

**Note: the following warrant articles will be the subject of a Public Hearing on Wednesday, May 6<sup>th</sup> and have been reviewed with Town counsel**

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**ARTICLE \_\_\_:** To see if the Town will vote to delete Section 2.2 Use of Buildings, Structures and Land, from the Town of Leyden Zoning Bylaws or take any action relating thereto. This article requires a 2/3rds majority vote. *Note: text in Italics is included for information purposes only.*

*Recommend deletion of the following Section 2.2:*

2.2 Use of Buildings, Structures and Land. Except as provided in Section 4 herein, any lawful building or structure may be constructed, altered or enlarged; and any lawful building or structure or land may be used for any purpose which is not injurious, noxious, offensive or detrimental to a neighborhood, and which does not violate any section of this Bylaw.

*This is text that was in the original Leyden zoning bylaw. Over the years, there have been changes made to the bylaw that make this language conflicting and inconsistent with the many changes to the bylaw that have occurred over the years. Town Counsel recommends deleting this section.*

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**ARTICLE \_\_\_:** To see if the Town will vote to add a new Section 5.13 C. 7), to remove the inclusion of the square footage of a basement from the 1200 square foot gross floor area maximum of a Protected or Additional ADU, as follows, or take any action relating thereto. This Article requires a 2/3rds majority vote.

Section 5.13 Accessory Dwelling Units (ADU's)

C. Conditions and Requirements

7) In calculating the 1200 square foot maximum gross floor area of a new Protected or Additional ADU, but not the Principal Dwelling, the square footage of a basement will not be included.

*Note: At ATM 2025, an article was passed, with a two-thirds vote, that would have allowed for a basement for an ADU. The Planning Board proposed to make that change by modifying the model definition for "gross floor area." The Attorney General did not*

*approve that specific warrant article. Therefore, the Planning Board is proposing to achieve that goal by adding a sentence to the conditions and requirements for an ADU.*