesale/Storage	1,918				1,918
2	81.17-3-1	86 MILLWOOD RD	18	Automotive/Contractor Office/Industrial/ Wholesale/Storage	2,584	2,584			
2	81.17-3-2	90 MILLWOOD RD	22	Multi-Family Residential	1,348	1,348			

Study Block (See Note 1)	Tax Map	Street Address	Land Use Category (See Note 2)	Existing Land Use	Gross Floor Area (Square Feet)				
					Total	First Floor	Second Floor	Third Floor	Basement
2	81.17-3-2	90 MILLWOOD RD	22	Multi-Family Residential	864		864		
Subtotal of Floor Area for Study Block 2					11,555	8,773	864	0	1,918
3	81.17-3-3	108 MILLWOOD RD	21	Single-Family Residential	780	780			
3	81.17-3-3	108 MILLWOOD RD	21	Single-Family Residential	780		780		
3	81.17-3-4	ALLEN AV	34 - Proposed Fire Station	Vacant	0	0	0	0	0
Subtotal of Floor Area for Study Block 3					1,560	780	780	0	0
4	81.17-3-13	0 ALLEN AV	33	Vacant	0	0	0	0	0
Subtotal of Floor Area for Study Block 4					0	0	0	0	0
5	81.17-3-31	105 MILLWOOD RD	21	Single-Family Residential	865	865			
5	81.17-3-31	105 MILLWOOD RD	21	Single-Family Residential	775		775		
5	81.17-3-31	105 MILLWOOD RD	21	Single-Family Residential	842	842			
5	81.17-3-32	101 MILLWOOD RD	22	Multi-Family Residential	676	676			
5	81.17-3-32	101 MILLWOOD RD	22	Multi-Family Residential	338		338		
5	81.17-3-33	MILLWOOD RD	33	Vacant	0	0	0	0	0
5	81.17-3-34	1 SCHUMAN RD	21	Single-Family Residential	602	602			
5	81.17-3-34	1 SCHUMAN RD	21	Single-Family Residential	252		252		
5	81.17-3-35	3 SCHUMAN RD	21	Single-Family Residential	1,066	1,066			
5	81.17-3-35	3 SCHUMAN RD	21	Single-Family Residential	800		800		
5	81.17-3-35	3 SCHUMAN RD	21	Single-Family Residential	836				836
Subtotal of Floor Area for Study Block 5					7,052	4,051	2,165	0	836
6	81.17-3-42	12 SCHUMAN RD	34 - Private School	Private School	12,100	12,100			
6	81.17-3-42	12 SCHUMAN RD	14 & 17	Automotive/Contractor Office/Industrial/ Wholesale/Storage	10,980	10,980			
6	81.17-3-43	87 MILLWOOD RD	17	Automotive/Contractor Office/Industrial/ Wholesale/Storage	1,140	1,140			
6	81.17-3-43	87 MILLWOOD RD	17	Automotive/Contractor Office/Industrial/ Wholesale/Storage	738		738		
6	81.17-3-43	87 MILLWOOD RD	14 - Office for Business	Automotive/Contractor Office/Industrial/ Wholesale/Storage	474			474	
6	81.17-3-43	87 MILLWOOD RD	1	Retail	1,025	1,025			
6	81.17-3-43	87 MILLWOOD RD	17	Automotive/Contractor Office/Industrial/ Wholesale/Storage	2,564	2,564			



Study Block (See Note 1)	Tax Map	Street Address	Land Use Category (See Note 2)	Existing Land Use	Gross Floor Area (Square Feet)				
					Total	First Floor	Second Floor	Third Floor	Basement
6	81.17-3-43	87 MILLWOOD RD	17	Automotive/Contractor Office/Industrial/ Wholesale/Storage	342	342			
6	81.17-3-43	87 MILLWOOD RD	17	Automotive/Contractor Office/Industrial/ Wholesale/Storage	2,040	2,040			
Subtotal of Floor Area for Study Block 6					31,403	30,191	738	474	0
7	81.17-2-1	14 STATION PL	32	Unoccupied Floor	460	460			
Subtotal of Floor Area for Study Block 7					460	460	0	0	0

**NOTES:**

- 1 - For purposes of data management, properties in the Study Area have been assigned a block number. Study Area blocks are generally defined by streets and/or other natural boundaries. Study Area block numbers are identified on Figure 2.
- 2 - Prior to completion of the land use field survey by Town personnel, a preliminary listing of land use classifications was compiled for ease of identification. The numbers in this column refer to land use classification identification numbers that are found in the document entitled "Classifications for Land Use Survey of Each Property and/or Occupancy within a Building."

**SOURCES:** Land use field surveys conducted by Town of New Castle personnel between October-November 2008 and May-June 2009, as supplemented with floor area data obtained from surveys of merchants/business owners in the Study Area, building permit files in the Town of New Castle Building Department, various application files in the Town of New Castle Planning Department, records of the Town of New Castle Assessor, and Town GIS information.

Table 2  
TOWN OF NEW CASTLE  
MILLWOOD HAMLET CENTER ZONING ANALYSIS & AREA SITE PLAN STUDY  
EXISTING LAND USE BY FLOOR OF BUILDING AND ZONING DISTRICT

Study Block (See Note 1)	Zoning District		Existing Land Use											Floor Area Total
			Retail	Food/Eating Establishment	Personal Service	Real Estate Office	Community Facility	Private School	Automotive/Contractor Office/Industrial/ Wholesale/Storage	Single-Family Residential	Multi-Family Residential	Unoccupied Floor Area	Vacant	
1	B-R	First Floor	0	1,239	2,563	801	4,168	0	655	0	1,188	0	N.A.	10,614
	B-R	Second Floor	0	0	744	0	2,400	0	0	0	4,990	0	N.A.	8,134
	B-R	Third Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	B-R	Basement	0	0	0	0	0	0	0	0	0	0	N.A.	0
Subtotal for Zoning District			0	1,239	3,307	801	6,568	0	655	0	6,178	0	N.A.	18,748
2	I-G	First Floor	1,641	0	0	0	0	0	5,784	0	1,348	0	N.A.	8,773
	I-G	Second Floor	0	0	0	0	0	0	0	0	864	0	N.A.	864
	I-G	Third Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	I-G	Basement	0	0	0	0	0	0	1,918	0	0	0	N.A.	1,918
Subtotal for Zoning District			1,641	0	0	0	0	0	7,702	0	2,212	0	N.A.	11,555
3	R-1/4A	First Floor	0	0	0	0	0	0	0	780	0	0	N.A.	780
	R-1/4A	Second Floor	0	0	0	0	0	0	0	780	0	0	N.A.	780
	R-1/4A	Third Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	R-1/4A	Basement	0	0	0	0	0	0	0	0	0	0	N.A.	0
Subtotal for Zoning District			0	0	0	0	0	0	0	1,560	0	0	N.A.	1,560
3	MFR-M	First Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	MFR-M	Second Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	MFR-M	Third Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	MFR-M	Basement	0	0	0	0	0	0	0	0	0	0	N.A.	0
Subtotal for Zoning District			0	0	0	0	0	0	0	0	0	0	N.A.	0
Subtotal for Study Block			0	0	0	0	0	0	0	1,560	0	0	N.A.	1,560



Study Block (See Note 1)	Zoning District		Existing Land Use											Floor Area Total
			Retail	Food/Eating Establishment	Personal Service	Real Estate Office	Community Facility	Private School	Automotive/Contractor Office/Industrial/Wholesale/Storage	Single-Family Residential	Multi-Family Residential	Unoccupied Floor Area	Vacant	
4	MFR-M	First Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	MFR-M	Second Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	MFR-M	Third Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	MFR-M	Basement	0	0	0	0	0	0	0	0	0	0	N.A.	0
Subtotal for Zoning District			0	0	0	0	0	0	0	0	0	0	N.A.	0
5	I-G	First Floor	0	0	0	0	0	0	0	3,375	676	0	N.A.	4,051
	I-G	Second Floor	0	0	0	0	0	0	0	1,827	338	0	N.A.	2,165
	I-G	Third Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	I-G	Basement	0	0	0	0	0	0	0	836	0	0	N.A.	836
Subtotal for Zoning District			0	0	0	0	0	0	0	6,038	1,014	0	N.A.	7,052
6	I-G	First Floor	1,025	0	0	0	0	12,100	17,066	0	0	0	N.A.	30,191
	I-G	Second Floor	0	0	0	0	0	0	738	0	0	0	N.A.	738
	I-G	Third Floor	0	0	0	0	0	0	474	0	0	0	N.A.	474
	I-G	Basement	0	0	0	0	0	0	0	0	0	0	N.A.	0
Subtotal for Zoning District			1,025	0	0	0	0	12,100	18,278	0	0	0	N.A.	31,403
7	B-R	First Floor	0	0	0	0	0	0	0	0	0	460	N.A.	460
	B-R	Second Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	B-R	Third Floor	0	0	0	0	0	0	0	0	0	0	N.A.	0
	B-R	Basement	0	0	0	0	0	0	0	0	0	0	N.A.	0
Subtotal for Zoning District			0	0	0	0	0	0	0	0	0	460	N.A.	460
All Study Blocks	Total Floor Area by Use	First Floor	2,666	1,239	2,563	801	4,168	12,100	23,505	4,155	3,212	460	N.A.	54,869
		Second Floor	0	0	744	0	2,400	0	738	2,607	6,192	0	N.A.	12,681
		Third Floor	0	0	0	0	0	0	474	0	0	0	N.A.	474
		Basement	0	0	0	0	0	0	1,918	836	0	0	N.A.	2,754
Total Floor Area by Use			2,666	1,239	3,307	801	6,568	12,100	26,635	7,598	9,404	460	N.A.	70,778
All Study Blocks	Total Floor Area by Zoning District	B-R	0	1,239	3,307	801	6,568	0	655	0	6,178	460	N.A.	19,208
		I-G	2,666	0	0	0	0	12,100	25,980	6,038	3,226	0	N.A.	50,010
		R-1/4A	0	0	0	0	0	0	0	1,560	0	0	N.A.	1,560



			Existing Land Use											
Study Block (See Note 1)	Zoning District		Retail	Food/Eating Establishment	Personal Service	Real Estate Office	Community Facility	Private School	Automotive/Contractor Office/Industrial/ Wholesale/Storage	Single-Family Residential	Multi-Family Residential	Unoccupied Floor Area	Vacant	Floor Area Total
		MFR-M	0	0	0	0	0	0	0	0	0	0	N.A.	0

NOTES:

1 - For purposes of data management, properties in the Study Area have been assigned a block number. Study Area blocks are generally defined by streets and/or other natural boundaries. Study Area block numbers are identified on Figure 2.

SOURCES: Land use field surveys conducted by Town of New Castle personnel between October-November 2008 and May-June 2009 as supplemented with floor area data obtained from surveys of merchants/business owners in the Study Area, building permit files in the Town of New Castle Building Department, various application files in the Town of New Castle Planning Department, records of the Town of New Castle Assessor, and Town GIS information.



**Table 3**  
**TOWN OF NEW CASTLE**  
**MILLWOOD HAMLET CENTER ZONING ANALYSIS & AREA SITE PLAN STUDY**  
**VARIANCES APPROVED (1960 TO PRESENT) BY STUDY BLOCK AND ZONING DISTRICT (See Note 1)**

Study Block (See Note 2)	Zoning District		Area Variances						Use Variances	Misc.	Total for Study Block
			Parking/ Loading	Maximum Permitted Coverage	Floor Area Requirements	Setbacks	Signs	Nonconformities			
1	B-R	Subtotal for Study Block	2	0	0	1	0	0	1	0	4
2	I-G	Subtotal for Study Block	0	0	0	0	0	0	0	1	1
3	R-1/4A	Subtotal for Study Block	0	0	0	0	0	0	0	0	0
3	MFR-M	Subtotal for Study Block	0	0	0	0	0	0	0	0	0
Subtotal for Study Block			0	0	0	0	0	0	0	0	0
4	MFR-M	Subtotal for Study Block	0	0	0	0	0	0	0	0	0
5	I-G	Subtotal for Study Block	1	0	0	2	0	0	1	0	4
6	I-G	Subtotal for Study Block	0	0	0	2	1	0	0	1	4
7	B-R	Subtotal for Study Block	0	0	0	0	0	0	0	0	0
Total of all Variances by Type			3	0	0	5	1	0	2	2	13

**NOTES:**

- 1 - In Study Blocks 2, 5, 7, and 8, four applications for variances were submitted and approved, but no details are available on the specific type of variance approved. In Study Block 6, an application for approval of a variance from sign size requirements was submitted and denied.
- 2 - For purposes of data management, properties in the Study Area have been assigned a block number. Study Area blocks are generally defined by streets and/or other natural boundaries. Study Area block numbers are identified on Figure 2.



**Table 4**  
**TOWN OF NEW CASTLE**  
**MILLWOOD HAMLET CENTER ZONING ANALYSIS & AREA SITE PLAN STUDY**  
**VARIANCES APPROVED (1960 TO PRESENT) BY STUDY BLOCK AND SPECIFIC TIME PERIOD (See Note 1)**

Study Block (See Note 2)	Time Period		Area Variances						Use Variances	Misc.	Total for Study Block
			Parking/ Loading	Maximum Permitted Coverage	Floor Area Requirements	Setbacks	Signs	Nonconformities			
1	8/30/60 to 9/21/87	Subtotal for Study Block	1	0	0	0	0	0	0	0	1
1	9/22/87 to 12/13/04		1	0	0	1	0	0	1	0	3
2	8/30/60 to 9/21/87	Subtotal for Study Block	0	0	0	0	0	0	0	0	0
2	9/22/87 to 12/13/04		0	0	0	0	0	0	0	1	1
3	8/30/60 to 9/21/87	Subtotal for Study Block	0	0	0	0	0	0	0	0	0
3	9/22/87 to 12/13/04		0	0	0	0	0	0	0	0	0
4	8/30/60 to 9/21/87	Subtotal for Study Block	0	0	0	0	0	0	0	0	0
4	9/22/87 to 12/13/04		0	0	0	0	0	0	0	0	0
5	8/30/60 to 9/21/87	Subtotal for Study Block	1	0	0	2	0	0	1	0	4
5	9/22/87 to 12/13/04		0	0	0	0	0	0	0	0	0
6	8/30/60 to 9/21/87	Subtotal for Study Block	0	0	0	2	1	0	0	1	4
6	9/22/87 to 12/13/04		0	0	0	0	0	0	0	0	0



			Area Variances						Use Variances	Misc.	Total for Study Block
Study Block (See Note 2)	Time Period		Parking/ Loading	Maximum Permitted Coverage	Floor Area Requirements	Setbacks	Signs	Nonconformities			
7	8/30/60 to 9/21/87	Subtotal for Study Block	0	0	0	0	0	0	0	0	0
7	9/22/87 to 12/13/04		0	0	0	0	0	0	0	0	0
Total of all Variances by Type			3	0	0	5	1	0	2	2	13

**NOTES:**

1 - In Study Blocks 2, 5, 7, and 8, four applications for variances were submitted and approved, but no details are available on the specific type of variance approved. In Study Block 6, an application for approval of a variance from sign size requirements was submitted and denied.

2 - For purposes of data management, properties in the Study Area have been assigned a block number. Study Area blocks are generally defined by streets and/or other natural boundaries. Study Area block numbers are identified on Figure 2.



Table 5 Modified  
Town of New Castle  
Millwood Hamlet Center Zoning Analysis & Area Site Plan Study  
Comparison between Provisions Applicable to Existing Zoning Districts in Study Area

1	2	3	4	5
B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
<b>A. Use Regulations</b>  [P] = Permitted Principal Use With Site Development Plan Approval by Planning Board (PB)* [S] = Permitted Principal Use With Special Use Permit Approval by Zoning Board of Appeals (ZBA), excerpt as otherwise noted (e.g., PB or TB) [A] = Permitted Accessory Use [A-SDP] = Permitted Accessory Use With Site Development Plan Approval by Planning Board (PB)* [A-SP] = Permitted Accessory Use With Special Use Permit Approval by Zoning Board of Appeals (ZBA), except as otherwise noted (e.g., PB or TB)  *If a proposed activity complies with the provisions of §§ 60-441.2 or 60-441.3 of the New Castle Town Code, the Town Building Department is authorized to issue a building permit or certificate of occupancy without the need for Planning Board approval of a site development plan amendment.  Where permitted uses in two or more zoning districts are similar but not identical, the differences between the descriptions of the permitted uses have been highlighted in <i>italics</i> below.				<i>[ED. NOTE: For any property located in the MADP Overlay District, compliance with the supplementary provisions of the Millwood Design Guidelines is also required. Where the provisions of the MADP Overlay District are in conflict with any other provision of Chapter 60 (Zoning), the provisions of the MADP Overlay District shall supersede those other requirements to the extent of such inconsistency. All but 3 of the 19 properties in the Study Area are also located in the MADP Overlay District.]</i>
<i>[ED. NOTE: Below principal uses are permitted in B-R District by reference to "any nonresidential principal use permitted in a residence district, as permitted therein..."]</i>	<i>[ED. NOTE: Below principal uses are permitted in I-G District by reference to "any nonresidential use permitted in any other district, excluding structurally mounted wireless telecommunication service facility (minor), structurally mounted wireless telecommunication service facility (major), monopoles and towers. . ."]</i>		<i>[ED. NOTE: Below principal uses are specifically listed as permitted uses in the R-1/4A District.]</i>	
Place of worship, including parish house and religious school (see § 60-437.2). [P and S? Needs discussion.]	Place of worship, including parish house and religious school (see § 60-437.2). [P]		Place of worship, including parish house and religious school (see § 60-437.2). [S]	
Public school.	Public school.		Public school.	
Private school (see § 60-437.2). [P and S? Needs discussion.]	Private school (see § 60-437.2). [P]		Private school (see § 60-437.2). [S]	
Public library, museum or art gallery not operated for profit (see § 60-437.2). [P and S? Needs discussion.]	Public library, museum or art gallery not operated for profit (see § 60-437.2). [P]		Public library, museum or art gallery not operated for profit (see § 60-437.2). [S]	
Municipal use of the Town of New Castle.	Municipal use of the Town of New Castle.		Municipal use of the Town of New Castle.	
Monastery or private club, not operated for profit (see § 60-437.4). [P and S? Needs discussion.]	Monastery or private club, not operated for profit (see § 60-437.4). [P]		Monastery or private club, not operated for profit (see § 60-437.4). [S]	
Plant nursery. [P and S? Needs discussion.]	Plant nursery. [P]		Plant nursery. [S]	
Day nursery or day play school operated and conducted in accordance with recognized standards and practices in the field of child training or education (see § 60-437.2). [P and S? Needs discussion.]	Day nursery or day play school operated and conducted in accordance with recognized standards and practices in the field of child training or education (see § 60-437.2). [P]		Day nursery or day play school operated and conducted in accordance with recognized standards and practices in the field of child training or education (see § 60-437.2). [S]	
College, seminary or university having a curriculum approved by the State Board of Regents (see § 60-437.2). [P and S? Needs discussion.]	College, seminary or university having a curriculum approved by the State Board of Regents (see § 60-437.2). [P]		College, seminary or university having a curriculum approved by the State Board of Regents (see § 60-437.2). [S]	
Summer theater for presentation of plays between June 1 and October 1 (see § 60-437.2). [P and S? Needs discussion.]	Summer theater for presentation of plays between June 1 and October 1 (see § 60-437.2). [P only? Needs discussion.]		Summer theater for presentation of plays between June 1 and October 1 (see § 60-437.2). [S]	
Gas and electric power transmission lines and transformers and switching stations (see § 60-437.1). [P and S? Needs discussion.]	Gas and electric power transmission lines and transformers and switching stations (see § 60-437.1). [P only? Needs discussion]		Gas and electric power transmission lines and transformers and switching stations (see § 60-437.1). [S]	
Riding academies on lots of at least 10 acres (see § 60-437.2). [P and S? Needs discussion.]	Riding academies on lots of at least 10 acres (see § 60-437.2). [P only? Needs discussion.]		Riding academies on lots of at least 10 acres (see § 60-437.2). [S]	
Nursing homes (see § 60-437.5). [P and S? Needs discussion.]	Nursing homes (see § 60-437.5). [P only? Needs discussion.]		Nursing homes (see § 60-437.5). [S]	
Religious (other than places or worship and monasteries), charitable or other similar nonprofit uses, hereinafter referred to as "institutional uses" (see § 60-437.6). [P and S? Needs discussion.]	Religious (other than places or worship and monasteries), charitable or other similar nonprofit uses, hereinafter referred to as "institutional uses" (see § 60-437.6). [P only? Needs discussion.]		Religious (other than places or worship and monasteries), charitable or other similar nonprofit uses, hereinafter referred to as "institutional uses" (see § 60-437.6). [S]	

ROCK  
PROPERTY  
7/1/21



1	2	3	4	5
B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
The farming of crops and/or the raising of poultry, livestock, chinchillas or rabbits. [P and S-TB? Needs discussion.]	The farming of crops and/or the raising of poultry, livestock, chinchillas or rabbits, subject to the issuance of a special permit by the Town Board. [P and S-TB? Needs discussion.]		The farming of crops and/or the raising of poultry, livestock, chinchillas or rabbits, subject to the issuance of a special permit by the Town Board. [S-TB]	
	<b>[ED. NOTE: Below principal uses are permitted in I-G District by B-RO-20 District reference to nonresidential permitted principal uses.]</b>			
	Business and professional offices, including administrative, scientific, medical, engineering, training, statistical, financial and similar activities in connection with such use (see § 437.3.). [P]			
	Research and development laboratories, provided that there shall be no manufacturing or fabrication of products for sale, except for a small number of plot or experimental models (see § 60-437.3). [P]			
<b>[ED. NOTE: Below principal uses are permitted in B-R District by reference to "any nonresidential principal use permitted in B-PO District."]</b>	<b>[ED. NOTE: Below principal uses are permitted in I-G District by B-PO District reference to nonresidential permitted principal uses.]</b>			
Funeral home, <i>subject to compliance with § 60-412.1 if such use is located in building constructed after 12/23/04 or in existing building to which floor area above street level is added after that date.</i> [P]	Funeral home. [P]			
Hospital or clinic for small animals, including dogs, cats, birds and the like, provided that such hospital or clinic and any treatment room, cages, pens or kennels shall be maintained within a completely enclosed building, <i>subject to compliance with § 60-412.1 if such use is located in building constructed after 12/23/04 or in existing building to which floor area above street level is added after that date.</i> [P]	Hospital or clinic for small animals, including dogs, cats, birds and the like, provided that such hospital or clinic and any treatment room, cages, pens or kennels shall be maintained within a completely enclosed building. [P]			
<b>[ED. NOTE: Below principal uses are permitted in B-R District by reference to "any use permitted in B-D District, except fast-food restaurant and multifamily dwellings, subject to compliance with..." ]</b>	<b>[ED. NOTE: Below principal uses are permitted in I-G District by B-D District reference to nonresidential permitted principal uses.]</b>			
Retail stores and shops, <i>subject to compliance with § 60-412.1 if such use is located in building constructed after 12/23/04 or in existing building to which floor area above street level is added after that date.</i> [P]	Retail stores and shops. [P]			
Business and professional offices and studios, <i>subject to compliance with § 60-412.1 if such use is located in building constructed after 12/23/04 or in existing building to which floor area above street level is added after that date.</i> [P]	Business and professional offices and studios. [P]			
Restaurant, <i>subject to compliance with § 60-412.1 if such use is located in building constructed after 12/23/04 or in existing building to which floor area above street level is added after that date.</i> [P and S-PB? Needs discussion.]	Restaurant. [P only? Needs discussion.]			
Barber, hairdresser, tailor, dressmaker, shoe repair or other personal service, <i>subject to compliance with § 60-412.1 if such use is located in building constructed after 12/23/04 or in existing building to which floor area above street level is added after that date.</i> [P]	Barber, hairdresser, tailor, dressmaker, shoe repair or other personal service. [P]			



1	2	3	4	5
B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
Financial institutions, <i>subject to compliance with § 60-412.1 if such use is located in building constructed after 12/23/04 or in existing building to which floor area above street level is added after that date.</i> [P]	Financial institutions. [P]			
Cabaret or bar, <i>subject to compliance with § 60-412.1 if such use is located in building constructed after 12/23/04 or in existing building to which floor area above street level is added after that date.</i> [P and S-PB? Needs discussion.]	Cabaret or bar. [P only? Needs discussion.]			
	Fast-food restaurant (see § 60-437.7). [P only? Needs discussion.]			
Carry-out restaurant, <i>subject to compliance with § 60-412.1 if such use is located in building constructed after 12/23/04 or in existing building to which floor area above street level is added after that date.</i> [P and S-PB? Needs discussion.]	Carry-out restaurant. [P only? Needs discussion.]			
<b>[ED. NOTE: Below principal uses are specifically listed as permitted uses in B-R District.]</b>	<b>[ED. NOTE: Below principal uses are permitted in I-G District by B-R District reference to nonresidential permitted principal uses.]</b>			
Bakery incidental to the conduct of a retail bake shop, <i>subject to compliance with § 60-412.1 if such use is located in a building constructed after 12/23/04 or in existing building to which floor area above the street level floor is added after that date.</i> [P]	Bakery incidental to the conduct of a retail bake shop. [P]			
Hand laundry, dry cleaning and dyeing, <i>subject to compliance with § 60-412.1 if such use is located in a building constructed after 12/23/04 or in existing building to which floor area above the street level floor is added after that date.</i> [P]	Hand laundry, dry cleaning and dyeing. [P]			
Gasoline filling station, <i>subject to compliance with § 60-412.1 if such use is located in a building constructed after 12/23/04 or in existing building to which floor area above the street level floor is added after that date</i> (see § 60-415). [S]	Gasoline filling station (see § 60-415). [P only? Needs discussion.]			
Shops for repair and upholstering of furniture, shops for electricians, plumbers, silversmiths or shops of similar crafts, <i>subject to compliance with § 60-412.1 if such use is located in a building constructed after 12/23/04 or in existing building to which floor area above the street level floor is added after that date.</i> The number of personnel shall not exceed 5. [P]	Shops for repair and upholstering of furniture, shops for electricians, plumbers, silversmiths or shops of similar crafts. The number of personnel shall not exceed 5. [P]			
Telephone exchange, <i>subject to compliance with § 60-412.1 if such use is located in a building constructed after 12/23/04 or in existing building to which floor area above the street level floor is added after that date.</i> [P]	Telephone exchange. [P]			
Bowling alley, billiard and pool room, <i>subject to compliance with § 60-412.1 if such use is located in a building constructed after 12/23/04 or in existing building to which floor area above the street level floor is added after that date.</i> [S]	Bowling alley, billiard and pool room. [P only? Needs discussion.]			
Wholesale trade, <i>subject to compliance with § 60-412.1 if such use is located in a building constructed after 12/23/04 or in existing building to which floor area above the street level floor is added after that date.</i> [S]	Wholesale trade. [P only? Needs discussion.]			

1	2	3	4	5
B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
<b><u>[ED. NOTE: Below principal uses are specifically listed as permitted uses in B-R District.]</u></b>				
Apartment above the street level floor in a building used for nonresidential purposes, subject to § 60-417.6 and further subject to § 60-412.1 if such use is located in a building constructed after 12/23/04 or in existing building to which floor area above the street level floor is added after that date. [P]				
Multiple dwellings on sites containing only residential principal and accessory uses, in accordance with the standards and requirements for multifamily developments in the MFR-C District as set forth in § 60-417.2. [P]				
		<b><u>[ED. NOTE: Below principal uses are specifically listed as permitted uses in MFR-M District.]</u></b>		
Utility structures for the transmission, storage and/or treatment of water and sewage, <i>subject to compliance with § 60-412.1 if such use is located in building constructed after 12/23/04 or in existing building to which floor area above street level is added after that date.</i> For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-424.2. [P]	Utility structures for the transmission, storage and/or treatment of water and sewage. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-424.2. [P]	Utility structures for the transmission, storage and/or treatment of water and sewage. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-424.2. [P]	Utility structures for the transmission, storage and/or treatment of water and sewage. For aboveground structures, the minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-424.2. [P]	
Structurally mounted wireless telecommunications services facility (minor) (see § 60-437.9E). [P]	Structurally mounted wireless telecommunications services facility (minor) (see § 60-437.9E). [P]		Structurally mounted wireless telecommunications services facility (minor) (see § 60-437.9E). [P]	
Structurally mounted wireless telecommunications services facility (major), monopole and tower (see § 60-437.9E). [P by reference to B-PO District – Needs discussion.]	Structurally mounted wireless telecommunications services facility (major), monopole and tower (see § 60-437.9E). [S-PB]		Structurally mounted wireless telecommunications services facility (major), monopole and tower (see § 60-437.9E). [S-PB]	
	<b><u>[ED. NOTE: Below principal uses are permitted in I-G District by I-P District reference to nonresidential permitted principal uses.]</u></b>			
	Light industry and manufacturing, including storage of books, periodicals and like printed material, fabrication, processing, converting, altering, assembling or other handling of products, the operating of which is conducted solely within a building or buildings and uses only electric power. [P]			
	<b><u>[ED. NOTE: Below principal uses are specifically listed as permitted uses in I-G District.]</u></b>			
	Public garage, subject to § 60-415. [P]			
	Athletic training center, subject to § 60-419. [P]			
	Animal kennel for small animals, including dogs, cats, birds and the like, provided that said kennels and appurtenant uses are within an enclosed building. [P]			
	Animal or veterinarian hospitals in conjunction with a kennel. [A-P]			



1	2	3	4	5
B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
		Multifamily dwellings (see § 60-417). [P]	Multifamily designed residential developments (MFRD) on lots equal to at least 100 times the minimum lot size requirement for 1-family dwellings in the district(s) in which located, subject to Planning Board approval (see § 60-437.9). [S-PB]	
			1-family detached dwelling.	
			Senior citizens shared residences, in compliance with § 60-437.9B. [S]	
		Recreation areas and facilities constructed as part of a residential development, provided that such facilities are located on a lot held in common ownership by an approved homeowners association, and their use shall be restricted to the members of the homeowners association and their non-paying guests. The minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-424.2. [P]	Recreation areas and facilities constructed as part of a residential development, provided that such facilities are located on a lot held in common ownership by an approved homeowners association, and their use shall be restricted to the members of the homeowners association and their non-paying guests. The minimum setback from all property lines shall be 50 feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 50% based upon consideration of topographic conditions, the nature of adjoining land uses, existing vegetation and other screening. Buffer screening shall be provided in accordance with § 60-424.2. [P]	
<b>[ED. NOTE: Below accessory use is permitted in B-R District by B-D District reference to permitted accessory uses.]</b>	<b>[ED. NOTE: Below accessory use is permitted in I-G District by B-R District reference to permitted accessory uses.]</b>	<b>[ED. NOTE: Below accessory uses are specifically listed as permitted uses in MFR-M District.]</b>	<b>[ED. NOTE: Below accessory uses are specifically listed as permitted uses in R-1/4 A District.]</b>	
The following signs, as permitted by § 60-413.5: (a) Type (a) and (b) signs; (b) 1 Type (c) sign for each unit of occupancy of each building; (c) 1 Type (d) sign for each building; (d) 1 Type (e) sign for each building; (e) Type (f) signs; (f) Type (g) signs. [A]	The following signs, as permitted by § 60-413.5: (a) Type (a) and (b) signs; (b) 1 Type (c) sign for each unit of occupancy of each building; (c) 1 Type (d) sign for each building; (d) 1 Type (e) sign for each building; (e) Type (f) signs; (f) Type (g) signs. [A]	Residential signs and residential development identification signs, as permitted by § 60-413.4. [A]	Signs, as permitted by § 60-413.4. [A]	
<b>[ED. NOTE: Below accessory use is specifically listed as a permitted use in the B-R District.]</b>	<b>[ED. NOTE: Below accessory uses are specifically listed as permitted uses in the I-G District.]</b>			
Any other accessory use customarily incidental to a permitted use on the same lot, including a maximum of three amusement devices. [A-P]	Any other accessory use customarily incidental to a permitted use on the same lot. [A-P]			
	Animal or veterinarian hospitals in conjunction with a kennel. [A-P]			
		Off-street parking facilities limited to the exclusive use of the occupants of the premises and their guests and not operated for profit. [A]	Off-street parking facilities for the use of the occupants of the premises and their guests, provided that no more than 1 parking space is leased to a person not resident on the premises, and provided that no commercial vehicles or construction equipment shall be regularly parked on the premises, except 1 vehicle of no more than 1-ton capacity used in connection with a permitted use, in which case it shall be stored in an enclosed structure. Temporary permits for additional parking of commercial vehicles and construction equipment may be granted by the Board of Appeals for a period not to exceed 90 days. [A]	
		Recreation areas and facilities. [A]		
		Garden house, greenhouse, toolhouse, refuse storage facilities and other similar incidental accessory use. [A]	Garden house, greenhouse, toolhouse. [A]	

1	2	3	4	5
B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
			Playhouse, swimming pool, tennis court, platform tennis court or other outdoor recreational use incidental to a permitted residential use and not operated for profit, including children's outdoor recreational apparatus. [A]	
		The keeping of a reasonable number of customary household pets, including no more than 1 dog over 6 months of age in each individual dwelling unit. [A]	The keeping of a reasonable number of customary household pets, including no more than 3 dogs over 6 months of age, <i>except that the Board of Appeals may permit the keeping of additional such pets subject to § 60-430, but excluding any commercial breeding or boarding of the same.</i> [A]	
		Central antenna system subject to § 60-417.272, provided that its height does not exceed 20 feet above the maximum permitted height of a building in that location. [A]		
		Professional office or customary home occupation, as permitted by § 60-416, <i>provided that no nonresidents shall be permitted to work on the premises.</i> [A, but no mention of need for site development plan approval. Needs discussion.]	Professional office or customary home occupation. (see § 60-416.) [A-SDP]	
			The regrading, filling or excavation of land, provided that no earth material, including sand, gravel or topsoil is removed from the subject premises. [A-SP]	
		The regrading, filling or excavation of land, including the removal of earth material, which is necessary and incidental to the use of development of land pursuant to an approved subdivision, site plan, special permit, wetlands permit or other written permit or written approval granted by the Town of New Castle or any agency or official thereof. [A]	The regrading, filling or excavation of land, including the removal of earth material, which is necessary and incidental to the use of development of land pursuant to an approved subdivision, site plan, special permit, wetlands permit or other written permit or written approval granted by the Town of New Castle or any agency or official thereof. [A]	
		Solar energy collector. [A]	Solar energy collector. [A]	
		Dish antenna subject to § 60-418. [A-SDP]	Dish antenna subject to § 60-418. [A-SDP]	
		The renting of not more than 1 bedroom in an owner-occupied 1-family dwelling to not more than 1 nontransient roomer or boarder, provided that such room shall be rented to the same occupant for a period of not less than 1 month, shall contain at least 100 square feet of floor area exclusive of closet space and shall not have separate kitchen facilities other than a refrigerator, and further provided that the availability of rented quarters in such dwelling shall not be advertised on the premises, and the entry to such dwelling and its design shall be such that its exterior appearance will remain that of a 1-family dwelling. [A]	The renting of not more than 1 bedroom in an owner-occupied 1-family dwelling to not more than 1 nontransient roomer or boarder, provided that such room shall be rented to the same occupant for a period of not less than 1 month, shall contain at least 100 square feet of floor area exclusive of closet space and shall not have separate kitchen facilities other than a refrigerator, and further provided that the availability of rented quarters in such dwelling shall not be advertised on the premises, and the entry to such dwelling and its design shall be such that its exterior appearance will remain that of a 1-family dwelling. [A]	
		The keeping, maintaining and flying of pigeons, subject to § 60-419.A. [A]	The keeping, maintaining and flying of pigeons, subject to § 60-419.A. [A]	
			The keeping of horses and/or ponies, including necessary stable facilities, provided that there is at least ½ acre of lot area per horse or pony, and provided that no stables are maintained within 50 feet of any lot line. [A]	
			Dormitory facilities in connection with a permitted school, college, seminary or university. [A-SP]	
			Group instruction (see § 60-437.8). [A-SP]	



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B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
			Raising of garden crops, vineyard crops, fruits and plants incident to the residential use of the land; on lots of at least 10 acres, the keeping and raising of poultry, livestock or fur-bearing animals, provided that no such use shall be located within 250 feet of any lot line. [A]	
			A separate structure for the purpose of supporting antennas other than wireless telecommunication services facilities, provided that it is necessary for the efficient operation of the electronic device or equipment to be used in connection with it. Antenna structures, other than wireless telecommunication service facilities, mounted on the roof of a principal building shall be permitted by right, provided that their height does not exceed 20 feet above roof level. [A-SP]	
			Storage of trailer or boat, provided that such trailer or boat is enclosed by a building or is otherwise screened for adjoining properties. Such structure or storage area shall comply with all yard setback requirements for buildings, but in no case shall it be permitted in the front yard. [A-SDP]	
			Accessory apartment, subject to § 60-417.5. [A-SDP]	
			Dwelling units for servants in separate dwelling buildings, provided that such buildings are located so that the sites upon which they are situated could, in the opinion of the Planning Board, be subdivided in the future from the remainder of the parcel in such a way as to create a separate conforming lot for each such dwelling unit, and provided further that each such dwelling unit shall comply with all applicable requirements for construction or alteration of structures in such residential districts. [A-SDP]	
			Swimming pool, tennis court, racquetball court, squash court, gymnasium or similar recreational facility located in a detached accessory building or an accessory building connected to the principal building, provided that the use of such facility is limited to the residents of the property and their nonpaying guests. The maximum permitted coverage of such a building shall not exceed 2% of the lot area. The minimum setback from all property boundaries shall be 50 feet for buildings covering less than 2,000 square feet plus 25 feet for each additional 1,000 square feet. The Planning Board may increase or decrease such setback requirements on individual properties by up to 1/3 based upon topographic conditions, adjoining land uses, landscaping and other forms of screening. [A-SDP]	
<b>B. Bulk Requirements</b>				
Min. Lot Area = Any building used for 1-family residence purposes shall be on a lot having an area of at least 5,000 square feet and a width of at least 50 feet	Min. Lot Area = 7,500 square feet	Min. Lot Area = One acre for each development, but no minimum for each individual building lot within a development which is subdivided in accordance with a plan approved by the Planning Board pursuant to the requirements of § 60-417.3.	Min. Lot Area = 11,250 square feet, except that R-1A requirements shall be met where there is no municipal water main within 200 feet of the existing or proposed building	

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B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
Min. Lot Width = Any building used for 1-family residence purposes shall be on a lot having an area of at least 5,000 square feet and a width of at least 50 feet	Min. Lot Width = 60 feet average	Min. Lot Width = No minimum	Min. Lot Width = 75 feet	
Min. Front Yard = 10 feet, but 75 feet when off-street parking is provided in front yard <i>[ED. NOTE: For properties in MADP Overlay District, refer to Column 5 of this table.]</i>	Min. Front Yard = 25 feet <i>[ED. NOTE: For properties in MADP Overlay District, refer to Column 5 of this table.]</i>	Min. Lot Depth = No minimum Min. Front Yard = 50 feet	Min. Lot Depth = 100 feet Min. Front Yard = 40 feet	Permissible building placement is defined by initial establishment of the “Build-To” Line and compliance with the “Building Frontage Zone” requirement. The “Build-To” Line (BTL) is generally located at a distance of 29 feet from the centerline of the adjacent roadway pavement in order to accommodate a 14-foot wide travel lane (including shoulder). If the BTL falls within the street right-of-way, it should be located to coincide with the front property line of the lot. If on-street parking is located on the adjacent roadway and the parking lane is defined by a curb, the BTL should be established at a distance of 15 feet from the inside edge of the curb. The “Building Frontage Zone” (BFZ) is an area 20 feet in depth and extending the full width of the lot along the BTL. All building frontages should be located within the BFZ, and 50% of such frontages must be located on the BTL.  On lots with a depth of 200 feet or more, all buildings should be located within the front half of the lot.  Parking lots should be located to the rear of buildings and where such location is not possible, such parking lots should be located to the side of buildings.
Min. Side Yard = None required where abutting a business lot but at least 6 feet if provided, 10 feet if adjoining a street and 25 feet if used as access to off-street parking (this requirement may be reduced or eliminated where and to the extent that part or all of an existing yard is conveyed to and accepted by the town for off-street parking and loading purposes)	Min. Side Yard = 8 feet, but 25 feet from any street	Min. Side Yard = 15 feet, but where adjoining a 1-family residence district, no less than 25 feet of the height of the building, whichever is greater	Min. Side Yard = 10 feet, but not less than total of 30 feet for both side yards	
Min. Rear Yard = None required where abutting a business lot but at least 6 feet if provided, 10 feet if adjoining a street and 25 feet if used as access to off-street parking (this requirement may be reduced or eliminated where and to the extent that part or all of an existing yard is conveyed to and accepted by the town for off-street parking and loading purposes)	Min. Rear Yard = 20 feet, but 25 feet from any street	Min. Rear Yard = 15 feet, but where adjoining a 1-family residence district, no less than 25 feet of the height of the building, whichever is greater	Min. Rear Yard = 35 feet	
Off-Street Parking and Loading Front Setback = No minimum	Off-Street Parking and Loading Front Setback = No minimum			
Off-Street Parking and Loading Side Setback = No minimum	Off-Street Parking and Loading Side Setback = No minimum			
Off-Street Parking and Loading Rear Setback = No minimum	Off-Street Parking and Loading Rear Setback = No minimum			
Max. Building Height = 3 stories/35 feet	Max. Building Height = 2 stories/30 feet	Max. Avg. Height of Principal Buildings = 3 stories/35 feet	Max. Avg. Height of Principal Buildings = 2.5 stories/35 feet, except 3 stories/40 feet for place of worship, school or library	
		Max. Avg. Height of Accessory Buildings = N.A.	Max. Avg. Height of Accessory Buildings = 2.5 stories/35 feet, except 3 stories/40 feet for place of worship, school or library	



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B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
		Min. Floor Area = Efficiency: 450 square feet; 1-bedroom: 650 square feet; 2-bedroom: 750 square feet; 3-bedroom: 1,000 square feet (including at least 1½ baths); 4-bedroom: 1,200 square feet (including at least 1½ baths)	Min. Floor Area = 1,000 square feet	
Max. Building Coverage = No maximum	Max. Building Coverage = 35%, but the total area of all floor space in the building may not exceed 40% of the lot area	Max. Building Coverage = N.A.	Max. Building Coverage = See § 60-421.71.	
		Max. Development Coverage = N.A.	Max. Development Coverage = See § 60-421.72.	
		Max. Floor Area = N.A.	Max. Floor Area = See § 60-421.8.	
Min. Building Height = 2 stories/30 feet, except as set forth in § 60-412.1				
Off-Street Parking and Loading = As required by § 60-426	Off-Street Parking and Loading = As required by § 60-426	Off-Street Parking and Loading = As required by §§ 60-426 and 417.25	Off-Street Parking and Loading = As required by § 60-426	
				Max. Building Wall Length = 60 feet. On lots where the floor area proposed requires the construction of more than one building to comply with this requirement, an interior walkway having a width of not less than 10 feet and not more than 30 feet should be created between adjacent buildings.
<b>C. Exterior Lighting</b>				
	(a) To the extent reasonably practicable, all exterior lighting used for nonresidential purposes, including the lighting of signs, shall be directed away from adjoining residential properties and streets. (b) It shall be unlawful for any person owning, using or occupying property that is subject to this chapter to use or permit the use of exterior lighting upon such property in a manner which unreasonably interferes with the use or enjoyment of neighboring residential property or creates a public safety hazard or nuisance.			Site lighting should have a color rendering index (CRI) of 90 or higher (e.g., induction or incandescent). It should be of the down light variety, installed on wood or metal poles with a mounting height of no more than 12 feet. Floodlighting should not be used. An average maintained illumination level of 0.5-1.0 footcandle maximum should be provided, with an average-to-minimum uniformity ratio of no more than 3:1. The base of all light poles should be located in landscaped islands.
<b>D. Screening and Buffer Areas</b>				

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B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
Any application for the erection, construction, enlargement, alteration or movement of any building or structure or for the establishment of any use within any business or industrial district or any nonresidential use in any residence district shall include provisions for a buffer screening area at least 10 feet in width along any lot line abutting or, if determined necessary by the approving authority, directly across the street from any lot in a residence district. This requirement may be waived by the approving authority in situations where it determines that large distances, topographic features or existing vegetation satisfy the same purpose. Where such a buffer screening is required, it shall meet the following standards: (a) Be of evergreen planting of such type, height, spacing and arrangement as, in the judgment of the approving authority, will screen the activity involved from the neighboring residential area. Nonevergreen planting may seasonally supplement evergreen planting but not take its place; (b) The plan and specifications for such planting shall be filed with the plans for the use of the lot; (c) Required planting shall be properly trimmed and maintained in good condition at all times; and (d) A wall or fence, of location, height, design and materials approved by the approving authority as providing equivalent screening, may be substituted for part or all of the required planting.	Any application for the erection, construction, enlargement, alteration or movement of any building or structure or for the establishment of any use within any business or industrial district or any nonresidential use in any residence district shall include provisions for a buffer screening area at least 10 feet in width along any lot line abutting or, if determined necessary by the approving authority, directly across the street from any lot in a residence district. This requirement may be waived by the approving authority in situations where it determines that large distances, topographic features or existing vegetation satisfy the same purpose. Where such a buffer screening is required, it shall meet the following standards: (a) Be of evergreen planting of such type, height, spacing and arrangement as, in the judgment of the approving authority, will screen the activity involved from the neighboring residential area. Nonevergreen planting may seasonally supplement evergreen planting but not take its place; (b) The plan and specifications for such planting shall be filed with the plans for the use of the lot; (c) Required planting shall be properly trimmed and maintained in good condition at all times; and (d) A wall or fence, of location, height, design and materials approved by the approving authority as providing equivalent screening, may be substituted for part or all of the required planting.	Any application for the erection, construction, enlargement, alteration or movement of any building or structure or for the establishment of any use within any business or industrial district or any nonresidential use in any residence district shall include provisions for a buffer screening area at least 10 feet in width along any lot line abutting or, if determined necessary by the approving authority, directly across the street from any lot in a residence district. This requirement may be waived by the approving authority in situations where it determines that large distances, topographic features or existing vegetation satisfy the same purpose. Where such a buffer screening is required, it shall meet the following standards: (a) Be of evergreen planting of such type, height, spacing and arrangement as, in the judgment of the approving authority, will screen the activity involved from the neighboring residential area. Nonevergreen planting may seasonally supplement evergreen planting but not take its place; (b) The plan and specifications for such planting shall be filed with the plans for the use of the lot; (c) Required planting shall be properly trimmed and maintained in good condition at all times; and (d) A wall or fence, of location, height, design and materials approved by the approving authority as providing equivalent screening, may be substituted for part or all of the required planting.	Any application for the erection, construction, enlargement, alteration or movement of any building or structure or for the establishment of any use within any business or industrial district or any nonresidential use in any residence district shall include provisions for a buffer screening area at least 10 feet in width along any lot line abutting or, if determined necessary by the approving authority, directly across the street from any lot in a residence district. This requirement may be waived by the approving authority in situations where it determines that large distances, topographic features or existing vegetation satisfy the same purpose. Where such a buffer screening is required, it shall meet the following standards: (a) Be of evergreen planting of such type, height, spacing and arrangement as, in the judgment of the approving authority, will screen the activity involved from the neighboring residential area. Nonevergreen planting may seasonally supplement evergreen planting but not take its place; (b) The plan and specifications for such planting shall be filed with the plans for the use of the lot; (c) Required planting shall be properly trimmed and maintained in good condition at all times; and (d) A wall or fence, of location, height, design and materials approved by the approving authority as providing equivalent screening, may be substituted for part or all of the required planting.	
<b>E. Walls and Fences</b>				
(A) Walls. Regardless of the location of a freestanding wall on a lot, parcel or property, such wall shall not exceed six feet in height and shall not conflict with the standards in § 60-423.6. (B) Fences. Subject to the standards set forth in § 60-423.6, (a) fences located at the property line or within a required minimum yard setback shall not exceed six feet in height; (b) fences which are not located within required minimum yard setbacks shall be subject to the following height limitations: (I) solid fences (as defined below) shall not exceed six feet in height; (II) open fences (as defined below) shall not exceed eight feet in height; and (III) open mesh fences (as defined below) shall not exceed eight feet in height. In addition, fences shall be erected with the finished side facing the street and the finished side facing the abutting property wherever the finished side of the fence may be visible. A “solid fence” is defined as a fence made of materials or construction with more than ¼ solid material when viewed from a position which is at a right angle to the fence. An “open fence” is defined as a fence made of materials or construction with ¼ or less solid material when viewed from a position which is at a right angle to the fence. An “open mesh fence” is defined as an open fence constructed of a black, plastic or metallic threaded network or grid commonly used to protect gardens and shrubbery from deer and other large animals.		(A) Walls. Regardless of the location of a freestanding wall on a lot, parcel or property, such wall shall not exceed six feet in height and shall not conflict with the standards in § 60-423.6. (B) Fences. Subject to the standards set forth in § 60-423.6, (a) fences located at the property line or within a required minimum yard setback shall not exceed six feet in height; (b) fences which are not located within required minimum yard setbacks shall be subject to the following height limitations: (I) solid fences (as defined below) shall not exceed six feet in height; (II) open fences (as defined below) shall not exceed eight feet in height; and (III) open mesh fences (as defined below) shall not exceed eight feet in height. In addition, fences shall be erected with the finished side facing the street and the finished side facing the abutting property wherever the finished side of the fence may be visible. A “solid fence” is defined as a fence made of materials or construction with more than ¼ solid material when viewed from a position which is at a right angle to the fence. An “open fence” is defined as a fence made of materials or construction with ¼ or less solid material when viewed from a position which is at a right angle to the fence. An “open mesh fence” is defined as an open fence constructed of a black, plastic or metallic threaded network or grid commonly used to protect gardens and shrubbery from deer and other large animals.	(A) Walls. Regardless of the location of a freestanding wall on a lot, parcel or property, such wall shall not exceed six feet in height and shall not conflict with the standards in § 60-423.6. (B) Fences. Subject to the standards set forth in § 60-423.6, (a) fences located at the property line or within a required minimum yard setback shall not exceed six feet in height; (b) fences which are not located within required minimum yard setbacks shall be subject to the following height limitations: (I) solid fences (as defined below) shall not exceed six feet in height; (II) open fences (as defined below) shall not exceed eight feet in height; and (III) open mesh fences (as defined below) shall not exceed eight feet in height. In addition, fences shall be erected with the finished side facing the street and the finished side facing the abutting property wherever the finished side of the fence may be visible. A “solid fence” is defined as a fence made of materials or construction with more than ¼ solid material when viewed from a position which is at a right angle to the fence. An “open fence” is defined as a fence made of materials or construction with ¼ or less solid material when viewed from a position which is at a right angle to the fence. An “open mesh fence” is defined as an open fence constructed of a black, plastic or metallic threaded network or grid commonly used to protect gardens and shrubbery from deer and other large animals.	



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B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
<b>F. Visibility at Intersections</b>				
On any corner lot, no building, fence, sign, wall, hedge or other structure or planting, except an open-mesh wire fence, shall be erected, placed or maintained in such a way as to interfere with clear sight distance within the triangular area formed by the two intersecting street right-of-way lines and a straight line connecting points along said lines, which points are located 50 feet back from the theoretical point of intersection of such lines extended. Such required sight distance shall assume the observer's eye to be 3½ feet above the street surface at the nearest edge of pavement and the object one foot above the nearest edge of pavement on the intersecting street. This paragraph shall not apply to existing trees, provided that no branches less than six feet in height above the ground are blocking such clear sight distance.		On any corner lot, no building, fence, sign, wall, hedge or other structure or planting, except an open-mesh wire fence, shall be erected, placed or maintained in such a way as to interfere with clear sight distance within the triangular area formed by the two intersecting street right-of-way lines and a straight line connecting points along said lines, which points are located 50 feet back from the theoretical point of intersection of such lines extended. Such required sight distance shall assume the observer's eye to be 3½ feet above the street surface at the nearest edge of pavement and the object one foot above the nearest edge of pavement on the intersecting street. This paragraph shall not apply to existing trees, provided that no branches less than six feet in height above the ground are blocking such clear sight distance.	On any corner lot, no building, fence, sign, wall, hedge or other structure or planting, except an open-mesh wire fence, shall be erected, placed or maintained in such a way as to interfere with clear sight distance within the triangular area formed by the two intersecting street right-of-way lines and a straight line connecting points along said lines, which points are located 50 feet back from the theoretical point of intersection of such lines extended. Such required sight distance shall assume the observer's eye to be 3½ feet above the street surface at the nearest edge of pavement and the object one foot above the nearest edge of pavement on the intersecting street. This paragraph shall not apply to existing trees, provided that no branches less than six feet in height above the ground are blocking such clear sight distance.	
<b>G. Courts</b>				
The least horizontal dimension on any court, at any level, shall not be less than the height of any vertical wall forming part of such court above the sill of the lowest window served by such court, but not less than 20 feet in any case.		The least horizontal dimension on any court, at any level, shall not be less than the height of any vertical wall forming part of such court above the sill of the lowest window served by such court, but not less than 20 feet in any case.	The least horizontal dimension on any court, at any level, shall not be less than the height of any vertical wall forming part of such court above the sill of the lowest window served by such court, but not less than 20 feet in any case.	
<b>H. Driveways</b>				
The maximum grade for new driveways appurtenant to uses other than one-family dwellings and connecting the required off-street parking area to the street shall not exceed 10%, except that where it can be demonstrated to the satisfaction of the Planning Board, with respect to site plans and special permits over which it has jurisdiction, or the Board of Appeals, which respect to special permits over which it has jurisdiction, because of practical difficulty or unnecessary hardship affecting a particular property, the construction of a driveway with a grade of 10% or less is impractical, the Planning Board or the Board of Appeals, as applicable, may permit the construction of a steeper driveway, provided that the increase in driveway grade is the minimum increase required, and further provided that in no case shall such driveway grade be permitted to exceed 12%.	The maximum grade for new driveways appurtenant to uses other than one-family dwellings and connecting the required off-street parking area to the street shall not exceed 10%, except that where it can be demonstrated to the satisfaction of the Planning Board, with respect to site plans and special permits over which it has jurisdiction, or the Board of Appeals, which respect to special permits over which it has jurisdiction, because of practical difficulty or unnecessary hardship affecting a particular property, the construction of a driveway with a grade of 10% or less is impractical, the Planning Board or the Board of Appeals, as applicable, may permit the construction of a steeper driveway, provided that the increase in driveway grade is the minimum increase required, and further provided that in no case shall such driveway grade be permitted to exceed 12%.	The maximum grade for new driveways appurtenant to uses other than one-family dwellings and connecting the required off-street parking area to the street shall not exceed 10%, except that where it can be demonstrated to the satisfaction of the Planning Board, with respect to site plans and special permits over which it has jurisdiction, or the Board of Appeals, which respect to special permits over which it has jurisdiction, because of practical difficulty or unnecessary hardship affecting a particular property, the construction of a driveway with a grade of 10% or less is impractical, the Planning Board or the Board of Appeals, as applicable, may permit the construction of a steeper driveway, provided that the increase in driveway grade is the minimum increase required, and further provided that in no case shall such driveway grade be permitted to exceed 12%.		
			The maximum grade for any new driveway appurtenant to one or more one-family dwellings and connecting their required off-street parking areas to a street shall be 14%, except that where it can be demonstrated to the satisfaction of the Town Engineer that, because of practical difficulty or unnecessary hardship affecting a particular property, the construction of a driveway with a grade of 14% or less is impractical, the Town Engineer may permit the construction of a steeper driveway, provided that the increase in driveway grade is the minimum increase required, and further provided that in no case shall such driveway grade be permitted to exceed 16%.	

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B-R Retail Business District	I-G General Industrial District	MFR-M Multifamily Residence - Millwood District	R-1/4 A One-Family Residence District	MADP Millwood Center Area Design Plan Overlay District
No driveway entering onto any street shall have a grade greater than 5% within 35 feet of the center line of the traveled way of the street or within 10 feet of the property line of the street, whichever distance is more restrictive.	No driveway entering onto any street shall have a grade greater than 5% within 35 feet of the center line of the traveled way of the street or within 10 feet of the property line of the street, whichever distance is more restrictive.	No driveway entering onto any street shall have a grade greater than 5% within 35 feet of the center line of the traveled way of the street or within 10 feet of the property line of the street, whichever distance is more restrictive.	No driveway entering onto any street shall have a grade greater than 5% within 35 feet of the center line of the traveled way of the street or within 10 feet of the property line of the street, whichever distance is more restrictive. The Town Engineer, with respect to one-family dwellings, may permit the amount of this grade to be increased to 7% where it is demonstrated to his satisfaction that, because of practical difficulty or unnecessary hardship affecting a particular property, a lesser grade would be impractical and the driveway would still be adequate.	
Notwithstanding the maximum permitted grades specified above, the maximum permissible change of driveway grade shall be 6%. If necessary to avoid a change of greater than 6%: (a) one or more transition sections of not less than 20 feet in length or (b) a vertical curve of not less than 100 feet in length shall be provided.	Notwithstanding the maximum permitted grades specified above, the maximum permissible change of driveway grade shall be 6%. If necessary to avoid a change of greater than 6%: (a) one or more transition sections of not less than 20 feet in length or (b) a vertical curve of not less than 100 feet in length shall be provided.	Notwithstanding the maximum permitted grades specified above, the maximum permissible change of driveway grade shall be 6%. If necessary to avoid a change of greater than 6%: (a) one or more transition sections of not less than 20 feet in length or (b) a vertical curve of not less than 100 feet in length shall be provided.	Notwithstanding the maximum permitted grades specified above, the maximum permissible change of driveway grade shall be 6%. If necessary to avoid a change of greater than 6%: (a) one or more transition sections of not less than 20 feet in length or (b) a vertical curve of not less than 100 feet in length shall be provided.	

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