

Town of Woodstock

Zoning Regulations

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WOODSTOCK PLANNING & ZONING COMMISSION

Table of Contents

Article I. General 1

Article II. Definitions 9

Article III. Districts36

A. Establishment of Districts36

B. Community District38

C. Industrial Park District39

D. Village Green District40

E. Seasonal Cottage Resort District.....42

F. Lake District42

Article IV. Dimensional Requirements and Performance Standards.....45

A. Performance Standards45

1. Performance Standards for All Uses.....45

2. Structures.....46

3. Nonconforming Structures and Uses.....46

4. Nonconforming Lots.....47

General Dimensional Standards Table.....49

B. Agricultural and Single-Family Residential Uses In the Community District52

C. Subdivisions54

D. Multi-Family Residential Uses57

E. Non-Residential Uses.....58

F. Seasonal Cottage Resort District Uses.....59

G. Village Green District Uses.....62

H. Lake District Uses64

I. Cannabis Establishment.....65

Article V. Permit Requirements.....69

A. 1 General.....69

2. Preliminary Discussions.....70

3. Zoning Permit Requirements.....70

4. Waiver of Zoning Permit Requirements.....72

5. Applications for Zoning Permits.....72

6. Digital Data Required.....72

B. 1. Special Permits, General.....73

2. Special Permit Requirements.....74

3. Notification to Adjoining Municipalities.....80

4. Waiver of Special Permit Application Requirements.....80

5. Public Hearings for Special Permit Applications.....80

6. Special Permit Decisions.....81

Article VI. Town-Wide Requirements / Standards 85

A. Bonding85

1. Site Plan and Special Permit Bonds85

2.	Bond Procedures	86
B.	Driveway Standards	89
C.	Earth & Gravel Operations	91
D.	Flood Plain Management	102
E.	Home Occupations	103
F.	Lighting	104
G.	Signs	108
H.	Stormwater Pollution, Soil Erosion & Sediment Control	111
I.	Student Housing	116
J.	Wireless Telecommunications Facilities	118
K.	Temporary Health Care Structure	125
	Amendments	127
	Appendix	132
	Reference: Zoning Board of Appeals	143

Article I. General

A. Purpose

1. The purpose of the Woodstock Zoning Regulations, as is provided by Connecticut General Statutes (CGS) 8-2 as may be amended, is to regulate the erection, construction, reconstruction, alteration, and use of buildings and structures; the use of land; the height, number of stories and size of buildings and other structures; the percentage of the area of the lot that may be occupied; the size of yards, courts and other open spaces; the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, including water-dependent uses, and the height, size and location of advertising signs and billboards.
2. These requirements have been made in accordance with a comprehensive plan, as is required by CGS 8-2 as may be amended, and have been designed to:
 - a. lessen congestion in the streets;
 - b. secure safety from fire, panic, flood and other dangers;
 - c. promote health and the general welfare;
 - d. provide adequate light and air;
 - e. prevent the overcrowding of land;
 - f. avoid undue concentration of population;
 - g. facilitate adequate provision for transportation, water, sewerage, schools, parks and other public requirements.
3. As is provided by CGS 8-2 as may be amended, these Regulations have been made with reasonable consideration as to:
 - a. the character of the zoning districts;
 - b. its peculiar suitability for particular uses;
 - c. conserving the value of buildings and encouraging the most appropriate use of land throughout Woodstock;
 - d. encouraging the development of housing opportunities for all citizens of Woodstock consistent with soil types, terrain and infrastructure capacity;
 - e. their impact on agriculture, and protection of historic resources,

- f. ensuring the protection of existing and potential public surface and ground drinking water supplies; and
- g. ensuring proper provision for soil erosion and sediment control and stormwater management.

B. Authority

The Town of Woodstock has, by vote of its legislative body, adopted the provisions of CGS, 8-2 as may be amended, and exercises through the Woodstock Planning and Zoning Commission the powers granted therein. These Regulations are adopted under the authority of Chapter 124 of the Connecticut General Statutes, as amended.

The enumeration of specific powers in this and other chapters of this regulation shall not be construed as limiting this general grant of powers but shall be considered as an addition thereto.

C. Conformity with Regulations

Prior to initiation of any land development activity or use, it is recommended that these Regulations be reviewed and the Zoning Enforcement Officer (ZEO) or the Commission be consulted regarding requirements and administrative procedures of these Regulations.

1. No building, structure, premises or land shall be used or occupied, and no building or other structure or part thereof shall be erected, moved, placed, reconstructed, extended, enlarged, or altered and no land development activities shall be undertaken (including subdivision, resubdivision or division of land), as is provided in CGS 8-3(f) as may be amended, except in conformity with the Regulations herein prescribed for the zone in which such land, building, structure, use, or activity is located.
2. No conveyance of land shall be made that reduces the remaining land of the grantor's parcel below the applicable minimum area, lot frontage, bulk, yard and setback requirements.
3. No Building Permit, Zoning Permit, Certificate of Occupancy or Certificate of Zoning Compliance shall be issued for the erection or occupancy of a building or structure on a parcel not in conformity with these Regulations.
4. Lots shall not be separated or altered so as not to comply with the provisions of these Regulations.

D. Enforcement

1. These Regulations shall be enforced and interpreted by the Woodstock Planning and Zoning Commission or the duly appointed ZEO, in such a manner as set forth in applicable

sections of the Connecticut General Statutes, as amended, and in such a manner as set forth in these Regulations.

2. If any building or structure has been erected, constructed, altered, converted or maintained, or any building, structure or land has been used, in violation of these Regulations, the Commission or the duly appointed ZEO, in addition to other remedies, may do any or all of the following, as provided by CGS 8-12 or CGS § 8-12a as may be amended:
 - a. institute an action or proceeding to prevent such unlawful erection, construction, alteration, conversion, maintenance or use, or to restrain, correct or abate such violation, or to prevent the occupancy of such building, structure or land, or to prevent any illegal act, conduct or use in or about such premises;
 - b. cause any building, structure, place or premises to be inspected and examined and order in writing the remedying of any condition found to exist therein or thereon in violation of these Regulations or, when the violation involves either grading of land, removal of earth, or soil erosion and sediment control, issue in writing a cease and desist order to be effective immediately; and
 - c. revoke any Zoning Permit or Special Permit if, after written notice to the applicant, landowner, or other person conducting such use, and an opportunity for a hearing, the Commission or the ZEO makes a finding that any condition or other term of the permit or of these Regulations has been violated or is not in compliance.

E. Amendments

1. The following procedures shall be followed for any proposed amendment to the Zoning Regulations or to Zoning District Boundaries In accordance with the provisions of CGS8-3, (a-d) as may be amended:
 - a. In accordance with the provisions of Section 8-3 of the Connecticut General Statutes, these Regulations and/or the Official Zoning Map may be amended either on the initiative of the Commission or by petition from property-owners or residents of the Town of Woodstock.
 - b. Petitions for amendments shall include all required application materials. Petitions should be filed in the Woodstock Land Use Office at least ten (10) calendar days prior to a regular meeting for verification of completeness and placement on the agenda and shall only be received at a regular meeting of the Commission.
 - c. Upon receipt of a petition to amend the Zoning Regulations and/or Official Zoning Map, the Commission may refer the application materials to town staff members and/or consultants/experts that the Commission deems necessary or appropriate, in accordance with statutory provisions. Referrals to the Northeastern Connecticut Council of Governments or adjacent municipalities may be necessary.

- d. Revised or supplemental application information shall not be received during the period between the publication of Public Hearing notices and the scheduled Public Hearing, unless the Commission agrees to receive revised information and unless the applicant agrees to pay for all publication costs associated with a rescheduled Public Hearing and requests and is granted an extension of the deadline within statutory time restrictions.
- e. Once a petition has been received as complete, the Commission shall schedule a formal Public Hearing.
- f. A copy of the proposed amendment to the Zoning Regulations or revision of the Official Zoning Map shall be filed in the office of the Woodstock Town Clerk at least ten (10) days prior to the publication of notices for the scheduled Public Hearing; the Commission may require that the entire text change proposal be published in a local newspaper of general circulation. For Public Hearings, legal notices shall be published in accordance with CGS as may be amended.
- g. No new information shall be received from the applicant or the public after the close of the Public Hearing.
- h. If the proposed change is by petition, the Commission shall complete its review and, within statutory limitations, adopt, modify or deny the changes requested in the petition.
- i. The Commission shall give reasons in its action pursuant to CGS Section 8-3a of the State Statutes as may be amended. The Commission shall state on the record its findings regarding the consistency of a proposed Zoning Regulation or boundaries or changes thereof with the Woodstock Plan of Conservation and Development, and establish an effective date for the approved changes to the Zoning Regulations or Official Zoning Map.
- j. The Commission shall not be required to hear any petition or petitions relating to the same changes, or substantially the same changes, more than once in a period of twelve (12) months per CGS 8-3 (c) as may be amended.

2. Application Requirements

Petitions to amend the Zoning Regulations and/or Official Zoning Map shall, except as noted otherwise, include fifteen (15) copies of the following information:

- a. A complete application including the original signatures of all petitioners and all property owners. No application shall be considered complete until the required application fee is paid.
- b. A statement of justification for the proposed Regulation amendment, or Zoning District Boundary change. The statement shall substantiate:
 - i. the compatibility of the proposal with the Woodstock Plan of Conservation and Development;

- ii. the reasons for the particular changes(s); and
 - iii. the effects the particular changes(s) would have on the health, safety, welfare, and property values of Woodstock residents.
- c. Petitions for changes to the Zoning Regulations shall include the exact wording of all proposed amendments and Article and Section references. All applications to amend the Zoning Regulations shall incorporate into the proposal all related sections of the existing Regulations that must be modified to ensure consistency among the various regulatory provisions.
- d. Petitions for changes to boundaries of the Official Zoning Map shall include a map, in paper and electronic formats, prepared and appropriately signed and sealed by a surveyor licensed in the State of Connecticut.
- i. For a rezoning involving ten acres or less, the map shall be at a scale of one-inch equals one hundred feet or less.
 - ii. For areas greater than ten acres in size but less than 20, the map shall be at a scale of one-inch equals 200 feet or less.
 - iii. For areas over twenty acres in size, the Commission may authorize an alternative scale provided the proposed area of rezoning and all properties within five hundred (500) feet of this area are clearly represented.

- iv. The zone change map shall be distinct from any site plan and shall include the following:

The area of the zone change and all area within five hundred (500) feet of the proposed rezoning;

- a) Existing and proposed zoning district boundary lines;
- b) Existing streets, rights-of-ways, easements, watercourses, wetlands and flood hazard areas;
- c) Existing property lines and the names and addresses of the current property-owners, including those across any street and within five-hundred (500) feet of all property boundaries, as per the Woodstock Assessor's records.
- d) In situations where the mapping information required above cannot fit on one 24 inch by 36 inch sheet, the application shall also include an additional 24 inch by 36 inch sheet depicting all property within the area of the zone change and all property within five hundred (500) feet of the proposed rezoning.
- e) Petitions for changes to the Official Zoning Map shall include a legally defined boundary description of the areas to be rezoned.

- f) Traffic studies, environmental assessments and other special reports may also be required by the Commission.

3. Notification Of Neighboring Property-Owners:

To ensure ample opportunity for neighborhood opinion to be expressed, and as required by CGS 8-7d as may be amended, the applicant shall be responsible for notifying in writing all property-owners within five-hundred (500) feet of the perimeter boundaries of the subject zone change area. The notice, which shall be sent utilizing Certificate of Mailing and Return Receipt at least ten (10) days prior to the date of the scheduled Public Hearing, shall include the Statement of Justification received by the Commission, a map showing the proposed zone change area, the date and time of the scheduled Public Hearing and the fact that the proposed plans are on file in the Woodstock Land Use Office. A copy of the applicant's notice to neighboring property-owners, a listing of the property- owners notified, the Return Receipts and the Certificates of Mailing shall be filed in the Woodstock Land Use Office at least five (5) days prior to the Public Hearing. If Return Receipts are unavailable prior to the Public Hearing, they shall be submitted at the Public Hearing.

- 4. In considering any petition to amend the Zoning Regulations or revise the Official Zoning Map, the Commission shall determine whether the applicant's proposal will promote the public's health, safety, property values and general welfare. Further, the Commission shall make the following findings prior to adopting any changes requested in a petition to amend the Zoning Regulations or revise the Official Zoning Map:
 - a. The proposal is complete and contains all required application information;
 - b. The proposal is consistent with the goals, policies and recommendations contained within the Woodstock Plan of Conservation and Development. This finding shall be stated on the record, pursuant to Section 8-3a of the State Statutes;
 - c. The proposal is consistent with the expression of regulatory intent and purpose contained in the provisions of Article I of these Regulations and Section 8-2 of the Connecticut General Statutes, as amended;
 - d. Any proposal to amend the Zoning Regulations is appropriately-worded, legally sound and comprehensive, and consistent with respect to other Woodstock Zoning regulatory provisions; and
 - e. Any proposal to revise the Official Zoning Map has comprehensively considered the size and physical characteristics of the proposed area; the character and supply of land currently zoned in the proposed classification; and the effect of the proposal on existing land uses in the surrounding area.
- 5. As is required by CGS 8-3(b) as may be amended, Amendments to the Zoning Regulations or revisions to the Official Zoning Map shall be adopted by a majority vote of all the members of the Commission.
- 6. Formal Protest Against Change to the Official Zoning Map

- a. A formal protest against a proposed revision to the Official Zoning Map may be filed at or before a Public Hearing on the proposed revision.
 - b. The protest must be appropriately signed by the owners of twenty percent (20%) or more of the area of the lots included in such proposed change or of the lots within five hundred (500) feet in all directions of the property included in the proposed change.
 - c. Anyone considering the filing of a formal protest against a proposed revision to the Official Zoning Map, as per the provisions of the State Statutes and this Section, is advised to contact the Woodstock Land Use Office for assistance with respect to proper format and requirements regarding legal signatures, and, as appropriate, to seek legal advice.
7. When a protest to an Official Zoning Map change has been appropriately filed, the proposed change shall not be adopted except by a vote of two thirds (2/3) of all the members of the Commission.

F. Severability

In the event that any court of competent jurisdiction determines any word, clause, sentence, section, part or provision of these Regulations to be invalid, such determination shall not affect the validity of the remainder of these Regulations, and all other provisions of these Regulations shall remain in full force and effect.

G. Fees

The Town of Woodstock adopted the Ordinance Establishing Individual Cost-Based Fees for Municipal Land Use Applications which became effective September 12, 2009. All land use application fees shall be in accordance with said Ordinance as amended as is provided in CGS 8-1c as may be amended. Please see the "Ordinance Establishing Individual Cost-Based Fees for Municipal Land Use Applications", as may be amended by the Town.

H. Interpretation

In interpreting and applying these Regulations, as is provided by CGS 8-2 as may be amended, the Regulations shall be considered as the minimum requirements for the protection of the public health, safety and general welfare. When these Regulations impose a greater restriction on the use of buildings or require larger yards, courts or other open spaces, or require a greater percentage of lots to remain not built, or impose other standards higher than those imposed by any law, Regulation or private agreement, these Regulations shall control. When restrictions are imposed by any law, Regulation or private agreement which are greater than those required by these Regulations, such greater restrictions shall not be affected by these Regulations. When one section of these Regulations imposes standards greater than those of another section, the standards of the more restrictive section shall control as enumerated by CGS 8-13 as may be amended.

I. Exemptions

The Town of Woodstock municipal uses shall be exempted from the Regulations upon vote of the Legislative body of the Town of Woodstock, as per Sec. 8-2 of the Connecticut General Statutes.

J. Effective Date

The effective date of these Regulations shall be January 1, 1992. Dates of the Amendments to these Regulations are referenced in the Appendix.

Article II. Definitions

A. Scope

Certain terms and words used in these Regulations shall be interpreted and defined as set forth in the following Section. This list of definitions is applicable to all of Woodstock.

This list of definitions is applicable to all Planning and Zoning matters in Woodstock; some are specific to Zoning matters and others to Subdivision Applications.

1. Words used in the singular shall include the plural, and vice versa. Words used in the present tense shall include the future tense, and vice versa.
2. The word “shall” is mandatory and not discretionary. The word “may” is permissive.
3. The word “structure” shall include the word “building”.
4. The word “lot” shall include “piece”, “parcel”, “plot”, “plat”, “lot”, “site”, “property”, and “premises”.
5. The word “person” shall include a(n) “individual”, “limited liability company”, “LLC”, “partnership”, “firm”, “association”, “incorporated association”, “trust”, or “corporation”, or any other similar entity.
6. The words “zone”, “zoning district”, and “district” shall have the same meaning.
7. The phrase “these Regulations” shall refer to the entire Zoning and Subdivision Regulations or to any Section or Subsection.
8. The word “Commission” shall refer to the Woodstock Planning and Zoning Commission”.
9. In the case of any difference of meaning between the text of a Regulation and any caption, illustration, or table, the text shall control.

B. Interpretation of Other Terms

For the purposes of these Regulations, words not defined in this Section shall be interpreted by the Commission:

1. so as to give them the meaning they have in common usage and to give the applicable section its most reasonable application or;
2. after consulting one or more of the following:
 - a. the Connecticut General Statutes as amended
 - b. the State Building Code, as amended;

- c. Black's Law Dictionary
- d. The Illustrated Book of Development Definitions (Rutgers University, Center for Urban Policy Research, Piscataway, NJ) as amended; and/or
- e. A comprehensive general dictionary

A

Accessory Apartment: A second dwelling unit, not to exceed the specified size in the standards for the applicable district, that is contained on the same lot as a single-family residence, that is clearly subordinate to the main dwelling unit in terms of size and appearance, and that is defined by CGS 8-2 as may be amended.

Accessory Building, Structure, or Use: A building, structure, or use customarily incidental and subordinate in size and magnitude of use to the principal building, structure, or use and located on the same lot with such building, structure, or use. Accessory buildings, structures, or uses include, but are not limited to, garden shed or barn, guesthouse, private playhouse, private greenhouse, private swimming pool, home garden, nursery or greenhouse, outdoor retail sales, home occupation, residential accessory structure or use (garage, shed), solar energy system, temporary structure or use, tennis court, windmill, antenna (including dish or tower) and the like.

Access Point/Curb Cut: an opening along a curb line or other access point if there is no curb line at which point vehicles may enter or leave a roadway

Accessway: That portion of an interior (rear) lot extending from the street and providing width of the minimum lot frontage required under these Regulations. The width of the accessway shall be measured in a direction parallel to the front lot line.

Acre: One acre shall be forty three thousand, five hundred and sixty (43,560) square feet

Agriculture and Agricultural Uses: The terms "agriculture" and "agricultural uses" shall have all those meanings set forth in Section 1-1(q) of the Connecticut General Statutes, as amended, which, as of the date of enactment of these Regulations, included cultivation of the soil, dairying, forestry, raising or harvesting of any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals; and aquaculture, as defined below; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations; the harvesting of mushrooms, the hatching of poultry, the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "aquaculture" means the farming of the waters of the state and the production of protein food, including oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands.

Agricultural Easement: a conservation restriction whose primary purpose is to retain land exclusively in agricultural and related use.

Agricultural Production Purposes: Activities directly related to the production of agricultural commodities.

Antenna: A device used to receive or transmit electromagnetic waves. Examples include, but are not limited to whip, panel, and dish antennas.

Anti-tracking Pad: an area of stone underlain with filter fabric which is required to be installed at the entrance to all construction sites to minimize the off-site movement of soils by vehicles.

A Plan of Open Space and Conservation (APOSC): Document prepared by the Woodstock Conservation Commission, accepted by the Town of Woodstock on June 20, 2001, updated December 3, 2003, and as may be amended from time to time.

Applicant: Any person, firm, corporation, partnership, or other legally recognized entity who shall apply to the Commission for approval of a subdivision, either on the Applicant's own behalf or as an agent for one or more others. Same as "Subdivider."

Application: A request for approval of a specific subdivision plan, including an Application form as may be prescribed by the Commission, accompanied by all supporting information, documents, reports, and the like required by these Regulations.

Appraisal: an estimate or opinion of the value of real or personal property as determined by a person carrying the professional credential of Member, Appraisal Institute (MAI); a Senior Residential Appraiser (SRA); or equivalent

Aquifer: a geological formation, group of formations, or part of a formation capable of storing and yielding ground water to wells or springs.

Aquifer recharge area: The surface land or water area through which an aquifer is replenished.

As-Built: a site plan showing where the actual physical construction of a building or other improvement is on the property in relation to the boundary lines and may include factors such as height of the building after it has been built, for purposes of evaluation for compliance with the Regulations or an approved subdivision, resubdivision or Special Permit.

Ash: bottom ash, air pollution control residue and other residuals of the combustion process

Average Daily Traffic (ADT) Count: a process by which engineers shall sample 3-7 days of traffic flow, based on the total daily traffic in both directions.

B

Banner: A piece of flexible material bearing a design, motto, slogan, etc. used as a sign.

Barn: a building primarily used for agricultural purposes and/or for the housing of agricultural or recreational livestock, as well as related materials such as feed and equipment

Bed and Breakfast: a dwelling, in which lodging and meals are offered or provided for compensation to one to twelve persons for limited periods of time not exceeding 30 consecutive days; the owner shall live on the property.

Berm: a mound or small linear hill constructed of earthen materials.

Best Management Practices (BMPs): A collection of preferred construction practices to minimize impact on the environment. These practices include those that require minimizing area of disturbance; erosion and sediment controls for the stabilization of disturbed soil, management of stormwater, etc. More details are provided in the Connecticut Guidelines for Soil Erosion and Sediment Control and in the Connecticut Stormwater Quality Manual by DEP as both may be amended.

Bond: A form of financial guarantee whereby sums of money are placed in escrow by the applicant, which may be used by the Town to complete and/or correct permitted activities provided the applicant does not complete and/or correct the permitted activities as approved.

Bonus Lot: A lot created pursuant CGS 8- 2g and 8-2i as may be amended; a density bonus for creating Affordable Housing

Buffer/Screening: an area, used to physically separate or screen one use or property from another so as to visually shield or block noise, lights or other nuisances thereby preventing spillover onto another property. This area may consist of natural materials such as trees, hedges, bushes, shrubs, or other plant life in addition to fences, walls, berms or any combination thereof, and shall be of a sufficient mass as to make the buffer opaque or become opaque within twelve (12) months. This buffer/screen may be located within or partially within the minimum setback requirement. See also Vegetated Buffer.

Buildable Area, Contiguous: the undivided area free of wetlands and watercourses, steep slopes, or pre-existing restrictive easements or other Restricted Lands.

Buildable Acreage, Gross: all land contained within a parcel, exclusive of wetlands and watercourses, steep slopes and pre-existing restrictive easements or other Restricted Land.

Building: Any structure having a roof supported by columns or walls and intended for shelter, housing, or enclosure of persons, animals, or things.

Building Frontage: the side of the structure on a lot that contains the main entrance to the interior, regardless of how the structure is positioned on the lot in relation to the road. For multi-tenant structures: the width of each tenant's space containing the main entrance to their contracted space shall constitute the building frontage for their portion of the structure.

Building Height: shall be measured from the highest point of the foundation to the highest point of the roof. Ornamental or decorative features such as cupolas or weathervanes shall not be considered as part of this measurement.

C

Cannabis Related Terms:

As used in this section, the terms below shall have the definitions set forth herein. Any term not defined herein shall have the meaning ascribed to it, if any, in Chapter 420h, C.G.S.

Cannabis – Marijuana as defined in Section 21a-240, CGS.

Cannabis Establishment – Producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager and or delivery service.

Cultivator – A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand (15,000) square feet of grow space.

Delivery Service – A person that is licensed to deliver cannabis from (A) micro-cultivators, retailers, and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers, and research program subjects, as defined in Section 21a-408, C.G.S., or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to Chapter 368v, C.G.S. that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.

Dispensary Facility – Means a place of business where cannabis may be dispensed, sold, or distributed in accordance with Chapter 420f, C.G.S. and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under Chapter 420f, C.G.S. and any regulations adopted thereunder.

Food and Beverage Manufacturer – A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.

Hybrid Retailer – A person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.

Micro-cultivator – A person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand (2,000) square feet and not more than ten thousand (10,000) square feet of grow space, prior to any expansion authorized by the commissioner.

Person – An individual, partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof.

Product Manufacturer – A person, excluding a producer, that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type and who may sell or transfer cannabis and cannabis products to laboratories, research programs and cannabis establishments.

Produce Packager – A person that is licensed to package and label cannabis and cannabis products.

Producer – Grows cannabis for medicinal use.

Retailer – a person, excluding a dispensary facility, that is licensed to purchase cannabis and cannabis products from producers, cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis and cannabis products to consumers and research programs.

Transporter – Means a person licensed to transport cannabis between cannabis establishments, laboratories, and research programs.

Cape Cod Style Curbing: A low curb with a slope designed to be crossed easily (See appendix for schematic).

Campground: an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents and recreational vehicle equipment, which is primarily used for recreational purposes, and retains an open-air or natural character; one example of a Commercial Recreation Facility.

Cease and Desist Order: written notification by the Commission or designee that an activity must be suspended in that it is viewed as harmful, or contrary to Regulations. The order is permanent or holds until a final determination of the legality of the activity has taken place.

Certificate of Zoning Compliance: A Certificate issued by the ZEO after an inspection to confirm that a structure or use is in compliance with the Zoning Regulations.

Change of Use: any use that substantially differs from the previous use of a building or land. A change in any use classification defined in these Regulations.

Church/House of Worship: a structure owned by a tax-exempt entity in which religious services are conducted

Cistern: a large receptacle for storing or reusing water which may be located below-grade, or on a rooftop or other area and may be for fire protection or for ecological uses.

Commercial Earth Excavation and/or Processing Operation: a business engaged in the removal and/or alteration of earth materials on site, including screening, washing and mixing with other approved materials for sale.

Commercial Recreation Facilities: Building and/or other facility designed and equipped for the conduct of sports and other customary leisure activities owned or operated by a for-profit entity.

Commercial use: an occupation, employment, or enterprise that is carried on for profit.

Commission: The Planning & Zoning Commission of the Town of Woodstock.

Common Interest Ownership Association: real estate described in a declaration by which a

person, by virtue of ownership of a unit, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, improvements, services and other expenses related to the property, per CGS 47-67 as may be amended.

Common/Village Green (in a VGD): a grassy plot or lawn of various possible sizes, usually in a key position, set aside for public use, which may be “accessed by right” by local people for sports, relaxation and other pastimes; a reflection of the traditional Town Square.

Composting: A process of accelerated biological decomposition of organic material under controlled conditions.

Condominium: an estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in space in a structure, (a unit or more than one unit); in addition, a separate interest in other portions of the real property may exist.

Conservation Commission: the Woodstock panel of advisors regarding matters related to development, conservation, and supervision and regulation of natural resources, including water resources, with specific duties and responsibilities as enumerated by CGS as may be amended.

Conservation Easement: A conservation restriction pursuant to Connecticut General Statute 47-42(a), stated in the form of an easement.

Conservation Land: Areas of Protected Open Space approved by the Commission under the provisions of the Woodstock Subdivision Regulations, including that portion of the Gross Buildable Acreage of a subdivision permanently and legally protected and dedicated to conservation, open space or agricultural purposes.

Contiguous Buildable Area: see Buildable Area, Contiguous

Contractor: a person performs work or provides supplies pursuant to a contract.

Cottage in a Seasonal Resort: A detached single unit structure, designated as part of an overall Seasonal Resort, made up of a room or group of rooms containing cooking, sleeping, bathing and sanitary facilities and that is not occupied between November 30 and March 31. As a requirement of this designation, water service to the unit shall be turned off during the same period.

Country Inn/Inn: a for-profit establishment which provides temporary lodging as well as dining and beverage service to travelers and other short-term patrons, in a structure which has previously served as a residence or an accessory structure thereto.

Critical Watershed Land: areas defined as possessing one or more of the following characteristics: land within 250 feet of a reservoir or public water supply diversion; land within 100 feet of a tributary stream; wetlands associated with tributary streams; land subject to stream overflow; and land with slopes 15% or greater without significant interception by wetlands, swales and natural depressions between the slope and the watercourse.

Cul-de-sac: A street having only one outlet to another road, and having a circular, elliptical, or similar turnaround at its terminus.

Curb Cut/ Access Point: an opening along a curb line or other access point if there is no curb line at which point vehicles may enter or leave a roadway

D

Date of Receipt: the date of the next regularly scheduled meeting of the Commission immediately following the date of submission of the Complete Application, request, petition or appeal, or thirty-five (35) days from the date of submission, whichever is earlier if there is any conflict between this provision and the requirements of 8-7d of the General Statutes, the provisions of the General Statutes as amended shall prevail.

Day Care Center, Child: a facility which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis for a part of the twenty-four hours in one or more days in the week.

Day Care, Family: Any dwelling unit where nine (9) or fewer children not related by blood, adoption, or marriage to the person who resides in and maintains the home are received for care, protection, and guidance during only part of the twenty-four (24) hour day, on a regular basis, for a minimum of ten (10) hours per week, and that complies with the requirements of the State of Connecticut. Every family day care home shall have a Certificate of Occupancy.

Day Care Home, Group: a private family home which provides a state licensed program of supplementary care to not less than seven nor more than twelve related or unrelated children on a regular basis for a part of the twenty-four hours in one or more days in the week

Detention basin /dry detention pond: Stormwater basin designed to capture temporarily hold, and gradually release a volume of stormwater runoff to attenuate and delay stormwater runoff peaks.

Dry detention ponds provide water quantity control (peak flow control and stream channel protection) as opposed to water quality control and are frequently planted.

Development Land: The portion of Gross Buildable Acreage that is deemed available for development after the delineation of Conservation Land boundaries as required by the Subdivision Regulations.

Development Review Checklist: the form used to review Subdivision/Resubdivision and Special Permit Applications for compatibility with A Plan of Open Space and Conservation and for evaluating possible impacts of a proposed development on other factors of importance to the citizens of Woodstock. (See Appendix)

Digital Drawing / Media File: A digital record showing spatial details of a development. The information contained in the file shall conform to the Connecticut Grid System NAD 83 Datum; in either Autocad (.dwg), ESRI, or other compatible format.

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Distribution Center: An establishment engaged in the receipt, storage, and distribution of goods, products, cargo, and materials, including transshipment by motor vehicles

Driveway: A paved or unpaved access strip of land providing a vehicular connector between the public right-of-way and the parking space or garage of a private or public property.

Driveway Apron: an area at the juncture of a driveway with a street entrance.

Driveway, Approach: includes vehicle driveways, or any construction, removal, or alteration of grade or pitch within the taking lines of any Town Road.

Driveway, Common: A driveway that serves between two (2) and five (5) lots.

Dwelling: A structure or portion thereof that is used exclusively for human habitation.

Dwelling, Multi-Family: A building used or designed as a home or residence for two (2) or more families living independently of each other, exclusive of accessory apartments as defined in these Regulations.

Dwelling, Single-Family: A building designed for and occupied as a home or residence for not more than one family.

Dwelling Unit: Living quarters (including cooking space and at least one complete bathroom) designed for or used by one family. The term does not include recreational vehicles or seasonal cottages that are part of a seasonal resort.

E

Earth: topsoil, loam, sand, gravel, clay, peat, rock or stone or any natural inorganic or organic matter derived from the earth's surface or subsurface.

Earth Materials: Any mineral, rock, natural soil, or fill, or combinations of such materials.

Easement: a non-possessory right, established by deed or other legal means, of one party to use a designated portion of a second party's land for a specific, limited purpose.

Easement/Restriction/Conservation: A non-possessory interest in real property imposing limitations or affirmative obligations, the purpose of which include retaining or protecting natural, scenic, or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use, protecting natural resources; maintaining air or water quality.

Environmental Review Team (ERT): a group of professionals assembled by the Eastern Connecticut Resource Conservation and Development Council which, at the request of the

Commission, provides multi-disciplinary, non-partisan, expert, and project-directed advice and recommendations in terms of environmental aspects regarding a proposed development.

Erosion: The detachment and movement of soil or rock fragments or the wearing away of the land surface by water, wind, ice or gravity, including such processes as gravitational creep.

Erosion and Sediment Control Plan: a plan which sets forth measures to be undertaken for the control of erosion and sedimentation, to include, but not be limited to, drawings and descriptions sufficient in detail to establish clearly the location of areas to be stripped of vegetation and other proposed or unprotected areas; schedule of operations, including starting and completion dates for each major development phase, such as land clearing and grading, streets, sidewalks, utility and storm drainage installations, and the like; seeding, sodding or re-vegetation plans and specifications for all unprotected or un-vegetated areas; location and design of all structural sediment control measures, debris basins and the like; timing of all planned sediment control measures; and general information relating to the implementation and maintenance of the sediment control measures.

Erosion & Sediment Controls: natural or man-made materials installed by the developer/contractor on-site prior to disturbance of the topsoil or as required by the ZEO to stabilize earth materials, to minimize the erosion of the topsoil or other earthen materials and to filter runoff to prevent deposition of sediment elsewhere. The Controls shall be installed and maintained according to the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as may be amended. These controls include but are not limited to: properly installed silt fence, staked hay bales, mulch, temporary and/or permanent vegetative plantings and anti-erosion mats, etc.

F

Family: Any number of individuals regularly living together as a single housekeeping unit and doing their cooking on the premises; as distinguished from a group occupying a boarding or rooming house or hotel.

Farm: A parcel of land used for agricultural activities.

Farm/agricultural building: a permanent structure, not limited in size on agricultural land designed, constructed, and used to house farm implements, feed, agricultural or recreational livestock, or agricultural produce or products grown or raised on the premises.

Farm Stand: Any temporary structure (i.e., a structure that can be easily removed when not in use) used exclusively for the display or sale of agricultural products.

Fence: any artificially-created barrier of any material or combination of materials erected to enclose or define an area.

Finished Developed Area: That portion of a site subject to man-made change or improvements, including but not limited to landscaping, construction, building, enlargement or extension of buildings, utilities, parking areas, on-site traffic circulation areas/ driveways and impervious

surfaces.

Fire Suppression System: a mechanical system designed and equipped to detect a fire, actuate an alarm and suppress or control a fire (usually in a multi-residential or non-residential structure)

Fixture, Full Cut-Off: A luminaire or light fixture that does not allow any light dispersion or direct glare to shine above a 90-degree, horizontal position as designed.

Floating Zone: An unmapped zoning district where all the zone requirements are contained in the regulation and the zone is fixed on the map only after a zone change is approved.

Flood Hazard Area: Per CGS 8 – 2L as may be amended, the floodplain consisting of the floodway and the flood fringe area.

Floodlighting: Artificial light directed or diffused up or to the side so as to give an intense illumination over a rather large given area. (This term does not mean a single bulb, commonly referred to as a ‘floodlight’).

Floor area, Gross: the sum of the gross horizontal areas of all enclosed floors of a building, including cellars, basements, mezzanines, penthouses, corridors, and lobbies from the exterior face of exterior walls, or from the centerline of a common wall separating two buildings, but excluding any space with a floor-to-ceiling height of less than six feet six inches.

Floor area, Net: The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when these are used or intended to be used for human habitation or service to the public

Footcandle: A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Fully Shielded Light: Any light fixture that allows control of light beams in any direction.

G

Gas Station: Any lot, building or part thereof, used for the sale of vehicular fuels and accessories and which may include facilities for lubrication, washing and the servicing of vehicles as permitted by a limited repairers license as defined in Chapter 246 of the CGS as may be amended.

Glare: Light emitting from a luminaire with intensity great enough to reduce a viewer’s ability to see, and in extreme cases causing momentary blindness.

Geographic Information System (GIS): a computer generated mapping system for collecting, storing, analyzing, and integrating information about physical and man-made features on a map.

Grandfathering: In instances where legally existing uses would become nonconforming as a result

of changes in the Zoning Regulations, a use or structure may be allowed to continue as a conforming use through special provisions of the Regulations.

Green Requirements: Those Regulations (open space, impervious surface limitations, screening and landscaping requirements) that mandate that the land have some vegetative cover versus some impervious manmade covering (buildings, asphalt, cement, etc.).

Greenway: a continuous tract of open space set aside for recreation and natural resource management purposes, particularly along Critical Watershed lands and the adjacent steep slopes

Guest house: A detached accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises; such quarters having no kitchen facilities and are not rented to the general public or otherwise used as a separate dwelling.

Guidelines for Soil Erosion and Sedimentation Control, 2002 Connecticut: a document (DEP Bulletin ISBN 0-942085-10-8) prepared and amended by the Connecticut Council on Soil and Water Conservation in cooperation with the Connecticut Department of Environmental Protection.

H

Historic District: a geographically defined area which, while not a zone identified on the Woodstock Zoning map, is seen as possessing a significant concentration or continuity of landmarks, improvements, or landscape features united by historic events or physical development, and which area has been designated as an historic district; the district may have within its boundaries noncontributing buildings and other structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual character of the district. The Historic District Commission will be called upon for review of activity within its boundaries and to issue a Certificate of Appropriateness as per CGS as may be amended.

Home Occupation: the use of a property including a portion of a dwelling (or a building accessory thereto) for home-based business purposes by a resident of that dwelling.

Homeowner's Association: a formally constituted non-profit association or corporation made up of the property owners and/or residents of a fixed area which is responsible, through the sharing of costs, for owning, maintaining, and overseeing a common facility, common areas and open space

Horizontal Illuminance: The measurement of brightness from a light source usually measured in lumens, which is taken through a light meter's sensor at a horizontal position.

I

Illuminance, Horizontal: The measurement of brightness from a light source usually measured in lumens per square foot (footcandles), which is taken through a light meter's sensor at a horizontal

position and varies with distance from the source.

Illuminate: to supply with or brighten with light; to cause an object to glow.

Illumination, Indirect: Illumination by reflected or diffused light.

Illumination, Internal: refers to the illumination of a sign by electronic means wholly contained within the sign.

Impervious/ impermeable materials: any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. See Porous Materials, and Permeable Materials

Impervious Surfaces: surfaces covered with a layer of material that does not allow the infiltration of rainfall, including, pavement, sidewalks, driveways or other surfaces that may become impermeable over time due to compaction.

Improvement: any alteration to the existing conditions of a parcel for the purpose of rendering the site more suitable for development and/or habitation. As used in these Regulations, improvements include but are not limited to construction and installation of roadways, curbs, gutters, utilities, street signs, monuments, shade trees, drainage facilities, permanent erosion and sedimentation control measures, structures, earth filling or removal, seeding and grading. See also Land Development Activities

Indirect Light: Illumination by reflected or diffused light.

Interior /Rear/Flag Lot: A lot having less than the minimum lot frontage required under these Regulations.

Inland Wetlands and Watercourses Agency (IWWA) or Agent: The municipal agency or authorized agent charged with implementing the Inland Wetlands and Watercourses Act (C.G.S. Sections 22a-36 through 22a-45) and Woodstock's Ordinance Concerning Inland Wetlands and Watercourses.

Internal Illumination: refers to the illumination of a sign by electronic means wholly contained within the sign.

J

Junk: dilapidated, scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, motor vehicles and parts thereof and other waste material that has been abandoned from its original use but which might be used again in its present or in a new form (as compared to trash).

Junkyard: As defined in CGS 13a-123c. as may be amended.

K

Kennel, Commercial: An establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold, all for a fee or other form of compensation.

Kennel, Private: The keeping, breeding, raising, showing or training of four or more dogs over six months of age for the personal enjoyment of the owner or occupant of the property.

L

Land Development Activities: Any man-made change or improvements to real estate, including but not limited to landscaping, construction, building, enlargement or extension of buildings, installation of utilities, parking areas, on-site traffic circulation areas/driveways, impervious surfaces, earth disturbance including grading, filling and excavation, installation of storm drainage and erosion and sediment control measures.

Landscaping: changing, rearranging or adding to the original vegetation or scenery of a property to produce an aesthetic or screening effect appropriate to the use to which the land is being put. It may include reshaping the land by grading, as well as preserving the original natural vegetation or adding vegetation.

Lawfully Existing/Legally Existing: Existing in accordance with any and all laws at or prior to a specific point in time, as capable of being substantiated by written documentation, such as assessor's records, Building Permits, Certificates of Occupancy, or health permits.

Light Industrial/Manufacturing Uses: Any of the following uses: research laboratories; manufacturing, processing, packaging or assembly of components or goods; warehouses; distribution centers; plumbing, heating, electrical, mechanical and general contracting establishments; and truck and freight terminals; and associated offices

Lighting, Outdoor: The night-time illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

Lighting Plan: a plan showing the location, height above grade, type of illumination, type of fixture, the source of lumens, and the luminous area for each source of light proposed

Light Pollution: Stray or reflected light that is emitted into the atmosphere, beyond the 90-degree horizontal plane. Dust, vapor and other pollutants reflect this light causing unwanted skyglow.

Light Trespass: Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

Limits of Clearing: The boundaries of that area of land where some trees and other vegetation are proposed to be cleared in conjunction with a proposed development or land use

Local Nonprofit Organization: a nonprofit corporation that exists solely to provide programs and services for the residents of Woodstock or persons seeking assistance from such organization located within the Town of Woodstock.

Lot: A designated parcel, tract, or area of land established by plat, subdivision, or as permitted by law, to be separately owned, used, developed, or built upon.

Lot, Corner: A lot having frontage on two intersecting streets.

Lot Depth: The mean distance from the street line of the lot to its rear line measured in the average direction parallel to the side lines of the lot.

Lot Line, Front: The line separating the lot from a public street right-of-way.

Lot Frontage: The length of the front lot line. In the case of corner lots, lot frontage shall be measured along both streets. For purposes of computing minimum lot frontage, the primary frontage must meet the minimum required.

Lot Line, Side: Any property boundary line that is not a front lot line or rear lot line. Where two lot lines extending from the front lot line intersect, both shall be considered side lot lines. In the case of a corner lot, all lot lines extending from the front lot line shall be deemed to be side lot lines.

Lot Line, Rear: The property boundary line that extends from the side lot lines and is generally opposite (farthest from) the front lot line. Corner lots may have two side lot lines and no rear lot line.

Low Impact Development: a site design strategy intended to maintain or replicate predevelopment hydrology through includes a suite of landscaping and site design techniques especially including the use of small-scale controls integrated throughout the site to manage runoff as close to its source as possible

Lumen: A unit of luminous flux. One foot candle is one lumen per square foot. For the purposes of this Regulation, the lumen output values shall be the initial lumen output ratings of a lamp.

Lumens, Exit: The net light output from a luminaire (light fixture) as measured in Lumens (supplied by manufacturer).

Luminaire: A complete lighting unit consisting of a light source, pole, and all mounting brackets, if appropriate, and all necessary mechanical, electrical, and decorative parts.

Luminaire, Height of: The vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

M

N

Nature Center: An educational facility where the public may study plant and animal life by direct observation.

NRCS Soil Survey Maps: soils studies conducted and data compiled by soils scientists in the Natural Resources Conservation Service, under the auspices of the US Dept. of Agriculture.

NDDH: Northeast District Department of Health

Natural Resource Inventory: a survey of existing natural elements, including land, water, air, plant and animal life, and the interrelationship of these elements.

Nonconforming Development Standard: The dimensions of a lot, or a building, structure, or other lot feature (such as, but not limited to, parking, lot coverage, green space, etc.) located on the lot that was lawful when established but no longer conforms to the requirements of the zone in which it is located as set forth in the Zoning Regulation, because of adoption of a zoning amendment. The term “nonconforming development standard” is a broad category and can apply to

1. a nonconforming lot,
2. a nonconforming structure, and
3. a nonconforming lot feature. There are particular considerations with regard to each type of development standards.

Nonconforming Use: A continuous use of land or a structure which is currently not a permitted use in the district in which it is located, but which either legally existed at the time these regulations were first established, or which was a permitted use under these Regulations prior to their being amended. A use which is permitted by variance shall be deemed to be a non-conforming use.

Nonresidential Use: Uses other than single family, and multiple family dwellings, including but not limited to industrial, commercial, municipal and institutional uses.

Notable Stone: a large stone deposited in place by glacial activity, or an outcrop.

Nursery, Retail: an agricultural use and/or associated retail operation where the primary activity is growing, transplanting, storage, development of, and/or sale, either retail or wholesale, of flowers, plants, trees, or shrubs. This use may also include the sale of garden supplies, fertilizers and associated items.

O

Office, Business and Professional: space used primarily for conducting the affairs of a business,

profession, service, industry, government, or like activity; it may include space used for services to office workers.

Off-Seasonal Use: Use between November 30 through and including March 31 of the following calendar year.

Open Space: A generic term for areas of land generally without human-built structures, including land in its natural or undeveloped state, land used for agriculture, and courtyards, plazas, and parks. Depending on the context and usage “open space” may have a more narrow or specific meaning. Open space is not necessarily accessible to the public.

Open Space, Protected: Areas of legally protected or conserved land on which land development activities are prohibited, including Conservation Land approved by the Commission under the provisions of the Woodstock Subdivision Regulations.

Open Space, PA-490: Areas of land granted current use tax treatment under the Connecticut land use value assessment law, Public Act 63-490 (“PA-490”), Connecticut General Statutes Sections 12-107 and 12-504. These lands are not necessarily protected open space or accessible to the public.

Outdoor Lighting: The night-time illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

Outdoor Storage: the keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours.

Outdoor wood-burning Furnace: an accessory structure or appliance designed to be located outside living space ordinarily used for human habitation and designed to transfer or provide heat, via liquid or other means, through the burning of wood or solid waste, for heating spaces other than where such structure or appliance is located, any other structure or appliance on the premises, or for heating domestic swimming pool, hot tub or jacuzzi water. “Outdoor wood-burning furnace” does not include a fire pit, wood-fired barbecue or chiminea.

P

Parcel: a piece or area of land normally described and recorded with the block and lot numbers, by metes and bounds, by ownership, or in such a manner as to specifically identify the dimensions and boundaries.

Parking Space: a space for the parking of a motor vehicle within a public or private area.

Penal institutions: A prison, penitentiary, or correctional facility; a place in which individuals are physically confined or interned and usually deprived of a range of personal freedoms.

Permeable/Porous Paving Materials: materials which are alternatives to conventional pavement

surfaces and that are designed to increase infiltration and reduce stormwater runoff and pollutant loads. Alternative materials include modular concrete paving blocks, modular concrete or plastic lattice, cast-in-place concrete grids, and soil enhancement technologies. Stone, gravel and other low-tech materials can also be used as alternatives for low-traffic applications such as driveways, haul roads and access roads. Porous Pavement: similar to conventional asphalt or concrete but is formulated to have more void space for greater water passage through the material. See also Impervious/ Impermeable Materials/Surfaces

Permitted Use: any use allowed in a zoning district and subject to the restrictions applicable to the zoning district.

Phase/Phased Development: a portion of a development, divided for construction purposes into cohesive sections, such that all buildings, clusters of buildings, and their supporting improvements are capable of complete and self-sufficient existence under these Regulations, without the completion of subsequent phases

Plan of Conservation and Development (POCD): Document prepared by the Woodstock Planning and Zoning Commission that establishes goals and priorities for growth and preservation in the Town of Woodstock, updated in 2002 and as may be amended from time to time.

Plan of Open Space and Conservation, A (APOSC): a document prepared by the Woodstock Conservation Commission, as may be amended from time to time, delineating the conservation priorities of the Town of Woodstock.

Plan and Profile: the drawing(s) depicting respectively the horizontal and vertical design for street construction and drainage, and containing all information required to be submitted for approval as part of an Application

Preliminary Proposal: The preliminary map, drawing(s) and supporting data recommended by these Regulations, indicating the proposed layout of the subdivision.

Premises: A lot, plot or parcel of land including the buildings, structures and uses thereon.

Private Lane/Road: A street, road or other private way providing vehicular access which has not been accepted as a Town road. All maintenance, repair and legal liability for these roads are privately managed and not the responsibility of the Town.

Private Way: A lane, alley, discontinued street, abandoned street, farm road, woods road, historic cart path, trail or other unimproved way not generally providing vehicle access, excluding a Street or Private Road.

Purchase of Development Rights (PDR): the right to develop a property is severed from the ownership of the land when purchased for agriculture or conservation. This severance is a perpetual deed restriction required to be held up by future owners.

Q

Quarry: a place where stone is excavated for use or sale; excavation frequently involves blasting or cutting.

R

Rain Garden: functional landscape elements that consist of shallow depressions planted with a selection of species that can withstand both drought and flooded conditions whereby the runoff is pooled for a few hours while the garden serves as a filter to treat the water by the absorptive action of the plants and recharges the groundwater in the process.

Reclamation: the restoration to conditions similar to what existed prior to the operation or that will be compatible with what existed prior to the operation on the area of land affected by mining under a reclamation plan. This may include but is not limited to, grading and shaping of the land, the planting of trees and shrubs, the seeding of grasses, legumes, or crops for harvest, or the enhancement of wildlife and aquatic resources.

Regulations: the Zoning and Subdivision Regulations, including amendments thereto, of the Town of Woodstock, Connecticut, together with the Zoning Map, Appendices and other documents which are integral to the documents.

Residential Building Lot: Any parcel which, in conformity with these Regulations, contains or may contain a dwelling (and may also contain a permitted accessory apartment or home occupation), and which does not contain and has not been approved for a nonresidential use.

Restoration: to bring the site to conditions similar to what existed prior to the operation or that will be compatible with what existed prior to the operation on the area of land affected by the earth and gravel operations under a Restoration Plan. This may include but is not limited to, grading and shaping of the land, planting of trees and shrubs, seeding of grasses, legumes, or crops for harvest, or the enhancement of wildlife and aquatic resources.

Restoration Plan: a plan which depicts how the project area will be restored, or altered for the productive use of the land, after the approved earth and gravel operation is complete.

Restricted Land: Property subject to a conservation easement; agricultural easement; conservation or preservation restrictions as defined by Connecticut General Statute 47-42(a); land legally dedicated for Open Space or land having other use restrictions legally limiting or preventing development.

Resubdivision: A change in a map of an approved or recorded subdivision or resubdivision if such change: (a) affects any street layout shown on such map; (b) affects any area reserved thereon for public use; or (c) diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.

Retail Commercial Use: Activity involving the sale or rental of goods, merchandise, or related services to the direct consumer; including buying and selling in person and online, and may include the assembly of such goods which is incidental or subordinate to the selling activities.

Retail Warehouse/Manufacturer's Outlet: a retail use operating from within a warehouse as an accessory use to the principle warehouse use or from a manufacturing facility as an accessory use to the principle manufacturing use.

Ridge Line (building): the intersection of two roof surfaces forming the highest horizontal line of the roof

Right-of-Way: Any strip of land acquired by reservation, dedication, prescription or condemnation and used or intended to be used by specific persons or the public for a specific purpose or purposes. "Right-of-way" includes any public ways.

S

Scenic Road, Woodstock: a town-approved road that has been given official scenic designation through the process detailed by Woodstock Town Ordinance, effective May 15, 1986 and as may be amended from time to time, or similar designation by State or Federal agencies.

School Bus Shelter: a small, roofed structure, usually having three walls, located near a street and designed primarily for the protection and convenience of school bus passengers.

Seasonal Cottage Resort: A business consisting of a minimum of two-hundred and fifty (250) acres as part of a comprehensively planned and designed development operated by an identified management group. The seasonal cottage units may be occupied for a time period of up to seven (7) months between April 1 and November 30. Such a resort would also typically have associated guest amenities including, but not limited to, a community center, swimming pool facilities, convenience store and active and/or passive recreational facilities. The resort's management group would be responsible for operating and maintaining the complex, including providing year 'round maintenance and on-site security.

Seasonal Use: Use between April 1 through and including November 30 of the same calendar year.

Senior Residence Development (SRD): multi-family dwelling containing dwelling units *in which, each unit* is occupied by at least one person 55 years of age or older and none below the age of 16 years and in the case of municipal elderly housing by at least one person meeting the definition of "Elderly Persons" as set forth in Section 8-113a(m) of the Connecticut General Statutes as may from time to time be revised or amended.

Service Establishment: Any building or structure that is used for the performance of a lawful business or personal service,

Setback: The minimum required horizontal distance from any street line or lot line to the closest point of the building, structure or structural projection and measured in a straight line, most perpendicular to such street line or lot line.

Sign: any device or visual communication that is used for the purpose of bringing the subject thereof to the attention of the public.

Sign, Animated: any sign or part thereof that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation

Sign Area: the entire area within the measured height and width enclosing the extreme limits of sign display, including any frame, trim, molding or border, but not including the supporting structure. The calculation of a double-sided sign shall be the area of one face only. Double-faced signs shall be so constructed that the perimeters of both faces coincide and are parallel, and are not more than 24 inches apart.

Sign, Awning/canopy: a sign painted, stamped, perforated, or stitched, or otherwise applied on the valance of an awning.

Sign, Banner: A piece of flexible material bearing a design, motto, slogan, etc. used as a sign.

Sign, Billboard: A surface/sign whereon advertising matter of a commercial or non-commercial nature is set in view conspicuously and which advertising of the activity, the service rendered or the commodity sold does not apply to the premises or any use of the premises whereupon it is displayed or posted.

Sign, Bulletin Board: a sign that identifies an institution or organization on whose premises the sign is located and that contains the name of the organization as well as changeable announcements of events or activities at the institution

Sign, Cumulative Allowance: the maximum square feet of the sum of all on-site, non-residential property signs that are free standing, window, building mounted, awning, canopy, or banner, and not including signs that are listed as being exempt.

Sign, Directory: a sign listing the tenants or occupants of a building, along with the differentiated uses of tenants or occupants.

Sign, Electronic Message Board: any sign that uses changing lights to form messages wherein the sequence of the messages and the rate of change is electronically programmed and can be modified by electronic process.

Sign Enhancement Features: any portion of a sign or structure intended to improve the physical appearance of a sign or to cause it appear larger in mass, including roofs, moldings, railroad ties, lattice, or other decorative features. For the purposes of these Regulations, all sign enhancement features will be included in the square foot calculation used to determine sign sizes and limitations.

Sign, Flashing: any sign which, by any method or manner of illumination either direct or indirect,

flashes on or off, winks, or blinks with a variety of light intensity, shows motion, or creates the illusion of motion or revolves in a manner to create the illusion of being on or off.

Sign, Free Standing: any non-movable sign not affixed to a building

Sign: Illuminated (external): shielded light sources, which are mounted as to illuminate the face(s) of the sign.

Sign: Illuminated (internal): refers to the illumination of a sign by electronic means wholly contained within the sign.

Sign: Indirect Lighting: Illumination by reflected or diffused light.

Sign, Non-conforming: a sign lawfully erected prior to the adoption of the current Zoning Regulations that does not conform to the requirements of the current Regulations.

Sign, Marquee: any sign made a part of a marquee and designed to have manually changeable copy

Signs, On-site Informational: a sign commonly associated with information and directions necessary or convenient for visitors coming on the property, including those which mark entrances and exits, parking areas, circulation areas, restrooms, and pickup/delivery areas.

Signs, Portable: any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to signs to be transported on wheels, and sandwich board signs, not including signs on balloons or table umbrellas.

Sign, Private Sale or Event: a temporary sign advertising a short-term event occurring on the premises

Sign, Roof-mounted: a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support.

Sign, Searchlight: any use of lighting intended to attract the general public by the waving or moving of beams of light

Sign, Scoreboard: material on which a large area is used to post a score and other details of an athletic activity, the space being so designed as to allow for advertising or messages by entities other than the home sports team.

Sign, Temporary: A sign or advertising display designed or intended to be displayed for a short period of time.

Sign, Vending Machine: any sign, display, or other graphic attached to or a part of a cash-operated or credit/debit-card operated machine which dispenses food, beverages or other products.

Sign, Window: a sign that is painted, mounted onto a windowpane, or is hung directly inside a window solely for the purpose or effect of identifying and providing information regarding the interior use, including sales, events and advertising from the sidewalk or street;

Site Plan: a physical plan showing the layout and design of the proposed use on a particular site together with the information the Regulations require for that use.

Slope: A measured vertical rise divided by a measured horizontal run.

Slope, Steep: A slope greater than 30% (thirty percent).

Soil Erosion and Sedimentation: involves a three-stage process: detachment, transport and deposition. Soil erosion is the wearing away of the surface of the land by the action of wind, water, ice, gravity and by mechanical means. The detached soil particles are transported and deposited elsewhere resulting in sedimentation.

Special Permit: a permit that, upon approval by the Commission, allows a property owner to put a property to a use which the Town Regulations expressly permit, under conditions specified in these Regulations.

Special Permit, Change of Use: applies to a change of use of a pre-existing non-residential use to another non-residential Special Permit use as defined by the Woodstock Zoning Regulations, but without alteration to the building/structure or parking lot.

Staff: town employees and designated contractual agents of the Town directly involved in the review, evaluation or processing of land use applications.

State Fee: as required under Connecticut PA 92-235 and amended by PA 03-06 and PA 04-144, and as may be further amended from time to time, a fee that shall be collected by the Town from any person, firm or corporation, other than a municipality, for any approval required by CGS Chapters 124 (Zoning), 126 (Municipal Planning Commission), 440 (Wetlands and Watercourses), or 444 (Coastal Management) as may be amended.

Storage Facility, Self: A building or group of buildings containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time.

Stormwater Pollution, Erosion & Sediment Control Plan: a plan which shows the control of stormwater pollution, erosion and sedimentation during construction of a site and afterwards.

Street: any public or private vehicular way, laid out and maintained in accordance with the laws of the State of Connecticut and the Regulations and ordinances of the Town, used for the travel of vehicles, which has been accepted at town meeting and actively maintained by the Town or has been approved by the Commission as part of an approved subdivision; including the street Right-of-Way (whether improved or not).

Street Line: The limit of the street or highway right-of-way; however, where such street line has not

been established, it is deemed for the purposes of these Regulations to be a line parallel to and 25 feet distant from the center line of the travelled way or existing pavement.

Structure: Anything constructed, erected or assembled that requires a location on, above or below the ground, or attachment to something having location on the ground.

Student: An individual who is enrolled or has made application and been accepted at an accredited secondary school located in the town of Woodstock and who is taking at least three courses per semester and whose primary occupation is as a student.

Student Housing: An existing dwelling unit occupied by Students and school personnel employed by the school in which the Students are enrolled or have been accepted.

Subdivision: As defined in CGS 8-18 and as may be amended. The division of a tract or parcel of land after the enactment of Woodstock Subdivision Regulations in August 31, 1965.

Survey: Wherever, in these Regulations, references are made to types of surveys, e.g., Class A-2, C-1, or D, the classification definitions and standards of accuracy to be applied are the current definitions and standards adopted by the Connecticut Association of Land Surveyors, Inc. If any survey type or classification definition is eliminated from those definitions and standards, then the prevailing comparable survey type and classification definition shall apply.

T

Temporary health care structure: a transportable residential structure that provides an environment in which a caregiver may provide care for a mentally or physically impaired person, and that is primarily assembled at a location other than the site of installation, has one occupant who is the mentally or physically impaired person, is not larger than five hundred gross square feet, is not placed on or attached to a permanent foundation, and complies with the applicable provisions of the State Building Code, Fire Safety Code, and Public Health Code, all the above as defined by CGS 8-2.

Tenant: an occupant of land or premises who occupies, uses, and enjoys real property for a fixed time, usually through a lease or rental agreement with the property owner.

Trash enclosure: an accessory structure where trash containers or recycling material containers or other type of waste or refuse containers are placed or stored, customarily located near the roadway of a residence, and utilized while awaiting commercial trash pick-up.

U

Underground Utilities: Phone, cable and all other services provided by means of wires placed in a trench or underground vault/conduit, which shall connect the street services to the buildings and structures on a parcel

Uplighting: Any light source that distributes illumination above a 90-degree horizontal plane.

Use, Conforming:

- 1) Any use that is permitted by and complies with all of the requirements of these Regulations, including but not limited to the requirement for a Zoning Permit, Site Plan Review, or Special Permit;
- 2) Any use or activity that has been issued a use variance by the Zoning Board of Appeals; and
- 3) Any use that was lawfully in existence on the effective date of these Regulations, and that is listed as a permitted use or Special Permit use within its respective Zoning District under Article V of these Regulations.

Use, Nonconforming: Any use that does not meet the definition of a conforming use.

Use: The purpose or activity for which land or buildings are designed, arranged, intended or for which land or buildings are occupied or maintained

V

Vegetated Buffer: an area or strip of land designated as permanent undisturbed vegetation adjacent to a water body or other resource, building or structure, designed to protect resources from adjacent development during construction and after development by filtering pollutants from runoff, protecting water quality and temperature, providing wildlife habitat, screening structures and enhancing aesthetics, and in some situations, providing access for recreation.

Vendor: a company or person that sells goods or services with the right to access a property for a specific purpose, usually pursuant to a contract.

Village Green Plan of Development: a site plan depicting the proposed activity within a Village Green Development, including the phases and construction details as listed in the application requirements

W

Waste: Solid waste, ash, refuse, and/or radioactive or hazardous waste, other than any Town of Woodstock solid waste disposal or transfer facility.

Watercourse: As defined in General Statutes Section 22a-38(16) as may be amended.

Water Table: the location beneath the ground where water-saturated rock or sediment is first encountered.

Wetlands: Land, including submerged land, as defined in this section, not regulated pursuant to sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and floodplain by the National Cooperative Soils Survey, as it may be amended from time to time, of the Natural Resources Conservation Service of the U.S. Department of Agriculture (USDA). Such areas may include filled, graded, or excavated sites which possess an aquic (saturated) soil moisture regime as defined by the USDA Cooperative Soil Survey.

Wildlife Sanctuary and/or Preserve: A reservation where animals including those that are considered exotic species as defined by the State of Connecticut, are sheltered and kept and may not be hunted or trapped.

Wireless Telecommunication Facility: The equipment and structures involved in receiving or transmitting electromagnetic waves associated with wireless telecommunication services.

Wireless Telecommunication Services: Services associated with the transmission and/or reception of wireless telecommunications. These services may include, but are not limited to cellular, personal communication services, specialized mobilized radio, and paging.

X

Y

Z

ZBA: Zoning Board of Appeals

ZEO: Zoning Enforcement Officer

Zoning Permit: A written approval from the ZEO or the Commission indicating an existing or proposed building, structure, or use is in compliance with these Regulations.

Zoning Regulations: The Zoning Regulations of the Town of Woodstock, Connecticut, which shall include the Zoning Map and all appendices

Zoo: A collection of wild animals, or a place where wild animals are kept for public showing, regardless of whether an admission fee is collected.

Article III. Districts

A. Establishment of Districts

For the purposes of these Regulations, the Town of Woodstock is hereby divided into the following districts:

- **Community District:** shall comprise all lands within the Town not located in the Woodstock Industrial Park District or in a Village Green District and not in any other district that may be created.
- **Woodstock Industrial Park District:** shall comprise those lands specifically described as follows: all those parcels or tracts of land known as the Woodstock Industrial Park, located in South Woodstock, as more particularly bounded and described in the Declaration and Agreement dated March 1, 1973, and recorded at Volume 66, Page 671 of the Woodstock Land Records, and as shown on the map entitled "Plan of Land of the Woodstock Industrial Park Butts Road & Peake Brook Road Woodstock, Connecticut Scale 1" = 100' February, 1973," filed and recorded as Map No. 512 in the Woodstock Land Records.
- **Village Green District:** a floating zone, and as such shall be established only after (1) a zone change and (2) a general plan of development application has been approved for a village green district at a specific location or locations.
- **Seasonal Cottage Resort District:** a floating zone subject to those terms and conditions found in these Regulations, and as such shall be established only after (1) a zone change and (2) a general plan of development application has been approved for a Seasonal Cottage Resort at a specific location or locations.
- **Lake District:** shall comprise those lands specifically located within the designated boundaries of the Lake Bunggee Tax District, the Witches Woods Tax District, and the Quasset Lake District.

1. District Boundaries

- a. The boundaries of Districts are established as shown on the "Official Zoning Map (located in Appendix of these Regulations)." The Official Zoning Map shall be at a scale of 1" = 1,000' and identified by the signature of the Chairman of the Commission, and shall bear the date of the most recent zoning map amendment.
- b. When, in accordance with the provisions of these Regulations, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map together with an entry on the Official Zoning

Map as follows: "As amended to (date). (Such date to be that of the most recent amendment.) The Official Zoning Map shall be filed in the office of the Town Clerk and an updated copy shall be displayed in the Woodstock Land Use Office.

- c. The following rules shall apply in making interpretations of the Official Zoning Map:
 - i. Boundaries indicated as approximately following the center lines of streets, highways or alleys shall be construed as following such center lines;
 - ii. Boundaries indicated as approximately following lot lines shall be construed as follow as following such lines;
 - iii. Boundaries indicated as approximately following Town limits shall be construed as following Town limits;
 - iv. Boundaries indicated as approximately following the center lines of streams, brooks or other bodies of water shall be construed as following such center lines;
 - v. If a situation arises not covered by the above, the ZEO may establish the location of a zoning boundary by scaling the Official Zoning Map, reviewing previous official zoning maps or by applying the boundaries on file in the Woodstock Land Use Office; and
 - vi. In any case of uncertainty not resolved by the above, the Commission shall determine the location of the boundary.
- d. New Zoning District boundaries shall not bisect parcel lines.

2. Prohibited Uses

All uses or activities not expressly allowed by these Regulations are expressly prohibited, including but not limited to the following:

- a. Penal institutions;
- b. Manufacture of explosive materials, hazardous substances or highly flammable products;
- c. Junkyards;
- d. Outdoor accumulation of junk; Disposal, storage, handling, processing, transfer or incineration of waste.
- e. Cultivators

B. Community District

1. Purpose

The purpose of the Community District is to provide a setting whereby residents and visitors may live, work and enjoy the Town consistent with these Regulations and the Town's Plan of Conservation and Development.

2. Permitted Uses

The following uses shall be permitted in the Community District, subject to all other applicable requirements of these Regulations; including but not limited to the requirement for a Zoning Permit, where applicable:

- a. Single-family detached dwelling;
- b. Customary home-occupation uses, subject to the requirements of these Regulations;
- c. Accessory buildings or structures customarily associated with and incidental to the use of a dwelling (e.g., garages, garden sheds, and swimming pools, and including buildings accessory to a customary home occupation);
- d. Accessory apartments, subject to the requirements of these Regulations;
- e. Temporary religious or entertainment gatherings such as fairs, festivals, horse shows, or bazaars, when sponsored by a local nonprofit organization or the Town of Woodstock;
- f. Agriculture and agricultural uses;
- g. Town of Woodstock municipal uses.
- h. Excavation and removal of earth materials to the extent permitted by these Regulations.
- i. Uses required to be permitted under applicable provisions of the Connecticut General Statutes.
- j. Bed and Breakfasts.
- k. An existing dwelling containing no more than two dwelling units to be used for Student Housing, subject to the additional requirement contained in the Regulations.
- l. A Temporary Health Care Structure as an accessory use.

3. Uses Allowed by Special Permit in the Community District

The following uses may be allowed by Special Permit, subject to the requirements of these Regulations

- a. Professional offices;
- b. Retail commercial uses;
- c. Service establishments,
- d. Gasoline stations
- e. Multi-family residential uses;
- f. Houses of worship and related school buildings, rectories, private and parochial schools, libraries and museums;
- g. Cultural Facilities
- h. Entertainment, exclusive of adult entertainment
- i. Commercial recreation facilities;
- j. Cemeteries;
- k. Light industrial/manufacturing uses;
- l. Excavation and removal of 1500 cubic yards or more, cumulatively, of earth materials from a lot or parcel, not including surplus materials resulting from a bona-fide building, construction, or other land-development activity being executed on the premises, for which activity a Zoning Permit has been issued;
- m. Zoos, wildlife sanctuary and/or preserves and nature centers.
- n. Outdoor Recreational Facilities for Schools and related accessory structures.
- o. Commercial Composting Facilities
- p. Commercial kennels
- q. Country Inns
- r. Cannabis Establishment, with the exception of cultivators, which are prohibited

C. Industrial Park District

1. Purpose

The purpose of the Woodstock Industrial Park District is to provide locations for more

intensive commercial/industrial enterprises that will benefit the Town economically without intruding upon or diminishing the rural character of the community.

2. Permitted Uses in the Industrial Park District

The following uses shall be permitted in the Woodstock Industrial Park District, subject to all other applicable requirements of these Regulations, including but not limited to the requirement for a Zoning Permit:

- a. Light industrial/manufacturing uses;
- b. Business and Professional Offices;
- c. Excavation and removal of earth materials to the extent described in these Regulations.
- d. Accessory uses, buildings, and structures customarily associated with and incidental to any use allowed by Zoning Permit in the Woodstock Industrial Park District; e.g., garages; storage buildings; power plants; and employee recreational, commissary, and health facilities, but not including employee day-care facilities.

3. Uses Allowed by Special Permit in the Industrial Park District

The following uses may be allowed by Special Permit in the Woodstock Industrial Park District subject to the requirements of these Regulations:

- a. Day-care facilities for employees of any business permitted in the Woodstock Industrial Park District,
- b. Uses that are not expressly permitted in the Woodstock Industrial Park District under a Zoning Permit, but that are deemed by the Commission to be similar in nature to permitted uses.
- c. Retail Warehouse / Manufacturer's Outlet
- d. Warehouses

D. Village Green District

1. Purpose

The purpose of the Village Green District is to afford Woodstock an opportunity to permit the establishment of an area set on a village green, providing economic development opportunities which would be in harmony with, and complementary to Woodstock's rural, historic, agrarian and natural assets. Village Green Districts should provide a variety of uses

in a pedestrian environment similar to Northeastern Connecticut's 19th century village centers. The Village Green District is a Floating Zone.

2. Permitted Uses

The following uses shall be permitted in the Village Green District, subject to all other applicable requirements of these Regulations, including, but not limited to, the requirement for a Zoning Permit:

- a. Senior residence developments;
- b. Antique stores and gift shops;
- c. Restaurants, and eateries with historic themes;
- d. Retail and wholesale outlets for local agricultural products;
- e. Bed and breakfast accommodations;
- f. Assisted living facilities;
- g. Craft shops;
- h. Financial institutions;
- i. Furniture and clothing stores;
- j. Professional, medical and business offices;
- k. Light manufacturing uses;
- l. Town of Woodstock municipal uses;
- m. Retail commercial uses;
- n. Indoor or outdoor recreational facilities;
- o. Day care centers for children or adults;
- p. Museums and art galleries;
- q. Apartments accessory to a permitted commercial use (maximum two per building)
- r. Agricultural research facilities

E. Seasonal Cottage Resort District

1. Purpose

The purpose of the Seasonal Cottage Resort District is to allow for usage of seasonal housing in specified areas, sometimes in densities above those allowed in year-round residential neighborhoods. The Seasonal Cottage Resort District is a Floating Zone.

2. Permitted Uses

The following uses shall be permitted in the Seasonal Cottage Resort District, subject to all other applicable requirements of these Regulations, including, but not limited to, the requirement for a Zoning Permit:

- a. Cottages in a Seasonal Resort
- b. Accessory buildings or structures customarily associated with and incidental to the seasonal use of the resort

3. Uses Allowed by Special Permit in a Seasonal Cottage Resort District

The following uses may be allowed by Special Permit in a Seasonal Cottage Resort District subject to the requirements of these Regulations:

- a. Seasonal Cottage Resort

F. Lake District

1. Purpose

The purpose of the Lake District is to provide locations for residents and visitors to live and enjoy the Lake District, and to preserve and enhance the beneficial features of the Lake District, consistent with these Regulations and the Town's Plan of Conservation and Development.

2. Permitted Uses

The following uses shall be permitted in the Lake District, subject to all other applicable requirements of these Regulations, including but not limited to the requirement for a Zoning Permit.

- a. Single-family detached dwelling.
- b. Customary home-occupation uses, subject to the requirements of these Regulations.
- c. Accessory buildings or structures customarily associated with and incidental to the

use of a dwelling (e.g., garages, garden sheds, and swimming pools, and including buildings accessory to a customary home occupation).

- d. Accessory apartments, subject to the requirements of these Regulations.
 - e. Temporary religious or entertainment gatherings such as fairs, festivals, horse shows, or bazaars, when sponsored by a local nonprofit organization or the Town of Woodstock.
 - f. Agriculture and agricultural uses.
 - g. Town of Woodstock municipal uses.
 - h. Excavation and removal of earth materials to the extent permitted by these Regulations.
 - i. Uses required to be permitted under applicable provisions of the Connecticut General Statutes.
 - j. Bed and Breakfasts.
 - k. An existing dwelling containing no more than two dwelling units to be used for Student Housing, subject to the additional requirement contained in the Regulations.
 - l. A Temporary Health Care Structure as an accessory use.
3. Uses Allowed by Special Permit in the Lake District

The following uses may be allowed by Special Permit, subject to the requirements of these Regulations:

- a. Professional offices.
- b. Retail commercial uses.
- c. Service establishments.
- d. Gasoline stations.
- e. Multi-family residential uses.
- f. Houses of worship and related school buildings, rectories, private and parochial schools, libraries and museums.
- g. Cultural Facilities.

- h. Entertainment, exclusive of adult entertainment.
- i. Commercial recreation facilities.
- j. Cemeteries.
- k. Light industrial/manufacturing uses.
- l. Excavation and removal of 1500 cubic yards or more, cumulatively, of earth materials from a lot or parcel, not including surplus materials resulting from a bona-fide building, construction, or other land-development activity being executed on the premises, for which activity a Zoning Permit has been issued.
- m. Zoos, wildlife sanctuary and/or preserves and nature centers.
- n. Outdoor Recreational Facilities for Schools and related accessory structures.
- o. Commercial Composting Facilities.
- p. Commercial kennels.
- q. Country Inns

Article IV. Dimensional Requirements and Performance Standards

A. Performance Standards

1. Performance Standards for All Uses

- a. The following performance standards shall be applicable to all buildings, structures, and uses in all districts with the exceptions of agricultural uses:
 - i. No dust, dirt, fly ash, smoke, particulates, fumes, or gases shall be emitted into the air in violation of Federal, State, and local statutes, regulations and ordinances.
 - ii. No odors, other than those normally associated with agricultural production, shall be emitted into the air that are offensive off the site.
 - iii. No noise shall be permitted beyond the boundaries of the lot or parcel in excess of noise levels permitted by State or Federal laws or regulations.
 - iv. No offensive, harmful, toxic, or hazardous waste as determined by the Connecticut Department of Energy and Environmental Protection shall be discharged into any watercourse, waterbody, wetlands, into or onto the ground, or onto any adjoining property. All discharges of wastes, chemicals, or other substances shall be in compliance with Federal, State, and local statutes, regulations, and ordinances.
 - v. Neither on-site dumping, storage or disposal of waste nor accumulation of junk shall be allowed.
 - vi. Traffic circulation areas, including driveways, streets, and parking lots, shall be designed or laid out in such a way as to avoid hazardous intersections or other unreasonable dangers to drivers, cyclists or pedestrians.
 - vii. The use shall not require or result in the creation or unreasonable exacerbation of drainage hazards, such as erosion or flooding, for downstream or down gradient areas.

2. Structures

Category 1: Structures up to 4' x 8' or 32 SF,
(Examples include bus shelter, garbage surround and package delivery box)
Performance standard: no required setback

Category 2: structures between 33 SF and 120 SF,
Performance standard: must meet front setback and 3' side, rear setback

Category 3: structures greater than 121 SF,
Performance standard: must meet front setback and 20' side, rear setback, except for in the Lake District, in which case must meet the front, side and rear setbacks as specified for the Lake District.

Category 4: structures for residential uses, including single family residence, multi-family residence, condominium, accessory apartment. (See specific definition for more details)

Performance standard: must meet front setback, side and rear setbacks as specified for that district

Category 5: structures for non-residential uses, see specific definition for more details
Performance standard: must meet front setback, side and rear setbacks as specified for that district

Category 6: The setback for all structures over thirty-five (35) feet tall shall be equal to or greater than the height of the structure.

3. Nonconforming Structures and Uses

- a. Any nonconforming use, building or structure legally existing at the time of the adoption of these Regulations, or of any amendments thereto, may be continued but may not be moved, expanded or extended except as provided below.
- b. Any legally existing nonconforming building or structure that has been damaged or destroyed by fire, flood, explosion, act of God or the public enemy, collapse or other unintentional cause, including wear and tear, deterioration or depreciation, may be improved, reestablished, restored, reconstructed, repaired or rebuilt to the area, volume, occupation, and use it had at the time of the damage or destruction,
- c. Nothing in these Regulations shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.

- d. No part of a nonconforming use, building or structure, if changed to conformance with these Regulations, may be changed back to non-conformance.
- e. A legally existing nonconforming use may be changed to a conforming use, provided a Zoning Permit or Special Permit has been issued for such change upon proper application. In no case shall any use be changed to a use that is prohibited under these Regulations.
- f. A legally existing building or structure nonconforming as to the front, side and/or rear setback requirements or minimum lot size requirements of these Regulations may be expanded, extended, or enlarged, provided that a Zoning Permit has been issued and that any such expansion, extension or enlargement:
 - i. is no closer to the property line than the existing building or structure;
 - ii. does not create a public safety problem or health hazard, including but not limited to sight lines for the motoring public;
 - iii. is in conformity with all other requirements of these Regulations, but not including any lot coverage restriction that might otherwise be applicable;

4. Nonconforming Lots

- a. Residential lots that are legally nonconforming, in that they have a lot size that is smaller than required in these Regulations, may have a single dwelling unit constructed thereon, subject to all of the following conditions:
 - i. A Zoning Permit indicating conformity with these Regulations must first be obtained for new construction;
 - ii. The plan submitted with the Zoning Permit application must be certified to A-2 standards.
 - iii. Where an on-site sewage disposal system and/or well is proposed, a written approval from the Northeast District Department of Health, Connecticut Department of Energy and Environmental Protection, or Connecticut Department of Public Health indicating the suitability of the lot for the on-site sewage disposal system and/or well must be submitted with the Zoning Permit application;
 - iv. A permit must be obtained from the Inland Wetlands and Watercourses Agency regarding proposed activities subject to their approval;
 - v. The lot must be a lot of record that was owned separately and distinctly from any adjoining lot prior to January 1, 1987, as evidenced by a deed or maps legally recorded in the Office of the Town Clerk of the Town of Woodstock, and that has since remained in separate ownership; or, the lot must be in a subdivision

approved by the Woodstock Planning Commission prior to January 1, 1987, and legally recorded in the Office of the Woodstock Town Clerk;

- vi. All other requirements of these Regulations, including but not limited to setback requirements, must be met;
- b. Notwithstanding the foregoing provisions, after January 1, 1997, any lot of record shall be deemed to be combined (merged) with any adjacent lot held in common ownership, such that the combined lot shall conform or more nearly conform to the lot size requirements of these Regulations, if the lot:
 - i. has a lot size smaller than required in these Regulations;
 - ii. is not part of a valid subdivision plan approved under the Woodstock Subdivision Regulations and filed or recorded with the Woodstock Town Clerk; and
 - iii. does not have a dwelling or other principal structure legally constructed thereon,
5. Any building or structure, other than buildings or structures whose principal use is single-family residential or agricultural, legally existing at the time of the initial adoption of these Regulations on January 1, 1992 may be expanded, extended or enlarged, provided that the total area of such building or structure expansion, extension or enlargement made subsequent to the adoption of these Regulations shall not exceed twenty-five percent (25%) of the gross floor area of the building or structure existing on the initial effective date of these Regulations on January 1, 1992. Any expansion, extension or enlargement of any building or structure, other than buildings or structures whose principal use is single-family residential or agricultural, over twenty-five percent (25%) of the then existing gross floor area shall require a Special Permit approved by the Commission according to the procedures and standards for the issuance of special permits contained in these Regulations.
6. Accessory Apartments
 - a. One accessory apartment shall be permitted per single-family dwelling only in those zoning districts permitted by these Regulations, and according to the provisions of CGS 8-2 as may be amended.
 - b. Accessory apartments may be attached to or located within the proposed or existing principal dwelling, or detached from the proposed or existing principal dwelling and located on the same lot as such dwelling.
 - c. The maximum net floor area of an accessory apartment shall not be greater than fifty percent (50%) of the net floor area of the principal dwelling or one thousand square feet (1,000 SF), whichever is less. An applicant may choose a lesser amount.

- d. The accessory apartment must meet the requirements for setbacks, lot coverage, height restrictions, and all other requirements of these Regulations, for the zoning district in which the accessory apartment is to be located.
- e. These regulations shall not limit the ability of the Town to prohibit or to regulate the use of accessory apartments for short-term rentals or vacation stays.

General Dimensional Standards									
Uses	Minimum Lot Size	Contiguous Buildable Area	Frontage			Setbacks		Maximum Building Footprint	Maximum Building Height
			Public Street	Interior Lots	Private Road / Common Driveway	Front	Side / Rear		
Single-Family Residential	2.5 acres	1.0 acre	100 FT	25 FT	25 FT	75 FT	20 FT		35 FT
Agricultural Structures						40 FT See Note #1	20 FT		
Subdivisions	0.75 acre	0.75	100 FT	25 FT	25 FT	50 FT	20 FT		35 FT
Multi-family Residential	10 acre	1 dwelling per 1 acre	150 FT			200 FT	75 FT		35 FT
Non-Residential / Commercial	1.25 acre		150 FT			60 FT	40 FT	See Note #3	35 FT
						See Note #2			
Seasonal Resort	250 acres		150 FT			50 FT Resort 15 FT Cottage			35 FT
Village Green						See Note #4			35 FT
Lake District	2.5 acres	1 acre	100 FT	25 FT	25 FT	20 FT	10 FT Side 20 FT Rear		35 FT

Note: Revised via amendment for creation of Lake District and applicable regulations: approved 8/21/14, effective 9/14/14

General Dimensional Standards Notes
<p>1. Seasonal Farm Stand Exception:</p> <p>Minimum Lot Frontage: fifty (50') feet on a State highway or an accepted Town street. Front Setback: may be set up anywhere behind the front lot line</p> <p>2. See regulations, Special Permits re: lawfully existing buildings predating effective date of these Regulations.</p> <p>3. Non-residential / Commercial Building Maximum footprint:</p> <p>A. A non-residential single-occupant building shall not exceed a footprint of 15,000 sq ft</p> <p>B. A non-residential multi-tenant building (professional/retail/service) shall not exceed a footprint of 30,000 sq ft with no single tenant occupying greater than 15,000 sq ft. This total square footage applies whether a single or multiple buildings are located on the parcel.</p> <p>4. Village Green Development</p> <p>A. Senior Residence Development (SRD) & Light Industrial: Setbacks: Front: 25 FT, Side: 20 FT, Rear: 25 FT</p> <p>B. Village Green Area, Setbacks: Front: 15 FT, porches, porticoes and stoops may be 8 FT closer to the front property line. Side: 20 FT Rear: 25 FT</p>

B. Agricultural and Single-Family Residential Uses In the Community District

1. Dimensional Requirements

- a. The following dimensional requirements shall apply to all agricultural structures and single-family residential uses, activities, buildings and structures permitted under these Regulations, except as provided for below in Article IV, C:
 - i. A lot, except for agricultural use, shall contain at least two and a half (2.5) acres.
 - ii. A lot, except for agricultural use, shall contain at least one (1.0) acre of contiguous buildable area.
 - iii. All lots (except for permitted interior lots) created on or after the effective date of these Regulations, shall have lot frontage of
 - a) at least one hundred (100) feet on a State highway, a Town street, or a Private Road approved by the Commission as part of a plan of subdivision;
 - b) at least twenty-five (25) feet on a common driveway approved by the Commission as part of a plan of subdivision and out-letting to Town street or State highway or a Private Road approved by the Commission as part of a plan of subdivision;
 - c) as otherwise provided in these Regulations; (e.g., creation of a new and larger lot more nearly conforming to these Regulations from two or more undersized lots);
 - iv. Interior (rear) lots shall not be allowed, except that one interior lot may be created from an existing lot of record if:
 - a) such existing lot has inadequate frontage to create a second front lot;
 - b) the interior lot is accessed from a common driveway; and
 - c) the interior lot shall have lot frontage of at least twenty-five (25) feet on a State highway, a Town street, or a Private Road approved by the Commission as part of a plan of subdivision. The Commission may require greater lot frontage where needed to ensure sightline safety.
 - v. Maximum building height, except for agricultural uses, shall be two and one-half stories, not to exceed thirty-five (35) feet.
 - vi. Except as otherwise provided, all structures shall be separated:
 - a) at least seventy-five (75) feet from the boundary of any State Highway, Town Street or Private Road, (i.e., the front setback), and
 - b) at least twenty (20) feet from the boundaries of adjacent properties, (i.e., the side

and rear setbacks).

- vii. The front setback for primary residential structures may be reduced, at the request of the applicant and subject to approval by the Commission or **its** designee, to a distance that is within 10% of the contextual standard, determined by the average front setback of other primary residential structures within 1500' on either side of the property, but no closer than the closest of these structures.
 - a) The front setback for an agricultural building shall be at least forty (40) feet from the boundary of any State Highway, Town Street or Private Road.
 - b) On lots with lot frontage of at least fifty (50') feet on a State highway or a Town street, seasonal farm stands may be set up anywhere behind that front lot line, provided that the ZEO determines that adequate off-street parking is available and that such farm stand will not cause a public safety hazard, as by obstructing drivers' sight lines.

2. Standards

- a. The following zoning standards shall apply to all agricultural and single-family residential uses, activities, buildings and structures permitted under these Regulations, except as provided for below in Article IV, C:
 - i. No more than one single family dwelling or one single family dwelling with an accessory apartment as provided below shall be allowed on each lot.
 - ii. A Temporary Health Care Structure (THCS) shall be allowed as an accessory use, provided that it is owned by a caregiver or mentally or physically impaired person used as his or her residence provided all setback requirements, coverage limits, and maximum floor area ratio limitations are met - see specific standards for THCS.
 - iii. One accessory apartment shall be permitted per single-family dwelling, provided the maximum net floor area of an accessory apartment shall not be greater than fifty percent (50%) of the net floor area of the principal dwelling or one thousand square feet (1,000 SF), whichever is less. An applicant may choose a lesser amount.
 - iv. Approved lots in open space subdivisions or resubdivisions may have one accessory apartment provided the maximum net floor area of an accessory apartment shall not be greater than fifty percent (50%) of the net floor area of the principal dwelling or one thousand square feet (1,000 SF), whichever is less. An applicant may choose a lesser amount.
 - v. Each lot shall be of such shape that the location and dimensions of all structures, water and septic systems, driveways and access-ways, and setbacks meet all requirements of these Regulations, the Northeast District Department of Health, the Inland Wetlands and Watercourses Agency, and the Subdivision Regulations, as they may apply.

- vi. All newly-created lots shall satisfy the Northeast District Department of Health standards for a septic system and reserve area suitable for a minimum four-bedroom residence.
- vii. All parts of a subsurface sewage disposal system shall be set back at least twenty (20) feet from all property lines.

C. Subdivisions

1. Authorization

The purpose of this Regulation is to provide a method for cluster development of land as authorized which permits a reduction in lot sizes without an increase in density of population or development, while providing for the protection of surrounding properties, persons and neighborhood values and regulating the layout of residential development in order to:

- a. minimize alteration of or damage to the natural, historical and cultural features and the topography of the land;
- b. avoid undue adverse impacts of new development on existing homes and neighborhoods;
- c. preserve wooded areas and other undeveloped open land;
- d. preserve and enhance areas of active and potential agricultural use;
- e. reduce public costs for the maintenance of streets and other public infrastructure;
- f. reduce the amount of impervious surfaces caused by development;
- g. preserve the existing rural character of the Town;
- h. manage stormwater to minimize impacts on the natural watershed for water quality protection and flood control; and
- i. conform to and promote the Town's sewer avoidance policy.

2. Dimensional Requirements

- a. The following dimensional requirements shall apply to all agricultural and single-family residential uses, activities, buildings and structures permitted under these Regulations within subdivisions approved by the Commission after August 25, 2005, provided that the standards for preservation of Conservation Land set forth in the Woodstock Subdivision Regulations have been satisfied:
 - i. A lot shall contain at least three-quarters (0.75) of an acre of contiguous buildable area.
 - ii. The maximum number of buildable lots permitted and the required amount of Conservation Land within a subdivision shall be calculated using the methods set forth in the Woodstock Subdivision Regulations. For each parcel the Maximum Lot Yield shall be calculated by dividing the gross buildable acreage by 2.5, with the resulting number rounded down to a whole number to determine the maximum number of buildable lots permitted, provided however that additional bonus lots may be allowed under the Affordable Housing and Accessory Apartments provisions of the Subdivision Regulations.
 - iii. All lots (except for permitted interior lots) shall have lot frontage of
 - a) at least one hundred (100) feet on a State highway, a Town street, or a Private Road approved by the Commission as part of a plan of subdivision; or
 - b) at least twenty-five (25) feet on a common driveway approved by the Commission as part of a plan of subdivision and out-letting to a Town street or State highway.
 - iv. Interior (rear) lots shall not be allowed, except that:
 - a) an interior lot may be approved by the Commission at the rear corner(s) of a cul-de-sac or loop road in the subdivision of a parcel of ten (10) acres or more; or
 - b) an interior lot may be approved by the Commission if there is no reasonable alternative for access allowing development of a parcel of less than ten (10) acres legally existing on August 25, 2005, and the interior lot is accessed from a common driveway; and
 - c) an interior lot shall have lot frontage of at least twenty-five (25) feet on a State highway, a Town street, or a Private Road approved by the Commission as part of a plan of subdivision. The Commission may require greater lot frontage where needed to ensure sightline safety.
 - v. Maximum building height shall be two and one-half stories, not to exceed thirty-five (35) feet.

- vi. Except as otherwise provided, all structures shall be separated:
 - a) at least fifty (50) feet from the boundary of any State Highway, Town Street or Private Road, (i.e., the front setback), and
 - b) at least twenty (20) feet from the boundaries of adjacent properties, (i.e., the side and rear setbacks).
- vii. The Commission may reduce the building setback distance from the lot frontage line (the front setback) to no less than twenty (20') feet, provided:
 - a) the street upon which the lot fronts is not a through street; and
 - b) the street upon which the lot fronts will have low traffic volumes and low travel speeds;
- viii. On lots with lot frontage of at least fifty (50') feet on a State highway or a Town street, seasonal farm stands may be set up anywhere behind that front lot line, provided that the ZEO determines that adequate off-street parking is available and that such farm stand will not cause a public safety hazard, as by obstructing drivers' sight lines.

3. Standards

- a. The following Zoning standards shall apply to all agricultural and single-family residential uses, activities, buildings and structures permitted under these Regulations within subdivisions approved by the Commission after August 25, 2005:
 - i. No more than one single-family dwelling or one single family dwelling with an accessory apartment shall be allowed on each lot, provided the maximum net floor area of an accessory apartment shall not be greater than fifty percent (50%) of the net floor area of principal dwelling or one thousand square feet (1,000 SF), whichever is less. An applicant may choose a lesser amount.
 - ii. A Temporary Health Care Structure (THCS) shall be allowed as an accessory use, provided that it is owned by a caregiver or mentally or physically impaired person used as his or her residence provided all setback requirements, coverage limits, and maximum floor area ratio limitations are met - see specific standards for THCS.
 - iii. Each lot shall satisfy the Northeast District Department of Health standards for a septic system and reserve area suitable for a minimum four-bedroom residence.
 - iv. All parts of a subsurface sewage disposal system shall be set back at least twenty (20) feet from all property lines at the exterior of the original parcel proposed for subdivision.

D. Multi-Family Residential Uses

The following Zoning standards and dimensional requirements shall apply to all multi-family residential uses permitted under these Regulations:

1. Dimensional Requirements
 - a. Minimum lot size shall be ten (10) acres.
 - b. Minimum lot frontage shall be one-hundred and fifty (150) feet on a State highway or an approved Town street.
 - c. Maximum allowable density shall be one dwelling unit per one (1.00) acre of contiguous buildable area of a parcel.
 - d. Except as otherwise provided, all structures shall be separated:
 - i. at least two hundred (200) feet from the boundary of any State Highway, Town Street or Private Road, (i.e., the front setback), and
 - ii. at least twenty (75) feet from the boundaries of adjacent properties, (i.e., the side and rear setbacks).
 - e. Minimum distance between on-site and off-site dwellings shall be two-hundred (200) feet.
 - f. Minimum distance between dwellings in the development shall be one-hundred (100) feet.
 - i. This distance may be reduced to fifty (50) feet if all units are equipped with an approved sprinkler system in accordance with National Fire Protection Association (NFPA) Standards.
 - g. Maximum building height shall be two and one-half stories, not to exceed thirty-five (35) feet.
 - h. No multi-family structure shall contain more than four (4) dwelling units nor more than five-thousand (5,000) square feet of floor coverage.
 - i. Lot coverage with impervious surfaces shall not exceed thirty (30) percent.
 - j. For new multi-family residential developments approved after July 1, 2012 no less than fifty (50) percent of the gross buildable acreage of the parcel shall be dedicated in perpetuity as protected open space. The portion(s) of the parcel to be dedicated as protected open space shall be determined using the chapter of the Woodstock Subdivision Regulations titled Conservation Land.

E. Non-Residential Uses

The following Zoning standards and dimensional requirements shall apply to all nonresidential uses permitted under these Regulations:

1. Dimensional Requirements
 - a. Minimum lot size shall be one and one-quarter (1.25) acres of contiguous buildable area.
 - b. Minimum lot frontage shall be one hundred-fifty (150) feet on a State highway, Town street, or a Private Road approved by the Commission.
 - c. Except as otherwise provided, all structures shall be separated:
 - i. at least sixty (60) feet from the boundary of any State Highway, Town Street or Private Road, (i.e., the front setback), and
 - ii. at least forty (40) feet from the boundaries of adjacent properties, (i.e., the side and rear setbacks).
 - d. Maximum building height shall be two and one-half stories, not to exceed thirty-five (35) feet.
 - e. Lot coverage with impervious surfaces shall not exceed fifty (50) percent.
2. Standards
 - a. The maximum size of permitted non-residential buildings shall be as follows, except in the Industrial District:
 - i. a single-occupant non-residential building shall not exceed fifteen thousand (15,000) square feet gross floor area;
 - ii. a multi-occupant non-residential building shall not exceed thirty thousand (30,000) square feet gross floor area, with no single tenant or user occupying more than fifteen thousand (15,000) square feet gross floor area; and
 - iii. the total combined square footage of all non-residential buildings on a parcel shall not exceed thirty thousand (30,000) square feet gross floor area.
 - b. A single family residential dwelling (attached, detached or mixed-use building) may be located on a parcel with a non-residential use(s) provided that:
 - i. both the residential and non-residential uses (other than customary home occupations) are specifically approved for the parcel by the Commission in a Special Permit; and
 - ii. single family residential dwelling is a permitted use in the District.

F. Seasonal Cottage Resort District Uses

The following Zoning standards and dimensional requirements shall apply to all cottage resort uses permitted under these Regulations:

1. Dimensional Requirements

- a. Minimum parcel size shall be two-hundred and fifty (250) acres.
- b. Each cottage resort shall have at least one-thousand (1,000) feet of frontage on a waterbody.
- c. Each cottage resort shall have vehicular access to and from a public street and shall have a minimum of one-hundred and fifty (150) feet of frontage on State highway or an Town street.
 - i. Minimum frontage on an interior street shall be fifty (50) feet,
- d. Each cottage site shall have a minimum of twenty-five hundred (2,500) square feet of land area (exclusive of wetlands and 100 year federal flood plain), and the average cottage site size shall not be less than four thousand (4,000) square feet (exclusive of wetlands and one-hundred (100) year federal flood plain).
- e. Maximum building height shall be two and one-half stories, not to exceed thirty-five (35) feet.
- f. Except as otherwise provided, all structures shall be separated:
 - i. at least fifty (50) feet from the boundary of any State Highway, Town Street or Private Road, (i.e., the front setback), and
 - ii. at least fifty (50) feet from the boundaries of adjacent properties, (i.e., the side and rear setbacks).
- g. Individual cottages shall be separated as follows:
 - i. Minimum front, side, and rear setbacks for individual cottage sites shall be fifteen (15) feet.

2. Standards

- a. All of the land comprising the cottage resort shall be owned and governed by an association, the rules and regulations for which are in conformity with these Regulations. The association's rules and regulations shall be submitted with the Special Permit application in order to determine compliance with these Regulations.
 - i. All cottage sites shall be leased from the association. Buildings constructed or placed thereon may be owned by the tenant thereof.
 - ii. All cottages and cottage sites shall be limited to seasonal use and restricted off-

seasonal use, except the resident manager's dwelling may be occupied yearround.

- a) During the off-seasonal period from November 30th through and including March 31st of each year, use and/or occupancy of a cottage site shall be limited to a duration of not more than seven (7) days during any three week period. This limitation shall be contained in all leases for all cottage sites, and shall be contained in the association rules.
 - b) The residence of the resident manager of a cottage resort may contain more than two bedrooms, may have year round occupancy and services, and may be serviced by an individual well and subsurface sewage disposal system. There shall be no more than two (2) permanent staff residences in the cottage resort.
- b. No more than four cottages shall be constructed or placed on cottage sites within a cottage resort during each calendar year (non-accrual), except that up to eight cottages may be constructed or placed on cottage sites within a cottage resort during twelve months following issuance of the Special Permit by the Commission.
- i. All cottages shall be constructed or placed on a cottage site, and only one cottage is permitted on each cottage site.
 - ii. No cottage shall be erected, constructed, enlarged, expanded or placed on a cottage site prior to issuance of a Zoning Permit for same.
 - iii. Each cottage site shall have at least one vehicular parking space (minimum size nine (9) feet x eighteen (18) feet). In addition, the common facilities of the cottage resort shall contain parking spaces sufficient to meet anticipated demand.
- c. Each cottage resort shall have common facilities in locations convenient to cottage site tenants, e.g., bathrooms, showers, laundry, hot and cold running water. Common facilities shall be serviced by a subsurface sewage disposal system, and may have year-round water service. Other common facilities, accessory to the cottage resort use and for the use and enjoyment of the cottage site tenants, their guests and association guests only, may include a clubhouse, office, food concessions, archery range, boating, swimming facility, dance hall, tennis courts and other active and passive recreational facilities.
- d. Each cottage shall be serviced by an individual alternative waste water treatment & disposal facility for individual sites as approved by the Connecticut Department of Energy and Environmental Protection.
- i. No Zoning Permit for a cottage shall be issued until a permit for said alternative system has been issued by the Connecticut Department of Energy and Environmental Protection. No cottage except that of the resident manager of a cottage resort shall be serviced by a septic system.

- e. All new cottages shall have cold running water and electrical service during seasonal use.
 - i. Water service to individual cottages shall be shut off during the off-season (November 30th through March 31st).
 - ii. No cottage constructed or placed after January 1, 1992 shall have its own well. All water supply and water distribution systems shall be approved by the appropriate authorities and shall be in compliance with all applicable codes and Regulations.
- f. All Cottage resorts shall have proper facilities for the disposal and recycling of solid waste.
- g. All roads serving the cottage resort shall be maintained and kept passable year round, and shall be designed to accommodate the largest fire apparatus in the fire district serving the cottage resort.
 - i. Minimum road width shall be twelve (12) feet, with periodic vehicular turn-offs to accommodate passing vehicles.
 - ii. All roads internal to the cottage resort shall be privately owned and maintained by the association.
- h. Wherever practicable as determined by the Commission, existing vegetation shall be used to screen the cottage resort from abutting land and uses, to screen cottage sites and vehicular parking areas, and to maintain a natural setting. Where adequate existing vegetation is not present, supplemental shrub and tree plantings may be required to achieve the effects described in the preceding sentence.
- i. Water supply, emergency vehicle access and other requirements for adequate fire protection shall be sufficient to meet the recommendations of the Town Fire Marshal and local Fire Chief.

G. Village Green District Uses

The following Zoning standards and dimensional requirements shall apply to all Village Green District uses permitted under these Regulations:

1. Dimensional Requirements

a. Minimum Setbacks:

- i. Senior Residence Development (SRD). Twenty-five (25) feet front setback, Twenty (20) feet side setback and twenty-five (25) rear setback;
- ii. Commercial / Light Industrial Area: Twenty-five (25) feet front setback, Twenty (20) feet side setback and twenty-five (25) rear setback;
- iii. Village Green District lots: fifteen (15) feet' front setback, twenty (20) feet side setback, and twenty-five (25) rear setback. Porches, porticoes, and stoops may be up to eight (8) feet closer to the front property line.

b. SRD uses shall be separated from adjacent commercial/industrial uses by a minimum twenty-five (25) feet wide landscaped buffer;

c. Commercial/industrial uses shall be separated from adjacent residential uses (on-site or external to the proposed VGD) by a minimum twenty-five (25) feet wide landscaped buffer;

i. Buffers may include the setback;

d. No buildings shall exceed two and one-half (2 1/2) stories in height or thirty-five (35) feet;

2. Standards

a. Buildings shall be of an appropriate size, scale, and footprint;

b. The entire development shall have a common architectural theme, with sufficient exterior specifications on the plans to describe the theme and establish, upon Commission approval, architectural standards and design parameters for each use;

c. The front yard shall be landscaped.

d. In SRD uses, a concrete sidewalk shall be provided on at least one side of the proposed street;

e. Proposed SRD shall have buildings containing no more than four (4) dwelling units

f. A proposed SRD street shall be paved with bituminous concrete to at least a twenty-four (24) feet width, and built to the Town's design standards for a public street. The proposed SRD street may be public or private.

i. Where bituminous concrete curbing is required, it shall be a "cape cod" style. It shall

be within a fifty feet (50) right-of-way, with the following cross section: 12' snow shelf/12' lane /12' lane/8' snow shelf/5' concrete sidewalk/1'snowshelf. These dimensions may be modified at the Commission's discretion provided they still meet safety and traffic volume standards.

- g. The proposed street adjacent to the common of the Village Green District shall be one-way, and paved with bituminous concrete to at least a twenty-four (24) feet width, and built to the Town's design standards for a public street. The proposed Village Green District street may be public or private.
- i. Where bituminous concrete curbing is required, it shall be "cape cod" style. It shall be within a fifty (50) feet right-of-way, with the following cross section: 12' snow shelf/12' lane/12' lane/8' snow shelf/5' concrete sidewalk/1'snow shelf. These dimensions may be modified at the Commission's discretion provided they still meet safety and traffic volume standards.
- h. The proposed street adjacent to a light industrial area shall be paved with bituminous concrete to at least a twenty-eight (28) feet width to accommodate trucks, and built to the Town's standards for a public street. The proposed light industrial street may be public or private.
- i. Where bituminous concrete curbing is required, it shall be "cape cod" style. It shall be within a fifty (50) foot right-of-way, with the following cross-section: 8' snow shelf/14' lane/14' lane/8' snow shelf/5' concrete sidewalk/1' snow shelf;
- i. All buildings shall be served by adequate and approved public water system and a municipal sewer system.
- j. The general plan of development shall contain a landscape and planting plan prepared by a licensed landscape architect or a landscape designer.
 - i. Landscape plans shall address buffer treatments, street trees, foundation plantings, fencing, signage, lighting and the development's overall landscape theme.
 - ii. A plant schedule (name, size at installation, and quantity of all plantings) shall be provided;
- k. All utilities shall be installed underground.
- l. All vehicular parking in light industrial areas shall be off-street and in the rear of the lot, i.e. behind the building's front façade.
- m. All light industrial uses shall have an office area.
- n. Warehousing is not allowed as a building's primary use;
- o. Water supply, emergency vehicle access and other requirements for adequate fire protection shall be sufficient to meet the recommendations of the Town Fire Marshal and local Fire Chief.

H. Lake District Uses

1. Dimensional Requirements

- a. The following dimensional requirements shall apply to all single-family residential uses, activities, buildings and structures permitted under these Regulations:
 - i. A lot, except for agricultural use, shall contain at least two and a half (2.5) acres.
 - ii. A lot that is legally nonconforming as to its size may have a new single dwelling unit constructed thereon, subject to the provisions of Article IV. A. 4. a.
 - iii. A legally existing building or structure may be expanded, extended, or enlarged, provided that a Zoning Permit has been issued, if any such expansion, extension or enlargement meets the minimum setback requirements; does not create a public safety problem or health hazard, including but not limited to sight lines; and is in conformity with all other requirements of these Regulations, but not including any lot coverage restriction that might otherwise be applicable.
 - iv. Maximum building height, except for agricultural uses, shall be two and one-half stories, not to exceed thirty-five (35) feet.
 - v. Except as otherwise provided, all structures shall be separated
 - a. at least twenty (20) feet from the boundary of any State highway, Town Street or Private Road (i.e., the front setback),
 - b. at least ten (10) feet from the boundaries of adjacent properties as they abut the sides (not the rear) of the lot on which the structure is located (i.e., the side setbacks), and
 - c. at least twenty (20) feet from the boundaries of adjacent properties as they abut the rear of the lot on which the structure is located (i.e., the rear setbacks), and
 - vi. The front setback for primary residential structures may be reduced, at the request of the applicant and subject to approval by the Commission or its designee, to a distance that is within 10% of the contextual standard, determined by the average front setback of other primary residential structures within 1500 feet on either side of the property, but no closer than the closest of these structures.

2. Standards

- a. The following zoning standards shall apply to all for single-family residential uses, activities, building and structures permitted under these Regulations:
 - i. No more than one single-family dwelling or one single-family dwelling with an accessory apartment as provided below shall be allowed on each lot.
 - ii. One accessory apartment shall be permitted per single-family dwelling, provided the maximum net floor area of an accessory apartment shall not be greater than fifty percent (50%) of the net floor area of the principal dwelling or one thousand square feet (1,000 SF), whichever is less. An applicant may choose a lesser amount.

- iii. Each lot shall be of such shape that the location and dimensions of all structures, water and septic systems, driveways and access-ways, and setbacks meet all requirements of these Regulations, the Northeast District Department of Health, the Inland Wetlands and Watercourses Agency, and the Subdivision Regulations, as they may apply.
- iv. All parts of a new subsurface sewage disposal system shall be set back at least ten (10) feet from all property lines.

I. Cannabis Establishment

A Cannabis Establishment is a Specialty Permitted Use in the Community District.

1. Intent

The purpose of these Zoning Regulations is to regulate the location and operation of cannabis sales, cultivation, or production in accordance with Chapter 420h, C.G.S., as may be amended from time to time. All other special permit requirements and standards also apply to cannabis establishments.

2. Minimum Requirements

a. Minimum Standards

- i. The cannabis establishment shall be located on a property with a minimum frontage of 150 ft on a state highway such as Route 169, 171, 197 or 198. Customer access to the cannabis establishment shall only be from the state highway.
- ii. The cannabis establishment shall not be within a fifteen hundred (1,500) foot radius of any part of any building or structure used for the purpose of a school, house of worship, library, public playground, Town parks and recreation facilities, daycare centers/preschools, municipal building, structure identified on the "Historic Properties Composite Map", or Board of Education facility open to the public, as measured from entrance of the above use (for parks or similar outdoor uses the 1,500 (fifteen hundred) feet is from the property line) to the entrance of the proposed cannabis establishment.

The required minimum separation distance described above may be reduced at the request of the applicant, if upon submittal of information showing how the proposed location meets the following Criteria and is found by the Commission to be warranted, following the Commission's evaluation to be without detriment to the community.

a. Criteria:

- i. The specific physical use, infrastructure, vehicular and pedestrian circulation and other like attributes of the location and its immediate environs
- ii. The hours of operation, patronage, scale, access and other attributes of the uses enumerated above in relation to the same attributes of the proposed use.
- iii. The likelihood of interaction between the use and uses enumerated above in proximity to the proposed use where such interaction would create undue risk to the health or safety of occupants, employees or patrons of the uses enumerated above.

- b. Findings: Based on the above considerations, before the Commission may approve a modification under these provisions, the Commission shall find:
 - i. The proposed use will not likely create undue risks to the health or safety of occupants, patrons, employees or others using the site of the enumerated uses as stated above, or facilities AND;
 - ii. The applicant, if approved will not create conflicts with, or undermine the Town's Plan of Conservation & Development or the general principles of orderly development AND;
 - iii. That, in the Commission's sole discretion, as or if necessary, the Special Permit approval includes conditions and/or modifications which will serve to sufficiently mitigate any relevant potential issues under the Commission's legal purview in acting on the Special Permit application.
- c. In considering and acting on a modification request, the Commission may require the applicant to submit documentation in support of the request and relating to the criteria and findings described herein, including but not necessarily limited to surveys, written reports, land records, data, photographs or other materials. Applicants shall also be free to provide whatever additional documentation they feel supports their modification request.
- iii. Where the proposed cannabis establishment use abuts a residential use, a buffer strip at least 25' wide, containing planted or existing screening is required with the length being a minimum equal to the length of the cannabis establishment, including the parking lot and dumpsters as shown on the site plan. Buffer may consist of new or existing coniferous trees, shrubs, wooden fences, stone walls and similar landscaping features to a minimum of six (6) foot height with vegetation allowed to go higher.
- iv. No cannabis establishment shall be allowed within the same building, structure, or portion thereof that is used for residential purposes. On mixed use properties the cannabis establishment shall be in a separate building from any residential use on that property.
- v. Any cannabis retailer shall be located not less than 6,000 linear feet from another cannabis retailer or hybrid retailer. The separating distance between any two cannabis retail outlets (whether a cannabis retailer or a hybrid retailer) shall be measured from the nearest property line of the lot upon which the use is located to the nearest property line of the lot upon which another retail sale of cannabis use is proposed. No variance shall be issued by the Zoning Board of Appeals to reduce this separating distance.
- vi. All cannabis establishments shall have an adequate security system to prevent and detect diversion, theft, or loss of cannabis, utilizing commercial grade equipment meeting at least the minimum requirements of the Department of Consumer Protection Title 21a – Consumer Protection Section 21a-408-62.
- vii. The production, growing and/or storage of cannabis shall be conducted indoors.
- viii. Exclusions for cannabis establishments include, but are not limited to, non-cannabis food or beverages or cannabis themed non-food items such as clothing, apparel, etc.
- ix. Hours of operation for any retail component, shall be limited to between 9 am to 9 pm, Monday through Saturday and between 10 am to 6 pm, Sunday.

- x. Cannabis consumption shall not be permitted in any building or structure that is used as a cannabis establishment. In the case of a mixed-use or multi-tenant property, cannabis consumption shall not be permitted in the portion of the premises that is used as a cannabis establishment or immediately outside such portion.
3. The application must include the following details and/or information, in addition to the Special Permit Requirements otherwise specified for Special Permit applications in Article V, Section H:
- i. A map identifying all the locations of all schools, houses of worship, library, public playgrounds, Town parks and recreation facilities, daycare centers/preschools, municipal building, structures identified on the “Historic Properties Composite Map”, or Board of Education facility open to the public within fifteen hundred (1,500’) feet of the proposed cannabis establishment.
 - ii. Noise abatement methods used,
 - iii. Odor controls used
 - iv. Security methods proposed
 - v. Water consumption estimates and handling of wastewaters
 - vi. Waste management
 - vii. Emergency power; location of generators
4. Copy of all State Permitting must be on file with the Town of Woodstock Land Use Department and displayed within the Cannabis Establishment.
5. Conditions of Approval

In addition to any conditions imposed pursuant to these Regulations, all Special Permits for cannabis establishments shall be subject to the following conditions:

- i. Special Permits shall be approved with the condition that the applicant continuously maintains all necessary approvals required by the State of Connecticut for the duration of the operation.
- ii. A conditional approval issued by the Commission shall not be considered fully executed until a copy of the State issued license has been provided to the Land Use Department. A fully executed approval, including the State issued license must be filed with the Woodstock Land Use Department within six-month (6) months of the issuance of the Special Permit.

The Planning & Zoning Commission may issue not more than two (2) six-month extensions to this requirement provided the applicant can demonstrate that an application has been filed with the Department of Consumer Protection and the expected decision date will fall within the timeframe of the extension.

- iii. No entity shall commence operations, sales or advertisements without a valid, current license from the State of Connecticut and fully executed Special Permit from the Town filed on the Woodstock Land Records.

6. Disclaimer

Marijuana, whether medical or recreational, continues to be listed on Schedule I of the U.S. Controlled Substances Act (CSA) and is therefore still illegal under federal law. Any applications for cannabis dispensaries and/or production facilities are governed by Connecticut General Statutes Chapters 420f and 420h and at the sole and absolute risk of the applicant.

Article V. Permit Requirements

A. General

1. Except as provided below, no building, structure, premises or land shall be used or occupied, and no building or part thereof or other structure shall be erected, constructed, built, moved, placed, reconstructed, extended, enlarged, or altered and no land development activities shall be undertaken, until a Zoning Permit, Special Permit, and/or other necessary zoning approval has been granted by the Commission or duly appointed ZEO.
2. Any use, building or structure legally existing at the time of the initial adoption of these Regulations, or of any subsequent amendments thereto, may be continued unchanged without the necessity of securing any Zoning Permit, Special Permit, or Zoning Variance.
3. Zoning Permits are required for, but not limited to new or modified:
 - a. Construction,
 - b. Accessory structures, including but not limited to temporary health care structures
 - c. Certain types of renovations,
 - d. Change of Use,
 - e. Signs, (signs that are a repair, repainted, resurfaced, or replaced for the same pre-existing tenant or occupant, providing it is the same size or smaller, or when included with another permit is exempt from needing a new permit).
 - f. Driveways on Town Roads (driveways on State Roads require a permit from CT DOT),
 - g. Excavation,
 - h. Home Occupation,
 - i. Lighting,
 - j. Accessory Apartments
 - k. Outdoor Wood-burning Furnace
 - l. Temporary Health Care Structures

4. The following uses and/ or activities, where permitted under these Regulations, do not require the issuance of a Zoning Permit, Special Permit, or Zoning Variance:
 1. agricultural uses not involving the erection, construction, alteration, movement, or placement of a building or structure;
 2. residential landscaping;
 3. excavation and removal of less than two hundred-fifty (250) cubic yards of surplus earth materials resulting from a bona-fide dwelling construction being executed on a lot or parcel, for which activity a Zoning Permit and a Building Permit have been issued;
 4. excavation and removal of less than one hundred (100) cubic yards of earth materials, cumulatively, from a lot or parcel, which excavation or removal is not of surplus materials as described herein.
5. No Building Permit or Certificate of Occupancy shall be issued for a building, structure or use subject to these Regulations without a Zoning Permit from the ZEO indicating that such building, use or structure is in conformity with these Regulations or is a lawfully existing nonconforming use under these Regulations.
6. The issuance of a Zoning Permit or Special Permit under these Regulations does not relieve the applicant of any obligation to obtain other permits or approvals that may be necessary for the proposed use.
7. A Zoning Permit shall be required for all regulated activities, including those also requiring a Special Permit.

B. Preliminary Discussions

The Commission encourages, but does not require, preliminary discussion, as is authorized by CGS 7-159b as may be amended, persons considering any application to discuss, the contemplated use of land or a structure with the Commission or the ZEO in advance of making formal application. The preliminary discussion cannot be viewed as binding upon the Commission, the ZEO or the applicant.

C. Zoning Permit Requirements

An application for a Zoning Permit shall be on a form supplied by the Commission. All required information and materials shall be provided in written, printed and/or mapped forms, as appropriate, and digital versions provided, as shall be determined by ZEO. If the application is to be reviewed by the Commission, then fifteen (15) copies shall be submitted with the application.

2. The following shall be required for all applications:
 - a. Completed application form;
 - b. Application fees;
 - c. Name, signature, address and contact information of the applicant and representative of the applicant, if any;
 - d. Name, signature, address, and contact information of the legal owner of the property and representative of the owner, if any;
 - e. In the case of real property, the record title to which is held by a trustee of an undisclosed trust, a sworn statement disclosing the name of the equitable owner of real property or the beneficiary of the trust;
 - f. Street address of the property;
 - g. Assessor's map, block, and lot identification numbers;
 - h. Subdivision approval from the Commission, when required;
3. Any of the following shall be required only if relevant to the application or deemed necessary by the ZEO or the Commission for a determination that such proposed use, activity, building, or structure is in conformity with these Regulations:
 - a. When on-site sewage disposal, sewer service, water service and water supply, and/or other public health items are proposed, written approval from involved agencies: the Northeast District Department of Health, Connecticut Department of Energy & Environmental Protection, Connecticut Department of Public Health, Water Pollution Control Authority, and/or other appropriate agencies;
 - b. Where the proposed project is within an aquifer protection area or the watershed of a water company, the applicant shall provide written notice of the application to the water company and the Commissioner of Public Health in a format prescribed by the Commissioner [as per CGS as may be amended], with such notice made by certified mail, return receipt requested, and mailed not later than seven days after the date of the application, unless the ZEO determines that the proposed activity will not adversely affect the public water supply; and
 - c. Written report from the Inland Wetlands and Watercourses Agency or Agent for any proposed activities subject to their jurisdiction;
4. The ZEO or the Commission may require a plan or sketch drawn to scale showing any or all of the following:
 - a. Boundaries, north arrow, dimensions and area of the lot. The ZEO or the Commission may require a Class D, C-1 or A-2 survey where that level of accuracy is deemed necessary, or where otherwise required in these Regulations.
 - b. Name, address and phone number of CT licensed surveyor or Professional Engineer responsible for preparation of the map(s), where applicable;

- c. Setback requirements;
 - d. Locations of all existing and proposed buildings, structures and uses, including but not limited to driveways, parking areas, well, septic system, abutting streets, utilities along existing frontage or within the lot (furnish i.d. numbers of poles), and signs;
 - e. Location of any easements or rights-of-way;
 - f. Locations of all wetlands and watercourses, and whether field located by a soil scientist or derived from USDA soils survey, as may require a report from the Inland Wetland Wetlands and Watercourses Agency or Agent;
 - g. Location and arrangement of planned erosion and sediment control measures; and
 - h. Location of the federal 100-year floodplain and base flood elevation data,
5. Any other information or format of information may be required as deemed necessary by the ZEO or the Commission for a determination that such proposed use, activity, building or structure is in conformity with these Regulations.

D. Waiver of Zoning Permit Application Requirements

The Commission may modify or waive one or more of the application requirements, upon written request by the applicant, if the applicant can demonstrate to the satisfaction of the Commission that such requirement is not needed to reach a decision on the application.

No such waiver shall be granted that would lessen the goals and objectives of these Regulations.

Any waiver granted by the Commission shall require the affirmative vote of a majority of the voting members of the Commission present.

E. Applications for Zoning Permits

1. The Commission shall approve or deny Zoning Permit application for non-residential uses, and student housing uses,
2. The ZEO may approve or deny Zoning Permit applications for agricultural uses, residential uses, and signs.

F. Digital Data Required

In order to expeditiously merge data into the electronic media available to the Town, applicants may be required to submit details of an approved application in digital form as may be reasonably required by the ZEO.

1. Following the completion of specified structures and/or infrastructure, and prior to the issuance of the certificate of occupancy, the applicant or his/her assigns shall provide as-built conditions containing the building location, finished floor elevation, utility systems, septic location, boundary lines, roads and all easements in digital format.
2. Following the action of the Commission to approve, or modify and approve, a Subdivision, Special Permit or Village Green Development application, and prior to filing of mylars, the applicant shall submit to the Commission or ZEO the approved plan in digital format.
3. The digital data shall contain layers portraying the required permit information.
4. All digital media presented to the Commission shall conform to the Connecticut Grid System or NAD 83 Datum, in either AutoCAD (.dwg), ESRI, or other compatible format.
5. The electronic drawings may contain disclaimers by the plan preparer to the effect that any use of the electronic drawing is strictly for the Town of Woodstock only and that any dissemination, manipulation, modification, distribution or copying of the electronic drawing, other than by the Town of Woodstock or its designated agents, is strictly prohibited. The materials need not contain a reference to the plan preparer, however, the transmittal accompanying the materials shall reference the plan preparer.
6. The Commission, or ZEO, may waive the requirement for digital format presentations for minor improvements, such as accessory buildings.

G. Special Permits, General

1. Authority

In accordance with the procedures, standards and conditions hereinafter specified, the Planning and Zoning Commission as authorized by CGS 8-3c as may be amended, may grant a special permit for the establishment of one or more of the uses declared to possess such special characteristics that each shall be considered as an individual case. Approval or denial of any one such use in a given district shall not be deemed as precedent setting for approval or denial of further applications.

2. Intent

While these Zoning Regulations are based upon the division of the Town into districts, within each of which the use of land and structures and the bulk and location of structures in relation to the land are substantially uniform, it is recognized that certain other uses and features could be appropriate in such districts if controlled as to number, area, location, or relation to the neighborhood so as to promote the public health, safety, or welfare. Such uses and features shall be treated as special permit uses and shall be deemed to be permitted in their respective districts subject to the satisfaction of the requirements and standards set forth herein, in addition to other requirements of these Regulations.

3. Any proposed use or the proposed extension or alteration of an existing use, which is listed as requiring a Special Permit within their respective Zoning Districts under these Regulations shall be subject to the procedures and requirements set forth in these Regulations.
4. A modification of a Special Permit shall follow all of the same procedures and requirements for a Special Permit.
5. An application for a Special Permit shall be officially received by the Commission only at a regular meeting, but must be filed with the office of the ZEO; it is recommended the application be submitted at least ten (10) calendar days prior to such meeting for review and placement on the agenda.
6. No cottage resort that is in existence on the date of enactment of these Regulations may be expanded, extended or enlarged except pursuant to a Special Permit granted by the Commission, and any such expansion, extension or enlargement shall be subject to the requirements of these Regulations.

H. Special Permit Requirements

Application for a Special Permit shall be on a form supplied by the Commission. All required information and materials shall be provided in written, printed, and/or mapped forms, as appropriate and digital versions provided, as shall be determined by ZEO.

1. The following shall be required for all applications:
 - a. Completed application form;
 - b. Application fees;
 - c. Name, signature, address, and contact information of applicant and representative of applicant if any;
 - d. Name, signature, address and contact information of the legal owner of the property and representative of owner, if any;
 - e. In the case of real property, the record title to which is held by a trustee of an undisclosed trust, a sworn statement disclosing the name of the equitable owner of real property or the beneficiary of the trust;
 - f. Street address of the property;
 - g. Assessor's map, block and lot identification numbers;
 - h. Subdivision approval from the Commission, when required;
 - j. Completed Conservation Commission Development Review Checklist;

- k. A statement regarding the nature of any potential off-site impacts, and measures taken to minimize such impacts; A statement regarding how the application meets the Special Permit Evaluation Criteria; and
 - l. Any additional information, documents, plan, map, or report required by these Regulations.
2. The following shall be required for all application plans and maps:
- a. Provided in a scale that will adequately present all necessary information in a 24 inch x 36 inch format and shall be prepared by a CT Licensed Surveyor and/or Professional Engineer to meet the requirements of a class A-2 survey. The Commission may accept less than a Class A-2 survey, but no less than a Class D survey, for the entire parcel or for any portion of the parcel not proposed for development (in which case the portion of the parcel proposed for development shall be subject to a Class A-2 survey). Before accepting less than a Class A-2 survey, the Commission may obtain the advice of professional staff.
 - b. Name, address and phone number of CT licensed Surveyor and/or Professional Engineer responsible for preparation of the map(s), where applicable;
 - c. Certification by seal of (i) a Connecticut licensed Professional Engineer as to the adequacy of any proposed public improvements, and (ii) a Connecticut licensed land surveyor that the Plan has been prepared pursuant to the Regulations of Connecticut State Agencies and the "Minimum Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc., and the name, address and telephone number of each professional;
 - d. Parcel boundaries (bearings and distances), area of the parcel, and names of abutting property owners;
 - e. Zoning data block stating: the zoning district; proposed use or activity, dimensional requirements (required and proposed), gross buildable acreage of the parcel, cumulative amount and percentage of impervious surfaces and building coverage, required setbacks, number of parking spaces (required and proposed), lot frontage, building heights, number of dwelling units (if applicable) including bedrooms per unit and total floor area per unit, tract density with maximum number of allowable dwelling units (if applicable), and calculation of Conservation Land required by these Regulations (if applicable);
 - f. Key map/location map at a scale of 1 inch = 1,000 feet and on a 24 inch x 36 inch sheet, portraying the site location, property lines of abutting parcels, and area streets. The key map/location plan may be shown on the special permit plan;
 - g. North arrow and map scale;

- h. A signature block on all sheets of the Plan with the words "Approved by the Woodstock Planning and Zoning Commission on", with the date of such approval, a designated place for the signature of the Chairman or Secretary, and the date of signing;

Special Permit Approval	
Application: # _____	
Approved on: _____	
_____	_____
Chairman or Secretary Signature	Date

- i. Location, height and dimensions of all existing and proposed buildings, structures, uses and activities;
 - j. Location, dimensions, and length of sightlines for each driveway and/or curb cuts;
 - k. Location, height and dimensions of existing and proposed signage, if applicable;
 - l. Location, height, type and number of outdoor lighting luminaires, if applicable;
 - m. Locations of existing and proposed utilities, utility easements, and utility poles along the existing frontage or within the parcel (including pole id. numbers);
 - n. All easements, rights-of-way, and other encumbrances of property which are on record with the Town Clerk.
 - o. Location of existing and proposed outdoor storage or display areas, dumpsters and recycling bins, if applicable;
3. Any of the following shall be required only if relevant to the application or deemed necessary by the ZEO or the Commission for a determination that such proposed use, activity, building, or structure is in conformity with these Regulations:
- a. When on-site sewage disposal, sewer service, water service and water supply, and/or other public health items are proposed, written approval from involved agencies: the Northeast District Department of Health, Connecticut Department of Energy & Environmental Protection, Connecticut Department of Public Health, Water Pollution Control Authority, and/or other appropriate agencies;
 - b. Where the proposed project is within an aquifer protection area or the watershed of a water company, the applicant shall provide written notice of the application to the water company and the Commissioner of Public Health in a format prescribed by the Commissioner [as per CGS as may be amended], with such notice made by certified mail, return receipt requested, and mailed not later than seven days after the date of the application, unless the ZEO determines that the proposed activity will not adversely affect the public water supply; and
 - c. Written report from the Inland Wetlands and Watercourses Agency or Agent for any proposed activities subject to their jurisdiction;

- d. A traffic report prepared by a professional traffic engineer which must address sight lines, traffic safety, traffic generation, existing and projected traffic conditions as well as traffic counts and accident history in or near that location;
- e. For the purposes of establishing bond amounts, a Professional Engineer's itemized estimate of the cost of construction of all public improvements, common interest elements, and soil erosion and sedimentation prevention measures satisfactory to the Town Engineer, Town Planner, and the Commission;
- f. Documentation from the Connecticut Department of Transportation related to the proposal;
- g. Any other certifications as required by any law or regulation, including approvals or waivers from any federal, state, regional, county, or local agency having jurisdiction over any matters related to the proposed project or land development; and
- h. Information on application plans and maps:
 - i. Architectural elevations at a scale of 1/8 inch or 1/4 inch per foot, on 24 inch x 36 inch sheet(s), portraying all sides of proposed new or altered buildings in sufficient detail to convey architectural style;
 - ii. Existing and proposed topography at two-foot contour intervals in areas of land development, otherwise ten-foot contour intervals are acceptable in areas where no land development activities are proposed;
 - iii. Location of areas having slopes in excess of thirty (30) percent;
 - iv. Location of all wetlands and watercourses, as delineated by a soil scientist, as may require a report from the Inland Wetlands and Watercourses Agency or Agent;
 - v. Location of the federal 100-year floodplain and base flood elevation data,
 - vi. Location of existing and proposed sidewalks, walkways and trails;
 - vii. Layout of existing and proposed septic systems, including but not limited to the locations of septic leaching fields and reserve areas, showing the size and capacity of facilities and location of all percolation tests, including all approved and all failed test sites or pits;
 - viii. Location of existing and proposed wells, water supply and fire protection facilities including fire hydrants and standpipes, cisterns, ponds and other water sources;
 - ix. Location, size and composition of existing and proposed street trees, landscaping, and buffer or screening features, location of existing vegetation to be retained including a limit-of-disturbance line, and other elements of a landscaping plan that may be required by these Regulations;
 - x. Locations of Open Space and recreation areas and facilities;
 - xi. A Stormwater Management Plan including locations of existing and proposed water detention basins, drainage swales, drainage easements, culverts, drains, and all other stormwater management infrastructure and improvements;

- xii. A soil erosion and sediment control plan [E&S Plan] for all activities and proposals disturbing an area greater than one-half acre except for construction of a single-family home on a lot that is not part of a subdivision or resubdivision; and
 - xiii. All grading and earth excavation, removal and filling associated with the proposed development, including, but not limited to, such activity required for the construction or installation of streets, driveways, buildings, septic systems, public and private improvements, and recreational facilities. The plan of grading, earth excavation, removal and filling shall be prepared by a qualified professional engineer or professional surveyor registered in the State of Connecticut and shall clearly state the following:
 - a) the volumes of earth materials to be graded, moved, excavated, and filled;
 - b) the volumes of earth materials to be removed from or brought onto the parcel;
 - c) areas of proposed blasting, and the estimated volume thereof; and
 - d) the location(s) at which earth material removed from the parcel shall be deposited.
4. The Commission in its sole discretion, may require any or all of the following information for any proposed project when deemed necessary due to the scale, scope, or significance of potential impacts:
- a. A Site Context Map at a working scale of 1"=400' showing the location of the proposed project within its neighborhood context of up to a three thousand (3000) foot radius. Conditions beyond the parcel boundaries may be described on the basis of existing published data available from governmental agencies, and from aerial photographs. The Site Context Map shall include:
 - i. parcel boundaries;
 - ii. ownership of abutting properties;
 - iii. topography;
 - iv. inland wetlands and watercourses;
 - v. floodplains;
 - vi. contiguous forest areas over one hundred acres;
 - vii. highways, town streets and private roads;
 - viii. public lands and land protected for conservation or agricultural purposes;
 - ix. Critical Watershed Lands; and
 - x. designated Historic Districts and notable historic and archeological areas.
 - b. Natural Resource Assessment map(s) providing a comprehensive analysis of existing conditions, both on the proposed development site and within five hundred (500) feet of the parcel boundaries. The following information shall be included in the Site Resource Assessment at a scale of 1"=200' or 1"=100':

- i. parcel boundaries, total acreage of the tract, north arrow and map scale;
 - ii. existing and proposed topography at two-foot contour intervals (ten-foot contour intervals are permissible beyond the parcel boundaries). Slopes greater than thirty (30) percent shall be clearly indicated. Topography shall be prepared by a CT licensed land surveyor or professional engineer confirmed by an actual field survey of the site or from stereoscopic aerial photography and shall be coordinated with official U.S.G.S. benchmarks.
 - iii. inland wetlands and watercourses;
 - iv. floodplains;
 - v. general vegetative cover conditions on the property, including but not limited to cultivated land, meadow, pasture, old field, hedgerow, wetland and woodland canopy, and clearly indicating Significant Natural Communities as defined by the Connecticut Department of Energy and Environmental Protection;
 - vi. areas with potential State and Federally-listed endangered, threatened or special concern species as indicated on the current Natural Diversity Database Map published by the Connecticut Department of Energy and Environmental Protection;
 - vii. soil series, types and phases, clearly identifying Prime Farmland and Farmland of Additional Statewide Importance as defined and mapped by the U.S. Department of Agriculture, Natural Resources Conservation Service in the published soil survey for the county;
 - viii. geologic formations on the proposed development parcel, including major ledge and rock outcroppings and cliffs;
 - ix. Critical Watershed Lands;
 - x. all existing man-made features, including but not limited to public and private streets, private ways, cart paths, driveways, structures, foundations, stone walls and fences, wells, drainage fields and swales, stormwater facilities, dumps, utilities, fire hydrants and cisterns, storm and sanitary sewers, and septic systems;
 - xi. structures and features listed on the National or State Register of Historic Places, or designated as a Historic Property by the Town;
 - xii. national, state or locally-designated scenic roads and byways; and
 - xiii. all easements, rights-of-way, and other encumbrances of property which are on record with the Town Clerk.
- c. An aerial photograph current to within five years enlarged to a scale not less detailed than 1 inch = 400 feet, with the site boundaries clearly marked.
 - d. Information about any known or suspected historic or archaeological areas or graves that cannot be shown on a map in order to protect these areas from public record.

5. Any other information or format of information deemed necessary by the Commission for a determination that such use, activity, building or structure is in conformity with these Regulations.

I. Notification to Adjoining Municipalities

- a. The Commission shall notify per CGS 8-3b as may be amended, the clerk of any adjoining municipality by either electronic media, for which a confirming receipt is required, which will be placed into the application file, or Certified Mail, Return Receipt Requested, of any application, petition, appeal, request or plan concerning any project on any site within seven (7) days of official "Date of Receipt" in which:
 - i. any portion of the property affected by a decision of such Commission, is within five hundred (500) feet of the boundary of the adjoining municipality;
 - ii. a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
 - iii. a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
 - iv. water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality.
- b. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application, petition, appeal, request or plan.

J. Waiver of Special Permit Application Requirements

The ZEO or the Commission may modify or waive one or more of the application requirements, upon written request by the applicant, if the applicant can demonstrate to the satisfaction of the Commission or the ZEO that such requirement is not needed to reach a decision on the application. No such waiver shall be granted that would lessen the goals and objectives of these Regulations. The Commission may request and consider the recommendations of the Town Planner/ZEO and/or Legal Counsel before acting upon a waiver request. In granting or denying a waiver request, the Commission shall state in the record the reason(s) for its actions. Any waiver granted by the Commission shall require the affirmative vote of a majority of the voting members of the Commission present.

K. Public Hearings for Special Permit Applications

No decision shall be rendered on a Special Permit application until a Public Hearing has been held in accordance with the requirements of Sections 8-3c and 8-7d of the Connecticut General Statutes, as amended.

- a. At least ten (10) days prior to such Public Hearing, the applicant shall post a notice, in a form

and content approved by the Commission, at a visible location(s) along the premises' street frontage(s), indicating that an application is pending with the Planning & Zoning Commission. The posted notice shall be properly maintained until the decision on the application has been rendered.

- b. The applicant shall also send a written notice of such pending application to all owners of property (from Assessor's records) within a five hundred (500) foot radius of the parcel's boundaries including across the road, at least ten (10) days prior to the Public Hearing, and shall provide a list of all such property owners and the letter sent to them, together with Certificate of Mailing, to the Commission.
- c. At the Public Hearing, the applicant shall present the application, including the Special Permit Plan and any other documents required or submitted with the application, and the public, Commissioners, and Town staff shall be given an opportunity to be heard.

L. Special Permit Decisions

- a. No Special Permit shall be approved, approved with modifications /conditions, or denied until the Commission has evaluated the proposed use or activity relative to the following criteria, as they may apply.

Once the Commission has found that the proposed use or activity meets all of the following criteria, a Special Permit shall be approved or approved with modifications/conditions:

- i. It is in compliance with the Zoning Regulations of the Town of Woodstock;
- ii. It is consistent with the Plan of Conservation & Development and the Plan of Open Space and Conservation;
- iii. It will generate minimal off-site adverse impacts on the surrounding area, including but not limited to adverse impacts on:
 - a) the environment;
 - b) the character of the area, including any natural, historical and cultural features;
 - c) the property values; and
 - d) the reasonable use, enjoyment and development of properties;
- iv. It will neither adversely affect ground or surface waters nor endanger drinking water supplies;
- v. It shall have the approval of appropriate agencies, such as the NDDH, WPCA, DPH, and DEEP for sewage disposal and water service;
- vi. It does not adversely impact existing traffic conditions, including a finding that streets

serving the proposed use or activity are adequate to carry any additional traffic generated by the use or activity, and that no traffic safety problem (e.g., poor sight line) will be caused or significantly aggravated by the use or activity.

- vii. It will provide unhindered emergency vehicle access;
- viii. It will not adversely affect public health, safety or welfare;
- ix. It will meet the following standards, as applicable:
 - a) Adequate landscaping and buffering treatments
 - b) Stormwater management
 - c) Erosion and sediment control
 - d) Lighting
 - e) Signage
 - f) Floodplain
 - g) Dimensional
- b. Following the Public Hearing, the Commission may approve, modify and approve, or deny the application.
- c. Whenever the Commission acts upon a Special Permit, it shall state on the record the reason for its decision and its findings with respect to the criteria listed above.
- d. In granting approval for any Special Permit, the Commission may impose such reasonable conditions or modifications to the plan as are deemed necessary to ensure conformity with the evaluation criteria and any other requirements of these Regulations, in order to protect and safeguard the public health and welfare. The Commission may require the applicant to submit periodic reports, prepared by and bearing the seal of a land surveyor or an engineer, showing the status and progress of the work.

Where the Commission, finds or has reason to believe that circumstances or conditions upon which a Special Permit is warranted may change over time, the Commission may call for a review and substantiation of the justifying circumstances or conditions at periodic intervals or when occupancy or tenancy of the premises changes. In approving a Special Permit which, by its nature may have detrimental effects on the town, the Commission may set or impose time periods or limits on the permit or require periodic renewal of the permit without the necessity of a Public Hearing to the extent permitted by law. In the event that an appeal is taken, directly or indirectly from the Commission's approval of a Special Permit, the time period shall commence on the date of final resolution or disposition of such litigation. Expired Special Permits shall be considered null and void and of no effect.

- e. In evaluating the Special Permit application, the Commission has relied upon information

provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete or inaccurate, this approval shall be modified, suspended or revoked.

- f. In granting approval for any Special Permit, the Commission or its authorized agents shall at all times have reasonable access to the site for the purpose of inspection and determination of compliance with the approval and these Regulations.

B. 7. Post Decision

- a. Following the action of the Commission to approve, or to modify and approve, a Special Permit application, and prior to endorsement of the approved Special Permit plans, the applicant shall submit to the Commission the approved Special Permit plans in digital format. See "Permits" above, for specifics of this requirement. If the Special Permit plan differs from the approved Special Permit plan prepared for the site during the Special Permit process, the Commission shall require the applicant to re-apply for the Special Permit.
- b. Notice of the decision of the Commission shall be published in a newspaper having a general circulation in the municipality in which the affected property is located within fifteen (15) days after the decision is rendered.
- c. Notice of the findings must be mailed to the applicant by certified mail. The owner and representative shall also be informed within fifteen (15) days.
- d. An appeal period of fifteen (15) days after the publication of the decision in the newspaper applies before the decision becomes effective. Any legal challenge must be filed within the fifteen (15) day appeal period.
- e. No Special Permit shall take effect until the Notice of Special Permit, accompanying Special Permit Plan /maps printed on mylar with the Commission's endorsement thereon, and any necessary legal documents, have been recorded in the Office of the Town Clerk.
- f. An approved Special Permit shall become null and void if the Special Permit is not recorded on the land records within six (6) months of the date of approval by the Commission.
- g. A modification of a Special Permit shall follow all of the same procedures and requirements for a Special Permit.
- h. It is the responsibility of the applicant to pay the recording fees for filing documents and to comply with all conditions of approval.
- i. Any person, firm or corporation having obtained approval of a Special Permit application under this section shall complete all work and comply with all conditions of approval within the period of time allowed by law for completion of site improvements after the approval. In the event that all such work and/or all such conditions are not completed within the period of time allowed by law, the approval shall become null and void. The

Commission may file a statement to that effect upon the land records if it deems necessary.

- j. A Certificate of Zoning Compliance shall be issued after it has been determined by the ZEO that all provisions of the approval as granted by the Commission have been met.
- k. In those cases in which seasonal conditions prevent compliance with the provisions of the approval before the building is complete, the Commission may authorize the ZEO to issue a Certificate of Zoning Compliance on the condition that all provisions of the approval are met as the season permits. Noncompliance within the stated time shall make the Certificate of Zoning Compliance null and void.

Article VI. Town-Wide Requirements / Standards

A. Bonding

1. Site Plan and Special Permit Bonds

a. General Requirements

- i. The Commission may, as a condition of approval of any modified site plan, require a performance bond in an amount not to exceed the cost to perform any modifications required by such modified site plan plus an additional amount of up to ten (10) percent of the amount of the bond for all improvements not installed prior to final approval of the issuance of a Certificate of Occupancy. The performance bond shall be in the amount of one hundred ten (110) percent of the cost of such improvements as estimated by the Town Engineer and shall be in a form satisfactory to the Commission.
- ii. To satisfy any bond or surety requirement, the Commission shall accept surety bonds, cash bonds, passbook or statement savings accounts and other surety including, but not limited to, letters of credit, provided such bond or surety is in a form acceptable to the Commission and the financial institution or other entity issuing any letter of credit is acceptable to the commission. Such bond or surety may, at the discretion of the person posting such bond or surety, be posted at any time before all modifications of the site plan are complete, except that the Commission may require a bond or surety for erosion control prior to the commencement of any such modifications. No Certificate of Occupancy shall be issued before a required bond or surety is posted. For any site plan that is approved for development in phases, the surety provisions of this section shall apply as if each phase was approved as a separate site plan.
- iii. If the person posting a bond or surety under this section requests a release of all or a portion of such bond or surety, the Commission or its agent shall, not later than sixty-five (65) days after receiving such request,
 - a) release any such bond or surety or portion thereof, provided the Commission or its agent is reasonably satisfied that the modifications for which such bond or surety or portion thereof was posted have been completed, or
 - b) provide the person posting such bond or surety with a written explanation as to the additional modifications that must be completed before such bond or surety or portion thereof may be released.
- iv. When the Applicant or Owner requests a final zoning inspection on the construction

project for a Permitted Use, the ZEO will determine whether the project may be issued a Certificate of Zoning Compliance based on whether the construction met the parameters of the Permit and Regulations and all commission approval conditions. The ZEO may issue a temporary Certificate of Zoning Compliance if all improvements are not complete, but the project may be occupied safely. All incomplete improvements that were the subject of the original approval shall be bonded prior to issuance of the Certificate of Zoning Compliance.

- v. E&S Bonds will be required if the ZEO finds the area disturbed for the construction not stable and/or there is the evidence of an erosion problem on the property. An E&S Bond will be required in the amount set by the ZEO or the PZC approval condition pertaining to the project. The amount is to cover the work of stabilizing the site.

- vi. Driveway Bond

If the ZEO finds the driveway is not complete or that it does not meet the requirements of the driveway permit or the PZC approval, as applicable, the bond will be required in the amount set by the ZEO or the PZC approval condition pertaining to the project.

- vii. Bond Release

- a) Upon completion of the work, the Applicant or Owner shall request that the ZEO perform a follow-up inspection. If the work related to the bond is satisfactory and/or meets the requirements of the permit / conditional approval, the ZEO shall agree to the bond release and will submit paperwork to the Town Treasurer to this effect. Once the bond is released the Certificate of Zoning Compliance will be final.
- b) If the work is not complete or is unsatisfactory, the ZEO will specify to the project manager, actions to take to remedy the insufficiency, to be followed by an inspection once the project manager has completed the work.

- viii. Calling Individual Property Bond

- a) Should the Applicant or Owner fail to complete the work subject to the Bond the Commission may call the bond and utilize the funds to provide a stable site.

2. Bond Procedures

- a. Bond Information

Special Permit /Site Plan Bonds shall cover all public improvements, erosion and sediment control, landscaping for buffers, and other improvements deemed necessary for bonding by the Commission for the safe development of the site. The bond funds are to cover the actual construction, and completion of each approved phase of permitted activities in accordance with these Regulations, adjusted to include contingency and inflation factors not

to exceed 10% of the Bond amount.

b. Setting the Bond Amount

- i. During the application process, the applicant shall submit a bond estimate for each bond type including individually enumerated cost calculations for all proposed activities to be covered by the bond; costs shall be projected to a point at the end of the anticipated construction period. The bond amount shall cover actual estimated costs of the improvements covered by the bond and plus additional 10% of the actual cost estimate.
- ii. After consultation with the ZEO and other staff, including the Town consulting engineer, the Commission shall determine the amounts of each required bond including an adjustment for contingency not to exceed 10% of the estimated bond amount and inflation factors; monitoring and inspection fee costs.
 - a) If the project is to be modified, the related bonds are to be reviewed to ensure they cover the revised work involved. The revised bond amount(s) shall be adjusted to include contingency not to exceed 10% of the estimated bond amount and inflation factors; monitoring and inspection fee costs.
 - b) Any extension of the term of the Performance Bond may result in an adjustment as to the total Bond amount.

c. Bonding for Phased Projects

- i. Projects intended to be constructed in phases shall have bond estimates reflecting each phase submitted during the application review process.

d. Duration of the Bond

The bond will cover the entire construction period.

e. Extending the Bond

If the Special Permit is to be modified or continued, the bond shall be reevaluated at that time with the submittal of additional information to support bond amounts reflecting work completed as compared to work remaining to be done.

f. Releasing or Reducing the Bond

- i. The Applicant or Owner shall submit a written request for the release or partial reduction of the bond(s) to the ZEO.
- ii. The request must be submitted along with a record of the work that has been completed to the ZEO, Town consulting engineer and others as needed including but not limited to the Fire Marshal and Highway Foreman for review.

- a) Depending on the project, the submittal of an A-2 as-built survey sealed by a Connecticut licensed land surveyor showing the completed permitted activities, may be required.
- iii. A record of the review with accompanying recommendations as necessary will be provided to the Commission for their consideration at a business meeting.
- iv. All agreements for bond release are to be submitted in writing by the ZEO to the Town Treasurer.
 - a) The Commission shall reject such reductions if it finds the construction of any improvements are in violation of any provision of these Regulations or the plans, terms, or conditions for any permit approved hereunder.
- g. Expiration / Lapse of an Approved Permit or of a Bond
 - i. In order to avoid a permit expiring, the project manager shall submit an application to continue or extend the Special Permit deadline to the Commission for consideration at a regular Commission meeting prior to the expiration date. For an extension of the bond, the application shall require re-evaluation of the bond(s) related to the permit.
 - ii. In the event that a permit approval expires or lapses before all required improvements have been completed, the Commission may, in its discretion, and subject to any contrary provisions of state law, use the funds available in the Bond(s) on file, to complete improvements as deemed required by the Commission or restore all or any portion of the site to an acceptable and stable condition.
- h. Failure to Meet Conditions of Special Permit
 - i. Upon failure of an applicant to satisfy the approval conditions of any Special Permit within ninety (90) days following the expiration or revocation of a Special Permit, the bond posted under these Regulations may be declared forfeited by the Commission.
- i. Calling the Bond
 - i. If the project manager should fail to meet the conditions of the permit by the expiration date without applying for an extension, the Commission may call the bond for the purposes of utilizing the funds to provide a stable site.
 - ii. If dangerous conditions exist on the site during construction which may be unsafe for the public or the environment, the Commission may call the bond to step in to address the problem and provide a stable site.

B. Driveway Standards

1. General

- a. No new driveway connecting to a Town Road shall be commenced until a written permit for its construction is issued by the ZEO after consultation with the Town's Highway Foreman.
- b. There shall be no charge for issuing the permit.
 - i. The permit shall be valid for a period of six (6) months or for some lesser period as determined by the ZEO.
- c. All driveway slopes shall not exceed:
 - i. a five (5%) percent slope for the first ten (10) feet from the adjacent street line; and,
 - ii. a five (5%) percent slope for the twenty (20') foot terminus of the driveway.
- d. All Common Driveways shall meet the requirements and standards of the Woodstock Subdivision Regulations and
- e. The construction of the driveway shall be completed during the period of the permit or such period of renewal as may have been granted.
- f. Specifications: All driveways must conform to the following requirements before a permit is issued:
 - i. Any driveway shall be so graded that it will not be necessary to change the established grade of the adjacent Town Road.
 - ii. No part of any driveway shall extend beyond the road line in such a manner as to change the grade of the road or obstruct the free flow of water draining off the road or on the road.
 - iii. Where a driveway crosses an open ditch or where such construction will interfere with the drainage of the storm water along the side of the road, a culvert of such size and material as may be determined by the ZEO and Highway Foreman shall be installed at the property owner's expense. The property owner will be responsible for maintenance and repair of the culvert.
 - iv. The driveway shall be so constructed that there will be drainage from the driveway onto the Town Road only to the degree approved by the Highway Foreman.
 - v. If the driveway abuts a paved Town Road, and protection is required for the shoulder and/or the edge of the Town Road, an apron of suitable material approved by the Highway Foreman shall be installed. Reference is made to the Appendix to these Regulations for minimum design standards for aprons.

- vi. All driveways shall provide for adequate sight lines so as to permit safe access to and from the premises to be served. The ZEO and Highway Foreman may require brush, trees, banking or other obstacles to be removed or excavated along the property street line in order to facilitate adequate and safe sight lines. The ZEO and Highway Foreman may take into consideration the Connecticut Department of Transportation standard (see the Appendix) in determining the adequacy of the sight lines for a proposed driveway design.
- vii. All required construction and or sight line improvement work shall be at the property owner's expense.
- viii. Construction standards for Common Driveways shall conform to the Regulations set forth in the Woodstock Subdivision Regulations.
- g. The ZEO may inspect the work in progress to ensure that such construction conforms to the requirements of these Regulations.
- h. Upon completion of such construction, the applicant shall notify the ZEO who shall perform a final inspection to accept or reject the project.
 - i. In the event of rejection, the owner shall be given a period of thirty (30) days to bring construction into compliance with these Regulations.
 - ii. No unacceptable driveway shall be utilized after this thirty day period has expired unless it has been brought into compliance with these Regulations and the ZEO has approved the driveway.
- i. Bonding: No Certificate of Occupancy shall be issued until the driveway permit has been issued and the work thereon completed to the satisfaction of the ZEO and Highway Foreman except or unless the applicant deposits with the Town a bond in a form and amount satisfactory to the Town to insure the completion of the driveway in accordance with the permit conditions and prior to the time the permit or any extension thereof expires.
- j. Repair and reconstruction: The ZEO and Highway Foreman shall have the authority to require repair or reconstruction of any existing driveway to a Town Road that does not conform to the requirements of these Regulations.

C. Earth & Gravel Operations

1. Statement of Purpose

The following provisions regarding the establishment and continuance of earth and gravel operations and the conduct of earth filling and removal activities in Town have been developed to promote the protection of the health, welfare, public safety and property values by preventing impacts to land values due to removal of earth materials and by preventing the creation of hazards due to deep holes, steep slopes and open embankments. These Regulations are designed to facilitate the use of land for purposes permitted under the Zoning Regulations following the removal of earth materials and as such to provide for the suitable establishment of ground level and protection of affected areas by suitable cover. Nothing in this section exempts earth and gravel operations from other applicable articles and sections of these Zoning Regulations.

Earth and Gravel Operations as separate, for-profit uses of land are allowed by Special Permit as described further in this section of these Regulations.

In Earth and Gravel Operations in the Town of Woodstock, care shall be given to:

- a. Protect the health, welfare, and public safety of the citizens of the Town of Woodstock.
- b. Preserve and protect the Town's environmental resources, including but not limited to:
 - i. Maintaining the existing volume and quality of surface and ground water.
 - ii. Preventing the contamination of air, water and soils.
 - iii. Hydrological stability and control of flooding and erosion.
 - iv. Wildlife habitat protection.
- c. Prevent conditions detrimental to the public safety, health and general welfare, including but not limited to erosion, unprotected steep slopes, stagnant water bodies, other nuisances and permanent damage to the landscape.
- d. Protect property values by ensuring that, following such activities, land utilized for Earth and Gravel Operations will be suitable for the allowable uses consistent with the underlying zoning district in which such use is located.
- e. Protect property values and quality of life for those properties abutting and in proximity to the earth filling, and/or excavation operations.

C. 2. Existing Operations

All existing commercial operations selling greater than 1500 cubic yards of material per year which were established prior to the effective date of these Regulations may continue as they are until twenty-four (24) months from such effective date provided that they register with the ZEO, after which time they shall be subject to all requirements of these Regulations. Existing commercial

operations of less than 1500 cubic yards per year are not required to register, however they must continue to follow Best Management Practices relating to erosion and sediment control.

C. 3. General Standards

- a. No Special Permit for earth and gravel operations shall be issued by the Commission for a period exceeding twenty-four (24) months.
- b. Removal of earth materials are not permitted in a flood plain unless specifically approved as part of a subdivision, resubdivision or Special Permit.
- c. All earth and gravel materials removal shall be conducted with Best Management Practices as needed and incorporate protective measures as described in the 2004 Connecticut Stormwater Quality Manual and the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- d. All earth and gravel operations conducted shall be conducted done so as to prevent the formation of stagnant pools of water.
- e. All areas requiring excavation, filling or grading shall meet the following standards:
 - i. At no time shall an overhang and/or undercut be permitted on any face.
 - ii. At no time shall slopes in excess 2:1 (horizontal-vertical) be present on any face except the face where active work is being carried on.
 - iii. Fencing, for safety purposes, shall be required at the direction of the ZEO or the Commission.
 - iv. Upon completion of the grading, filling or removal, the disturbed site must be stabilized with vegetation and brought to a usable condition consistent for the zoning district in which such use is located.
 - v. No disturbance related to the excavation, filling or grading shall be done within thirty (30) feet of the boundary line; this may be modified at the discretion of the Commission.
 - vi. Erosion and Sediment controls shall be employed throughout the excavation process as required or directed by the ZEO.
- f. If blasting proposed as part of the application the plan for such activity shall be submitted to the Fire Marshal for review.

C. 4. Permitted Activities

The following activities related to earth and gravel operations, including grading, filling and excavation of earth materials, including but not limited to sand, gravel, loam, top-soil, rock, clay, peat, quarry stone, inorganic or organic matter etc., are permitted upon review and approval of the ZEO. At any time the ZEO may refer the matter to the Commission for jurisdictional review.

a. Residential

- i. Excavation and filling is permitted for the repair, replacement or expansion of an on-site septic system.
- ii. Residential maintenance purposes such as landscaping, driveway repair, or other improvements involving one-thousand (1,000) cubic yards or less of earth or gravel materials shall be permitted provided that there are no off-site erosion, sedimentation or drainage impacts.
- iii. Beyond one-thousand (1,000) cubic yards as described above, filling of property is permitted only in accordance with an approved Zoning Permit, an approved subdivision or resubdivision plan, or Special Permit approved by the Commission. Additional filling is permitted for situations over and above what has already been approved upon review and approval by the ZEO, when such filling, excavation, and grading is incidental to an existing structural use on a property so long as such additional filling does not exceed an additional one thousand (1,000) cubic yards.

b. Agricultural

- i. Excavation, filling and grading for agricultural production purposes is permitted, upon review and approval by the ZEO, when such excavation is required as part of the generally accepted agricultural production process.

c. Land Within Approved Subdivisions / Resubdivisions or Special Permits

For properties within approved subdivisions, resubdivisions or Special Permits, the grading, filling and excavation shall be in accordance with the final approval as is shown on the final approved and recorded mylars.

- i. Construction of public improvements, including but not limited to roads, common driveways, utilities, drainage, installation of fire safety apparatus, etc. within approved subdivision/resubdivisions: Excavation, filling and grading of earth materials shall be as indicated on the approved plans, with minor changes made related to unforeseen ledge, etc. upon review with the ZEO and/or Town Engineer as needed. Larger changes, at the discretion of the ZEO require further review by the Commission.
- ii. If additional grading, filling or excavation is desired within subdivisions, resubdivisions or Special Permits (not involving commercial earth and gravel

operations), the property owner and/or representative shall discuss it with the ZEO who will determine if the change requires Commission approval.

- iii. At the discretion of the ZEO, if the modification involves one-thousand cubic yards or less, does not alter the existing or approved drainage system or plan and will not result in off-site impacts, such as but not limited to erosion or sedimentation, the ZEO may grant the modification.

C. 5. Special Permit Application Requirements for Earth & Gravel Operations

Earth & Gravel Operations, except as prescribed above, may be permitted for a period not exceeding twenty four (24) months upon the granting of a Special Permit by the Commission in accordance with these Regulations and as detailed in this section.

In addition to the requirements of these Regulations for Special Permits, the following shall apply:

- a. Application for a Special Permit for earth and gravel operations shall be made by the applicant with written permission of owner of the property or his authorized agent if different parties involved.
- b. The application shall be accompanied by the following written information:
 - i. An operations statement that includes an estimate of the number of cubic yards of material to be excavated, including the rate of removal, which shall be done in phases appropriate to the site and scope of the proposed operation, and estimated time length for each phase of the operation.
 - ii. An estimate of the number and types of trucks and other machinery to be used on the site, including a description of the proposed truck access,
 - iii. The location, size and spill control measures of refueling pads, and maintenance locations for machinery and vehicles as needed, and how these areas are to be screened from abutting properties.
 - iv. Spill containment plan and emergency response plan
 - v. Consultation with and Review by the Connecticut State Archeologist regarding known archeological sites and areas of high archeological sensitivity to review cultural resources and protection measures. If the State Archeologist recommends further review on historical and cultural resources, such study or survey by an approved archeologist shall be provided by the applicant to the Commission and will be considered in the application process.
 - vi. A statement and supporting documentation regarding potential impact of stormwater pollution, if any, of any change in surface or groundwater levels or water quality that may be caused by the proposed activities including impacts on private wells, wetlands, watercourses and wildlife habitats and the locations associated with those impacts.

- vii. The necessity for any proposed blasting shall be identified and located on the Site Plan.

- viii. Buffering and Nuisance Avoidance Measures
 - a) Details, to the satisfaction of the Commission, of the measures to be employed to mitigate impacts from noise and other nuisances generated from equipment on the site. At the direction of the Commission, the applicant may be required to complete a noise study to determine noise levels before excavation operations are initiated and projected noise levels during excavation and processing operations at abutting property lines.

 - b) Bonding:
 - i. The bond shall cover a period of twenty four (24) months and shall need to be renewed and adjusted as needed along with the Special Permit until completion of all approved activities or the expiration of any approvals issued by the Commission.

 - c. The application shall include a Plan which, in addition to the requirements of these Regulations for Special Permits, shall illustrate the following information with supporting details as necessary:
 - i. An A-2 survey is required when the excavation activities are within 300 feet of any disturbance, access drive or segment of the boundary.

 - ii. At the discretion of the Commission, on parcels greater than ten (10) acres, areas which will not be affected under this permit, or have been affected by previous filling, grading or excavation activities and have been adequately reclaimed and restored, may be shown at Class D standard of Accuracy.

 - iii. Areas of the subject earth and gravel operations and areas previously disturbed but not yet restored shall be shown to the A-2 standard of Accuracy.

 - iv. The Site Plan shall show:
 - a) The boundaries of the entire parcel of land owned by the applicant, with the proposed project area delineated.

 - b) Location of the project area; names of subject property owner; abutting property owners; property lines; relation to roadway systems; current land use and land cover such as wooded areas, fields, ledge outcrops, wetlands and existing year-round and intermittent watercourses, and soil types; on or within two hundred (200) feet of the site.

 - c) Grading plan showing existing and proposed contours for the area after operations. Such plans shall include the area to be excavated, graded or filled as well as the surrounding area within two-hundred (200) feet of the disturbance

and shall be drawn at the same scale as to be consistent with other required site plans in this section with contours shown at intervals of not less than two (2) feet.

- d) Hydrology; Existing and Proposed Drainage Details
 - i. Existing and proposed drainage of the site (temporary and permanent). Such drainage calculations shall include analysis for 2 – 100 year storm events.
- e) Restoration Plan
- f) The location and type of any existing or proposed building or fixed machinery including:
 - i. Any existing buildings to be removed with planned removal dates.
 - ii. Intended use of buildings during and after the earth and gravel operations.
 - iii. The location of proposed temporary structures and the phase in which they are to be removed.
- g) The proposed truck access, location and size of refueling pads, and maintenance locations for machinery and vehicles.
- h) A map showing subject property on the most recent Natural Diversity Database map from Connecticut DEEP showing the State and Federal Listed Species and Significant Natural Communities. If subject property is in or near a shaded area on the map, further review and input from CT DEEP or other sources will be required. The results of these studies shall be considered in the application process.
- i) Credible evidence of the presence of an endangered or threatened species, or other natural resources, and/or archeological or historically significant features may require study by appropriate consultants. The results of these studies shall be considered in the approval process and the Commission may stipulate protective measures.
- j) Buffering and Nuisance Avoidance Measures
 - i. The physical measures to be employed to mitigate impacts from noise generated from equipment on the site.
 - ii. Landscape Buffer details
 - a) Existing and proposed fencing
 - b) Signage
 - c) Other information the Commission deems necessary as a result of Preliminary Discussion.

C. 6. Performance Standards

- a. Final grade shall be adequate to provide proper surface drainage of any excavated areas.
- b. Any project of more than five (5) acres shall be done in phases. No more than five (5) acres of land may be disturbed at any one time.
- c. For earth and gravel operations that may extract or process more than 15,000 cubic yards per year the Commission may, at its discretion, limit the hours or days of operation and may prohibit the operator from bringing off-site materials in for processing, which may include screening, sifting, washing, crushing or other forms of handling or sorting earth materials.
- d. A Project Identification Sign may be required to identify pertinent information related to the approved Special Permit such as name of contractor/operator, contact number, hours of operation, and other relevant information.
- e. Access to Property
 - i. A town or state driveway permit is required prior to installation of driveway.
 - ii. Anti-tracking pads, are required at the entrance/exit to the operation to minimize off-site impacts and shall be a minimum of fifty (50) in length extending into the property and a minimum of thirty (30) feet wide at the junction of the road flared down with a radius to eighteen (18) feet to wide or as otherwise required by the Commission or ZEO.
- f. Setbacks
 - i. No excavation, filling or grading shall be done within thirty (30) feet of the boundary line or one hundred (100) feet from any residence or Town or State Highway; this distance may be modified at the discretion of the Commission.
 - ii. No disturbance or activity related to the earth and gravel operation shall be done within thirty (30) feet of the boundary line; this distance may be modified at the discretion of the Commission.
 - iii. No processing fixed or portable machinery used in a commercial operation shall be erected or operated maintained within two hundred (200) feet of any property or street line and not less than five-hundred (500) feet from any existing residence; this distance may be modified at the discretion of the Commission.
- g. Vehicles and Machinery
 - i. Truck access to the excavation shall be so arranged as to minimize danger to traffic and nuisance to surrounding properties. That portion of the access road within the area of operation shall be treated to minimize dust.

- ii. It shall be the responsibility of the permittee to ensure that vehicles removing earth materials from the premises are so loaded and/or secured, including load covers, that there will be no spillage or release of such materials on roads within the Town of Woodstock.
 - iii. The permittee shall be liable for the cost of cleaning any earth material spillage or repairing any damage to a road or roads within of the Town of Woodstock caused by improper loading, securing of loads or other operationally related activities.
- h. Nuisance Avoidance Measures shall be specified to minimize nuisance from noise, dust, vibration and flying debris.
- i. Stumps may be ground up and used for mulch or erosion control but shall not be buried.
 - ii. Existing vegetation and natural topography shall be preserved where feasible, including avoidance of root zones around specimen trees which to be saved.
- i. Building
- i. Only the existing or proposed buildings as shown on the approved Plans shall be permitted on the property, which may include a field office or temporary shelter for machinery.
 - ii. All new or modified structures proposed as part of the Special Permit, including temporary structures, require Zoning Permits prior to construction or installation.
 - iii. Temporary structures shall be removed within sixty (60) days of completion of the Earth and Gravel Operation.
- j. Safety
- i. Suitable fences or other barricades shall be provided around the excavation to protect pedestrians and vehicles as required in the Special Permit Approval or as conditions during operations necessitate.
 - ii. The storage of explosives shall be limited to those locations specifically authorized by the Commission per the approval.
- k. Drainage
- i. At all stages of operations, drainage shall be provided to prevent harmful effects upon surrounding properties.
 - ii. All earth and gravel operations shall be conducted so as to conform to the approved Plan, including the approved drainage details. If unforeseen circumstances occur, the applicant shall contact the ZEO to discuss suitable alternatives which may require review by the Commission and/or Town Engineer.

I. Groundwater and Flood Plain

- i. Minimum separation distance between any excavation and the groundwater table shall be not less than six (6) feet, unless it can be demonstrated to the Commission's satisfaction that a lesser separation distance will not adversely impact groundwater and/or neighboring uses or future uses on the site.
- ii. No excavation, filling or grading shall be done that would reduce the final elevation below flood plain, change the area of the flood plain, or expose groundwater unless, after proper analysis, it is determined that no pollution or silting of existing wetlands or watercourses, or increased flood or erosion hazards, or other effect on water supply or purity will result and any necessary permits have been issued by the Woodstock Inland Wetlands and Watercourses Agency.
- iii. Groundwater quality monitoring wells may be required by the Commission as a means of protecting water quality.

m. Final Grading and Restoration

The operation shall not result in steep slopes, pits or depressions or soil erosion, drainage or sewerage problems or conditions which would impair the reasonable reuse and development of the lot for purposes permitted under these Regulations in the District where the site is located. The following shall govern all restoration.

- i. Details of final grading, planting, drainage and stabilization of the site for purposes of restoration and to prevent erosion of the site at the conclusion of operations in accordance with the State of Connecticut "Guidelines for Soil Erosion and Sedimentation Control" as amended.
- ii. Restoration shall be a continuous operation.
- iii. When filling, excavation and removal operation is completed the excavated area shall be graded so that no slope in any disturbed area shall be steeper than (2:1) (horizontal-vertical). This may be modified at the discretion of the Commission.
- iv. Following the operation there shall be a layer of top-soil applied to the area to a depth of not less than six (6) inches. The depth of topsoil required may be modified at the discretion of the Commission.
- v. The area shall be seeded with a suitable ground cover, excluding non-native or invasive species as contained in the Connecticut Invasive Plant List, (January 2004) as amended and shall be maintained until the area is stabilized. The area is to be limed and fertilized as appropriate. Seeding is to be done April 1st through June 15th or August 15th through October 1st.
- vi. Following the re-spreading of topsoil and in addition to the seeding requirements of Subsection 1 and 2 above, the Commission may require the planting of deciduous

and non-deciduous trees (which may be root stock at the time of such planting) at a density appropriate for the site and its intended use. The trees shall not be of species listed on the Connecticut Invasive Plant List, (January 2004) as amended. To the extent practical, the trees shall be hardy native species and compatible with the post excavation site characteristics.

- vii. In all cases, material used for filling shall be limited to suitable earth material. Use of trash, garbage, stumps or other junk is expressly prohibited.

C. 7. Performance Bond

Performance, erosion and sediment control, landscaping and maintenance bonds shall be required, per these Regulations; additional aspects of the operation may require bonding at the discretion of the Commission based on the complete scope of the application.

- a. After approval of the Special Permit for Earth and Gravel Removal, and prior to the filing of the mylars, the applicant shall post a Performance Bond with the Town Planner and Town Treasurer in the amount as required in the Special Permit approval in one of the following forms:
 - i. Cash, cashier's check, money order or passbook savings account in both the owner's and the Town's name with a signed withdrawal slip. Bond amounts over \$5,000 may require review by Town Counsel prior to processing. Personal checks and surety bonds are not acceptable.
 - ii. The Performance Bond shall be posted prior to the commencement of any excavation or other work on the property related to the approved Special Permit.
- b. The performance bond shall secure to the Town of Woodstock the actual construction, installation, and completion of each approved phase of permitted activities in accordance with these Regulations, adjusted to include contingency and inflation factors; including without limitation soil erosion and sedimentation control, drainage, inspection and monitoring fees, restoration, and any specific requirements of any conditions of approval by the Commission.
- c. The applicant may apply to the Commission for a partial release of the performance bond. An A-2 as-built survey sealed by a Connecticut licensed land surveyor showing ~~of~~ the completed permitted activities shall be submitted. The site shall be inspected by the Town Engineer. After review by the Commission and the Board of Selectmen, the Commission may, with the agreement of the Board of Selectmen, release up to an amount equal to the costs of the completed permitted activities, but no more than ninety percent (90%) of the original bond until final release is approved.
- d. If for any reason the performance bond is insufficient to pay for all costs of activities covered by the bond, and the applicant and/or property owner do not complete such activities to the satisfaction of the Commission and the Board of Selectmen, the

applicant and/or property owner shall remain liable for the costs in excess of the performance bonds.

- e. The performance bond shall be released in its entirety only after:
 - i. The permitted activities covered by the Special Permit have been completed to the satisfaction of the Commission;
 - ii. As-built plans and survey, sealed by a Connecticut licensed land surveyor licensed to practice in the State of Connecticut, have been filed with the ZEO; and
- f. If the work is not completed as approved or if other problems arise related to erosion, sedimentation, instability, etc. the bond may be called and used to address the problems.
- g. Any bond posted under these Regulations may be declared forfeited by the Commission upon failure to fulfill the conditions of the bond within ninety (90) days following the expiration or revocation of a Special Permit for which the bond is posted. Upon forfeiture of a bond, any other outstanding Special Permits issued to the same owner, or issued for the same property, or both, may also be revoked by the Commission.
- h. Failure to comply with the plans and conditions as approved shall be a violation and the Commission may revoke the permit and call the bond therefore enabling the Town to have grading and associated work done to stabilize the property. If the project is not completed within 30 (thirty) days of the expiration of the bond, then the bond may be called.

C. 8. Renewal of Permit

- a. A renewal of an existing permit maintains the approved limits of area or volume of materials; any increase in area or volume proposal requires a new Special Permit.
- b. An application to renew an existing permit shall be filed with the Commission at least sixty-five (65) days prior to the expiration date for the permit.
- c. An application to renew or modify an existing permit shall be made in accordance with these Regulations provided:
 - i. The same information is submitted as is required for a new permit except however, that the plan filed with the original application may be revised and resubmitted in connection with a renewal application.
 - ii. A revised plan shall be submitted depicting interim changes to the property, adjacent properties and roads.
 - iii. The application may incorporate by reference, the documentation and record of the prior application;

- iv. The application shall describe the extent of work completed at the time of the request for renewal and the proposed revised schedule / phasing for completing the activities authorized in the initial permit;
- v. The application shall state the reason why the authorized activities were not initiated or completed within the time specified in the permit;
- vi. The application shall describe any changes in facts or circumstances for which the permit was issued;

C. 9. Permit Expiration

- a. All approved Earth and Gravel Operation Special Permits shall expire after 24 months unless permit for renewal is approved by the Commission.
- b. If the operation, as approved by the Commission, is not undertaken within twenty-four (24) months after granting of the permit (subject to appeals that may result), the permit will automatically expire.

C. Section 10. Revocation of Permits

Any permit or Special Permit for Earth and Gravel Operations may be revoked by the Commission for any of the following reasons:

- a. Earth & Gravel Operations of a volume or an area in excess of that authorized under a Special Permit or other approval;
- b. Violation of any requirement under these Regulations, any provision of the approved Special Permit or conditions pertaining to the approval; or,
- c. Misrepresentation or false statement in connection with the application submitted to the Commission.

D. Flood Plain Management

- 1. The Town of Woodstock's "Ordinance Concerning Flood Protection and Flood Insurance Under The National Flood Insurance Act of 1968 As Amended By The Flood Disaster

Protection Act of 1973", originally adopted June 26, 1975, amended on July 20, 1988, and as may be subsequently amended, is hereby incorporated into these Regulations by reference.

2. All of the required information shall be furnished with the proper zoning application form, and no such application shall be approved unless the requirements of the above-referenced ordinance have been satisfied.
3. The areas of special flood hazard regulated by the ordinance are identified in the Federal Emergency Management Agency report entitled "Flood Insurance Study for the Town of Woodstock, Windham County, Connecticut", dated May 1, 1984, with accompanying Flood Insurance Rate Maps and floodway maps, all of which may be amended from time to time, and which are on file in the Office of the Town Clerk.

E. Home Occupations

Any lawful occupation that is customarily carried on for compensation based within a dwelling unit (or in a building accessory thereto), may be permitted on a residential lot containing a dwelling, provided:

1. A Zoning Permit indicating conformity with these Regulations is first obtained from the ZEO; the permit duration shall be five (5) years, which may be renewed and shall expire with change of ownership. The permit may include two signs in compliance with these Regulations. The ZEO shall have the authority to deny the Home Occupation permit and instead require a special permit if during the application review process it is determined by the ZEO that the scope, size and the on-site or off-site impacts are not in keeping with the spirit or intent of the Home Occupation Regulations.
2. The proposed Home Occupation is clearly incidental to and secondary to the residential use of the lot;
3. The exterior residential character of the dwelling and accessory structures is maintained;
4. No more than one-half of the finished floor area of the dwelling unit may be utilized for the Home Occupation;
5. One accessory building (new or existing) may be utilized for the Home Occupation, including for storage, provided the floor area of the accessory building does not exceed one-third of the finished floor area of the dwelling unit. This area may be in addition to the area in the dwelling dedicated to the Home Occupation.
6. Any existing accessory buildings on the lot may be used for storage related to the Home Occupation. Any outdoor storage shall be screened or otherwise located so as not to be noticeable off the lot;
7. The proposed Home Occupation is not expressly listed as a prohibited use under these

Regulations;

8. The Home Occupation is owned and conducted primarily by one or more residents of a dwelling unit on the lot;
9. There are no more than three non-resident employees on the premises at any one time;
10. No more than four (4) client or customer parking spaces are available to the use or activity;
11. No on-street or off-site parking shall be allowed;
12. The Home Occupation shall comply with all Performance Standards detailed in these Regulations.
13. Regulations regarding signs, screening, landscaping, lighting and other Regulations shall apply to Home Occupations.
14. The Commission or the ZEO shall determine if the size, scope and on-site or off-site impacts of an existing Home Occupation are such that the spirit and intent of the Home Occupation permit are no longer being met and a Special Permit is required.
15. If any of the foregoing conditions cannot be met or are violated, the Zoning Permit for such Home Occupation shall be revoked by the ZEO, and such Home Occupation use shall be terminated.

F. Lighting

1. Purpose

The purpose of this Regulation is to provide for outdoor lighting that will:

- a. Permit reasonable uses of outdoor lighting for night-time safety, utility, security, productivity, enjoyment and commerce;
- b. Minimize adverse off-site impacts including light trespass and intrusive light;
- c. Curtail light pollution;
- d. Help protect the natural environment from the adverse effects of night lighting from artificial sources; and
- e. Conserve energy and resources to the greatest extent possible.

F. 2. Applicability

Outdoor lighting installed after the effective date of this regulation shall comply with this Article.

F. 3. Exemptions

The following are not regulated by this Article:

- a. Single-family residential uses
- b. Agricultural uses
- c. Lighting within public right-of-way or easement for the principal purpose of illuminating public streets when installed at the request or direction of a governmental entity
- d. Lighting for public monuments and public safety
- e. Flags and historic buildings illuminated per the traditional custom with lights aimed directly at the flag or building
- f. Temporary lighting
 - i. For theatrical, television, cultural and artistic performance areas, construction sites
 - ii. Seasonal lighting
 - iii. Lighting only used under emergency conditions
- g. Outdoor lighting pre-dating the effective date of these Regulations including temporary, non-profit events
- h. Replacement of existing lighting fixtures when replaced in the same location on the property with the same size and number of light poles, fixtures, luminaires and with the same or lower lumen level.

F. 4. Illumination Standards

- a. All exterior lights and sign illumination shall be designed, located, installed, and directed in such a manner as to:
 - i. Prevent direct glare, light trespass or light pollution;
 - ii. Be shielded to the extent possible; and
 - iii. Be contained to the target area.

- b. No direct light source shall be visible at the property line.
 - i. All non-residential lighting measurements are based on square footage (“total finished developed” area of the site) and the amount of light emitted by light fixtures (“exit lumens”). Compliance is based on total exit lumens within site’s finished developed area’. Total allowed lighting shall not exceed 1.25 lumens per square foot of finished developed area in addition to 4,500 lumens base lighting.
 - ii. Soft transitional light levels that are consistent from area to area shall be employed;
 - iii. Contrast between light sources, lit areas and dark surroundings shall be minimized.
 - iv. The maximum intensity of illumination under any canopy or other structure shall be no more than ten (10) foot-candles at any point.
 - v. Lighting shall be turned off or, if necessary for security purposes, illuminated at a reduced lumen level one (1) hour following the close of business.
 - vi. Motion or infrared sensor lighting that can activate regulated lighting to full operational levels may be used for site security purposes.

F. 5. Light Pole and Fixture Standards

- a. Light poles shall meet the following standards:
 - i. Maximum height of luminaire shall not exceed 25 feet.
 - ii. Lighting shall not shed more than 0.25 foot-candles over a property line.
- b. All lighting fixtures shall be:
 - i. Full cutoff type fixtures; or
 - ii. Fully shielded/recessed fixtures where the lens is recessed or flush with the bottom surface.

F. 6. Additional Requirements

- a. The Commission or ZEO may require an applicant or property owner to demonstrate compliance with the total allowed lighting requirements of these Regulations.
- b. The Commission may require:
 - i. A lighting plan showing the location, height, type and number of outdoor lighting luminaires; an isodiagram showing the intensity of illumination expressed in footcandles at ground level including at the property line; and/or any other information as determined.

- ii. Professional engineering review and/or may require a special permit application based upon the scope and complexity of the applicant's proposed use.

F. 7. Prohibited Lighting

- a. The use of laser-source light or any similar high-intensity light, when projected above the horizontal.
- b. The operation of searchlights.
- c. Flashing and blinking lights. Traditional seasonal lighting, however, is exempt from this prohibition.
- d. Floodlighting

F. 8. Waivers

- a. The Commission may waive the lighting requirements of this Article, provided it determines that such modification is consistent with the purposes of these Regulations, in the following cases:
 - i. Where an applicant can demonstrate, by means of a history of vandalism or other objective means, that an extraordinary need for security exists;
 - ii. Where an applicant can show that conditions are hazardous to the public;
 - iii. Where a minor change is proposed to an existing non-conforming lighting installation, such that it would be unreasonable to require replacement of the entire installation;
 - iv. Where special consideration is given to maintain uniformity with similar uses of the immediate vicinity; or
 - v. Where ornamental uplighting of sculpture, buildings or landscape features will enhance the character of the area.
- b. The following criteria will be considered when determining the appropriateness of a waiver:
 - i. Traffic or other hazards will not be created;
 - ii. General property values will be conserved;
 - iii. No adverse effects on existing uses in the area will be created;
 - iv. General welfare and safety of the community will be served;
 - v. No adverse environmental impacts will be created; and
 - vi. Topography of the land makes the property suitable for the requested waiver.

- c. In considering a waiver, the Commission shall only approve such waiver upon a finding that the following conditions are met:
 - i. Would be in harmony with the purposes and intent of these Regulations and the POCD;
 - ii. Would not create public health, safety, welfare, traffic or other hazards;
 - iii. Would not have a significant adverse impact on adjacent properties, property values or existing uses in the area;
 - iv. Would not create adverse environmental impacts; and
 - v. Would be suitable for the topography of the land.

G. Signs

1. It is declared that the regulation of signs within the Town of Woodstock is necessary and in the public interest to:
 - a. protect property values within the Town;
 - b. preserve the beauty and the unique rural character of the Town;
 - c. aesthetically complement the development which a sign identifies;
 - d. promote a healthy and properly designed business environment;
 - e. safeguard the general public from damage and injury which may be caused by the faulty and uncontrolled construction of signs within the Town;
 - f. protect against hazards to vehicular traffic movement through improper placement of signs;
 - g. promote the public safety, welfare, convenience and enjoyment of travel and free flow of traffic within the town;
 - h. prevent blight; and
 - i. encourage free speech and expression.
2. Sign Standards for Non-Residential Use Signs Allowed by Permit in all Districts
 - a. Individual Property Sign Allowance

The following standards apply to the Sign Categories shown below:

 - i. Free Standing Signs per parcel:

- a) The signs shall have a maximum area of thirty-two (32) square feet per sign face for up to two (2) sign faces, plus ten (10) square feet for each non-residential use establishment located thereon, up to a maximum total area of eighty (80) square feet.
- b) The height of any such sign shall not exceed fourteen (14) feet.

b. Other Signs

The cumulative maximum area for these types is, per parcel, or in the case of a multi-tenant parcel, per tenant, is set at sixty (60) SF. For every two lineal feet of building (tenant) frontage greater than twenty (20) lineal feet, an additional one SF of signage is allowed.

i. Window/ Glass Door Signs

- a) Any sign or signs within the window(s) or glass door(s) of a non-residential use, whether for identification, informational or advertising purposes shall not exceed a cumulative total of more than twenty (20) square feet.
- b) These window or glass door signs may be internally illuminated.

ii. Building or Solid Door Mounted Signs

- a) Wall signs that shall be parallel to the building and shall not project more than twelve (12) inches from the face of the building. One sign is permitted for each tenant space, with a maximum size of one (1) square foot of sign face for every two (2) lineal feet of building (tenant) frontage up to a maximum of thirty-two (32) square feet.
- b) Hanging signs shall protrude perpendicularly from the front of the building and shall not exceed eight (8) square feet in area per tenant.
- c) Roof-mounted signs shall be allowed, not exceeding thirty-two (32) square feet in total area per tenant. The top of such signs shall not be set above the ridge line of the roof of the building on which it is located.
- d) Awning/canopy sign shall be included in what is allowed for wall signs for an individual tenant.
- e) Banners, depending on the location must either follow the standards as they may apply for free standing or building mounted signs.

c. Illumination standard for signs

- i. Refer to the Lighting section of these Regulations.
- ii. Externally illuminated signs may be allowed as per the provisions of these Regulations.

d. Temporary Signs (not included in the overall Sign Allowance):

- i. May be no more than thirty-two (32) SF in area for each of the two (2) allowed sign faces. The sign shall have no more than two faces.

- ii. Shall be on private property and may be installed in a location that is visible from the road without infringing on the required sight line.
 - iii. May be put up sixty (60) days before the event or topic it promotes and shall be removed within two (2) weeks of closure of event or purpose of sign.
 - iv. Any business or property shall display temporary signs no more than four (4) times a year.
 - v. For a single tenant property, no more than two (2) temporary signs; for multi-tenant property, no more than one (1) temporary sign per tenant.
 - vi. Temporary signs shall not be internally illuminated.
- e. Portable Signs of no more than twelve (12) SF per sign face. Two (2) sign faces maximum. Shall not be illuminated.
- f. Signs located on the premises of Home Occupations
- i. No more than one sign shall be permitted for each approved home occupation.
 - ii. The maximum size shall be twelve (12) square feet per sign face (maximum two sign faces).
 - iii. The sign shall be located on the same lot as the home occupation.
 - iv. The sign shall not be internally illuminated (painted and/or carved wooden sign preferred).
- g. Off-site Directional Signs
- i. Each sign shall not exceed ten (10) inches in height by sixty (60) inches in width.
 - ii. Prior to issuance of said permit, the applicant shall provide satisfactory evidence of authorization from the owner of the premises upon which said sign (s) will be located.
 - iii. One off-site directional sign per tenant for non-agricultural use is allowed, but shall not be illuminated.
 - iv. Up to four (4) off-site directional signs for agricultural uses are allowed. These signs shall not be illuminated.

3. Sign Exemptions

- a. Signage for municipal / federal / state uses and requirements, traffic control or flow, street identification, and security or warning signs are exempt from needing to have a sign permit and from having to comply with the Zoning Regulations pertaining to signs, other than those Regulations relating to positioning for safe traffic flow and sight lines.

- b. Signage for on-site agricultural uses are exempt from needing to have a sign permit, but shall otherwise comply with the provisions of these sign regulations.
- c. Temporary and portable signs are exempt from needing to have a sign permit, but shall otherwise comply with the provisions of these sign regulations.
- d. Election Signs are a type of temporary sign exempt from needing to have a sign permit, unless the size of such a sign otherwise requires a building permit, and shall comply with the following requirements.
 - i. Election signs shall be displayed on private property, and not in any prohibited areas or on public property.
 - ii. They may be installed in a location that is visible from the road without infringing on the required sight line.
 - iii. Election signs may be put up sixty (60) days before any federal, state, or municipal election, referendum, or ballot question, and shall be removed within two (2) weeks afterward.
 - iv. There is no limitation as to the number or size of an election sign.
 - v. The signs shall not be illuminated.

4. Prohibitions

- a. All signs or electronic message boards with flashing lights, neon, shall be prohibited, except as allowed in these Regulations for window signs.
- b. All revolving or moving signs shall be prohibited, as are lighting or signs that oscillate, flash, or pulsate. No externally lit sign may project light or a beam of light other than toward the face(s) of a sign.
- c. All signs located in or project over any Town Road right of way, except permitted street directional or off-site directional signs.
- d. All signs located or maintained in such a way that they pose a hazard to pedestrians or vehicles; obstruct sight lines, or create a hazardous glare off the premises due to their illumination.
- e. All off-site advertising signs other than directional signs, sport scoreboards and sponsorship banners, are prohibited.

H. Stormwater Pollution, Soil Erosion & Sediment Control

In order to protect the water quality and properties surrounding development sites, it is important to

control Stormwater pollution, erosion and sedimentation on sites under construction and afterwards when the site has been put to the approved use.

1. Purpose

- a. The following are the Town objectives for stormwater runoff, erosion and sediment control:
 - i. Prevent flooding of onsite and offsite property
 - ii. Recharge Inland Wetlands, surface and subsurface waters
 - iii. Minimize pollutant loads in stormwater runoff into Inland Wetlands, surface and subsurface waters
 - iv. Utilize the least intrusive and most natural methods of handling stormwater and other typical waterflow
 - v. Maximize the use of Low Impact Development (LID) and the most effective stormwater Best Management Practices (BMPs)
- b. A single family dwelling that is not part of a subdivision of land shall be exempt from this portion of the Regulations.

H. 2. Standards for Stormwater Runoff, Erosion & Sediment Control

The proposed development shall be designed so as to meet the following standards:

- a. Preserve pre-development site hydrology (i.e., runoff, infiltration, interception, evapotranspiration, groundwater recharge, and stream baseflow);
- b. Preserve and protect wetlands, stream buffers, natural drainage systems and other natural features that provide water quality/quantity benefits;
- c. Manage runoff velocity and volume in a manner that has minimal impact on the physical and biological character of existing drainage systems and prevents increases in downstream flooding/streambank erosion;
- d. Prevent pollutants from entering receiving waters and wetlands in amounts that exceed the systems' natural ability to assimilate the pollutants and provide the desired functions; and,
- e. Seek multi-objective benefits (i.e., flood control, water quality, recreation, aesthetics, habitat) from stormwater control measures.
- f. After construction has been completed and the site is permanently stabilized, reduce the average annual total suspended solids loadings by eighty (80) percent. For high-quality

- receiving waters and sites with the highest potential for significant pollutant loadings, reduce post-development pollutant loadings so that average annual post-development loadings do not exceed pre-development loadings (i.e.: no net increase, as the term is defined in 2004 The Connecticut Stormwater Quality Manual as may be amended).
- g. The first design priority is to use LID methods for managing stormwater and minimizing the impact of pollutants, whether direct or indirect, on the surrounding environment. Preference will be given to methods that mimic natural drainage patterns. Where LID methods cannot be utilized, consideration will be given for more traditional stormwater treatment practices.
 - h. To minimize erosion and sedimentation the proposed development shall comply with the standards as detailed in the 2002 Connecticut Guidelines for Erosion and Sediment Control, as may be amended. The following criteria shall be met:
 - i. Any proposed development shall conform as closely as possible to the existing topography, while minimizing the area of disturbance so as to create the least erosion potential.
 - ii. To the greatest extent possible, existing vegetation shall be retained and protected, including the root zones around trees that are to be saved.
 - iii. The permanent stabilization of the site shall be implemented during the planting seasons of April 1st through June 15th and August 15th through October 1st or a landscaping bond shall be required. The landscaping bond may be released upon completing the permanent stabilization of the site as confirmed by an inspection by the ZEO.
 - iv. Proposed development shall be designed using Best Management Practices to effectively accommodate the increased runoff caused by the development during and after construction. Computations for runoff shall be in accordance with 2004 CT Stormwater Quality Manual as amended.

H. 3. Stormwater Runoff, Erosion & Sediment Control Plan

A Stormwater Pollution, Erosion & Sediment Control Plan is required for all site development and construction, including but not limited to subdivisions, resubdivisions, Village Green Districts and Special Permitted uses when the disturbed area of such development is more than one-half acre.

a. Plan Requirements

The Stormwater Runoff, Erosion & Sediment Control Plan shall be prepared in accordance with BMPs as detailed in both the 2004 Connecticut Stormwater Quality Manual and the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as each may be amended.

H. 4. Certification Procedure

Per Connecticut General Statute, Sec. 22a-329, the Commission or its designee, on behalf of the municipality, shall certify that the E&S portion of the Plan complies with the requirements of this Regulation before an application can be approved. If the E&S portion of the Plan is not certified then the entire application shall be denied.

- a. To be eligible for certification, it shall contain BMPs or proper provisions to adequately control erosion and sedimentation and reduce the danger from storm water runoff on the proposed site and does not allow for erosion or sedimentation based on the best available technology.
 - i. The BMPs regarding erosion and sediment control are described in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as may be amended.
 - ii. Alternative principles, methods and practices may be used with prior approval of the Commission and/or staff.
- b. Upon receipt of the complete Plan, the ZEO shall review for compliance with these Regulations.
 - i. Any Plan submitted may also be reviewed by the Eastern Connecticut Conservation District and/or by the Woodstock Town Engineer at the discretion of the ZEO.
 - ii. Additional control measures shall be incorporated into the Plan as required by the ZEO, Conservation District, or the Town Engineer.
 - iii. If the E&S portion of the Plan is acceptable to the ZEO, it will be indicated as certified.

H. 5. Construction Phase

The stormwater pollution, erosion and sediment control methods approved as part of the development shall be maintained and repaired when necessary throughout the construction phase to ensure the site is stable and the implementation of the project does not adversely affect the project site and adjacent properties in terms of drainage, erosion and sedimentation.

- a. If an Erosion and Sediment Control Bond was required when approved, it shall be submitted in the amount stated in the approval prior to construction or when the mylar is filed.
- b. An E&S Bond shall be separate from any other bonds for the development.
- c. If additional temporary vegetation, mulching, or other stabilization methods as defined in

the 2002 Connecticut Guidelines for Erosion and Sediment Control, as may be amended, shall be used to prevent erosion during construction, where deemed necessary by the ZEO, the Town Engineer or the Eastern Connecticut Soil and Water Conservation District.

- d. After installation of the E&S controls and during site development and construction, the contractor must schedule an inspection with the ZEO who will inspect the site to determine that all necessary erosion and sediment controls have been properly installed in accordance with the Plan.
- e. The ZEO may require modifications to the approved Plan at any time during site development and construction, should circumstances or site conditions require changes to meet stabilization requirements of these Regulations.

H. 6. Compliance

- a. If the ZEO determines, the E&S control measures have not been installed or maintained in conformance with the approved E&S portion of the Plan, the property owner and applicant will be so notified in writing.
- b. In the event of extreme weather and/or failure of the E&S Controls, the ZEO will contact the responsible parties to address mitigation of the problems as soon as possible.
- c. If the problem is not rectified within the timeframe determined by the ZEO, the ZEO may take steps to correct the problem as necessary using funds to be recovered from the posted bond.
- d. The Applicant and Developer shall ensure that stormwater runoff, erosion and sedimentation control measures, structures and practices are fully constructed, implemented and maintained during and after development in accordance with the approved Plan.
- e. The Commission shall assess the costs of such action against the homeowners association or against the owners of lots within a subdivision or re-subdivision if the responsible party fails to conduct any necessary inspection, upkeep or repair action, the Town or its designee shall have the authority to accomplish such inspection, upkeep or repair.
- f. All improvements, structures or facilities designed or intended for stormwater treatment shall be accessible for inspection. Where such improvements, structures or facilities are not located on public land/ within a public right-of-way, an easement shall be granted in favor of the Town for inspection, upkeep and repair thereof.
- g. In the case of a Subdivision or Re-Subdivision, the Commission may require that inspection, upkeep and repair be the responsibility of a homeowners association.

H. 7. Waiver

Each property is unique in location and topography and each application for approval is similarly unique; therefore a proposed development may not require erosion and sediment controls. At the written request of the applicant, the Commission may modify or waive by a majority vote of those present and voting during the application process, subject to appropriate conditions, the requirements for the Plan or bonds in full or in part, providing that the site for the proposed development or construction will be minimally disturbed, is already sufficiently stabilized or the proposed development or construction poses very little threat of stormwater pollution, erosion or sedimentation.

I. Student Housing

No building, structure or premises shall be used for Student Housing until a Zoning Permit has been granted in accordance with the provisions of this section.

1. Initial Application.

- a. An initial application for Zoning Permit shall be submitted on a form prescribed by the ZEO which application shall provide a statement of the maximum number of occupants proposed to reside in the facility and a 24-hour contact person in Windham County. In addition, the following shall be required to accompany the application:
 - i. A report from the Building Official regarding compliance of the proposal with any applicable building code and including any recommendations regarding the proposal;
 - ii. A report from the Health Department approving the adequacy of the water supply and septic or sewer system serving the premises and including a determination of the maximum number of occupants which said water supply and septic system can support;
 - iii. Floor plans showing the building and any proposed modifications thereto and evidence that a Certificate of Occupancy was issued for the subject property at least twelve (12) months prior to the date of the application or that the premises have been assessed as a one or two family dwelling for at least twelve (12) months prior to the date of the application;
 - iv. A report from the Fire Marshal regarding compliance of the proposal with any applicable fire code;
- b. Payment of any required filing fee(s). No initial Zoning Permit shall be issued pursuant to this section until the Commission has held a public hearing on the application and has found that the following criteria are met with regard to the proposed Student Housing:
 - i. It is in compliance with the Zoning Regulations;

- ii. It is in compliance with any applicable health, building or fire code;
- iii. There shall be no structural exterior changes to the existing building unless required for compliance with building, health or fire codes or the provisions of other applicable regulatory agencies; provided, however, that in the event that any exterior changes are required, all necessary approvals and permits shall be obtained for such changes prior to construction or implementation of such changes, including, without limitation, zoning and Building Permits and approval of the Woodstock Historic District Commission and the Woodstock Historic Properties Commission, if applicable.
- iv. No Student Housing shall be closer than seven hundred and fifty (750) feet to other Student Housing measured from the closest property corner of the proposed Student Housing.
- v. Demonstrated provision for off-street parking not to exceed one space per staff member(s) intended to be on duty at any given time -- there shall be no resident Student parking either on or off site.
- vi. No parking in any required Front Setback, Rear Setback or Side Setback, except in designated driveways or parking areas.
- vii. There shall be a maximum number of 9 students per dwelling unit provided that every room occupied for sleeping purposes shall contain at least fifty (50) square feet of usable floor area for each occupant thereof and further provided that in the event any applicable housing code requires greater square footage or a lesser maximum is determined by the health department pursuant to this section, said housing code or health department determination shall control.
- viii. Every room occupied for sleeping purposes shall be equipped with a wired AC smoke detector with battery backup.
- ix. Unless renewed in accordance with this section the Zoning Permit shall expire on July 31 of the calendar year in which the academic term during which Students first occupy the premises pursuant to the permit ends.

2. Renewal Application.

- a. If the use of the premises for Student Housing is to be continued after the expiration of the initial Zoning Permit, the permittee shall, not later than three weeks prior to the expiration of the permit, submit an application for renewal on a form prescribed by the ZEO, together with the following:
 - i. Floor plans if any change or modification of the same is proposed;
 - ii. Payment of any required filing fee(s).
- b. The Zoning Permit shall be renewed by the Commission for an additional one year

period, to July 31 of the next calendar year, provided the following criteria are met:

- i. Finding by the Commission that the applicant is in compliance with the provisions of this section of the Regulations and with the provisions of the original Zoning Permit.
- ii. Finding by the Commission that no substantial change to the permit provisions or the property are requested or proposed by the applicant.
- c. If the Zoning Permit is not renewed because the Commission determines it cannot make the findings required for renewal in accordance with this section of the Regulations and the applicant wishes to continue use of the premises as Student Housing, a new application for Zoning Permit shall be filed and heard by the Commission in accordance with the provisions hereof relating to initial applications.

J. Wireless Telecommunications Facilities

J. 1. Purpose

To provide for the location of wireless telecommunication towers, antennas, structures and facilities while protecting neighborhoods and minimizing adverse visual and operational effects through careful design, siting and screening consistent with the provisions of the 1996 Telecommunications Act. This section of the Zoning Regulations is consistent with the Telecommunications Act of 1996 in that it does not discriminate among providers of functionally equivalent services, prohibit or have the effect of prohibiting the provision of personal wireless services, or regulate the placement, construction, and modification of personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with FCC Regulations concerning such emissions. In order to accommodate wireless telecommunication capabilities in the Town of Woodstock, other specific purposes of these Regulations are as follows:

- a. To protect the general safety, health, welfare and quality of life of the people of Woodstock;
- b. To protect residential, public, agricultural, open space, and historic areas from potential adverse impacts of wireless telecommunication facilities;
- c. To preserve the character and appearance of the Town of Woodstock and its various neighborhoods;
- d. To encourage suitable design measures to minimize adverse visual effects of wireless telecommunication facilities;
- e. To encourage and facilitate the reduction of the size, height of towers and/or antennas needed in the future.
- f. To encourage joint use of new or existing towers and facilities;

- g. To encourage use of nonresidential buildings and structures;
- h. To encourage stealth and alternative technologies in the design and placement of towers, facilities and other structures; and
- i. To encourage and facilitate long term planning that minimizes the number of towers and/or antennas needed in the future.

J. 2. Siting and Technology Preferences

- a. The use of more than one small/short wireless telecommunications structure for a desired geographical coverage area shall be evaluated first before the use of a single large/tall structure for the same geographical coverage area.
- b. The general order of preference for the types of technologies, facilities and locations shall range from 1 as the most preferred to 5 as the least preferred:
 - i. On existing or approved towers;
 - ii. On new towers located on property occupied by one or more existing towers.
 - iii. Utilizing stealth or alternative technologies on or in existing structures, such as nonresidential buildings/facades, water towers/tanks, utility poles, steeples, clock or bell towers, chimneys, grain elevators, and silos;
 - iv. Utilizing stealth or alternative technologies located in commercial or industrial areas;
or
 - v. Utilizing stealth or alternative technologies located in residential or public areas.

J. 3. General Standards

The wireless telecommunication facility standards enumerated below shall be followed:

- a. The tower and/or antenna shall be erected to the minimum height necessary to satisfy the technical requirements of the wireless telecommunications facility.
- b. A tower must be separated from all boundary lines by the greater of
 - i. the applicable front, side, and rear setback requirements set forth elsewhere in these Regulations, or
 - ii. to the height of the tower.

- c. A wireless telecommunications facility may be considered as either a principal or accessory use.
- d. The minimum lot area for the construction of a new tower shall be two acres.
- e. More than one tower per lot may be permitted if all setbacks, design, and landscape requirements are met for each tower.
- f. A wireless telecommunications facility may be located on leased land as long as there is adequate ingress and egress to the site for service vehicles, and such access is documented in a recorded easement presented to the Commission for approval in advance of recording.
- g. All towers in residential areas shall be a monopole design unless otherwise modified and approved by the Commission. The Commission may require that a monopole be designed and treated with architectural materials so that it is camouflaged to resemble a woody tree with a single trunk and branches on its upper part, or other suitable art form/sculpture as determined by the Commission.
- h. Towers not requiring FAA paintings or markings shall be painted a non-contrasting blue, gray, or other neutral color.
- i. No lights or illumination on the tower shall be permitted unless required by the FAA.
- j. No signs or advertising shall be permitted on any tower or antenna, except that “no trespassing”, “warning”, and ownership signs are permitted up to seven (7) feet above ground level.
- k. The proposed support structure shall be designed and constructed in a manner adequate to accommodate a minimum of three users unless it is determined to be technically unfeasible based upon information submitted by the applicant and verified by the Commission. These users shall include other wireless telecommunications companies, and local police, fire, and ambulance companies.
- l. The proposed tower shall be designed and constructed to all applicable standards of the American National Standards Institutes, as amended.
- m. The Commission may require the use of Section 16-50aa of the Connecticut General Statutes to promote tower sharing.
- n. The tower shall be designed with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.

J. 4. Permitted and Special Permit Uses

The uses generally set forth in subsections 1 and 2, below, pose a minimum adverse visual effect and shall be deemed permitted uses subject to the standards and requirements set forth elsewhere in these Regulations.

- a. Wireless telecommunication facilities where the antennas are mounted on the rooftop or facade of a non-residential building, provided the following standards are met:
 - i. No change is made to the height of the building.
 - ii. Panel antennas shall not exceed sixty (60) inches in height by twenty-four (24) inches in width; whip antennas shall not exceed forty-eight (48) inches in height; and dish antennas shall not exceed thirty-six (36) inches in diameter.
 - iii. Equipment cabinets and sheds shall meet the requirements of these Regulations.
 - iv. Facilities shall be of a material or color that matches the exterior of the building, and shall blend into the existing architecture to the extent possible.
 - v. Facade mounted antennas shall not protrude above the building structure and shall not project more than three feet beyond the wall or facade.
 - vi. Roof mounted antennas shall not exceed the highest point of the rooftop by more than ten feet.
 - vii. Roof mounted antennas shall be set back from the roof edge a minimum of ten feet or ten percent of the roof width, whichever is greater.
 - viii. Roof mounted antennas shall not occupy more than 25 percent of the roof area of the building.
- b. Wireless telecommunication facilities where the antennas are mounted on existing towers, water towers/tanks, utility poles, steeples, clock or bell towers, chimneys, grain elevators, and silos, provided the following standards are met:
 - i. No change is made to the height of the structure.
 - ii. Panel antennas shall not exceed sixty (60) inches in height by twenty-four (24) inches in width;
 - iii. whip antennas (with the exception of municipal affiliated emergency service antennas) shall not exceed forty-eight inches in height; and dish antennas shall not exceed thirty-six inches in diameter.
 - iv. Equipment cabinets and sheds shall meet the requirements of these Regulations.
 - v. Facilities shall be of a material or color that matches the exterior of the structure and shall blend into the existing architecture of the structure to the extent possible.
- c. All other placement of wireless communication facilities shall require a special permit and the applicant shall submit the following additional information with its application:
 - i. All of the plans and information required for a permitted use wireless telecommunications facility site plan required.
 - ii. A view shed analysis showing all areas from which the tower would be visible, and if

requested by the Commission, a simulation of the proposed site in order to help the Commission determine the visual impacts associated with the proposal.

- iii. Documentation prepared by a licensed telecommunications systems engineer that no existing or planned tower or other structure can accommodate the applicant's antenna. For tall structures located within one-quarter mile radius of the proposed site, documentation that the owners of these locations have been contacted and have denied permission to install the antenna on these structures for other than economic reasons.
- iv. Information concerning the proximity of the tower to residential structures.
- v. Information concerning the nature of uses on adjacent and nearby properties within one-thousand (1,000) feet.
- vi. Information concerning surrounding topography within one-thousand (1,000) feet at contour intervals not exceeding ten (10) feet.

J. 5. Site Plan Requirements

All applications to develop a wireless telecommunications facility as a permitted use or special permit shall meet the requirements of these Regulations. In addition, the following information shall be submitted for each application where applicable, together with any other information deemed necessary by the ZEO/ Commission for a determination that the proposed use conforms with these Regulations.

- a. A map indicating the service area of the proposed wireless telecommunications site. A map indicating the extent of the providers existing and planned coverage within the Town of Woodstock, and a map indicating the search radius for the proposed wireless telecommunications site, including the location of tall structures within one quarter mile of the proposed site.
- b. A report from a licensed telecommunication systems engineer indicating why the proposed site location is necessary to satisfy its function in the applicant's proposed wireless telecommunications system.
- c. A plan showing where and how the proposed antenna will be affixed to a particular building or structure.
- d. Details of all proposed antenna and mounting equipment including size and color.
- e. Elevations of all proposed shielding and details of material including color.
- f. An elevation of all proposed equipment buildings, boxes or cabinets.
- g. Details of all proposed fencing, including color.
- h. Tower base elevation and height of tower.

- i. A design drawing, including cross section and elevation, of the proposed tower.
- j. A description of the tower's capacity, including the number and type of antennas it can accommodate as well as the proposed location of all mounting positions for co-located antennas and the minimum separating distances between antennas. The design shall indicate how the tower has been designed so as to collapse without encroaching upon any adjoining property if failure occurs.
- k. A report from a licensed telecommunication systems engineer indicating that the proposed wireless telecommunication facility will comply with FCC radio frequency emission standards and that the installation will not interfere with public safety communications.
- l. A description of all proposed landscaping, if appropriate, with a list of plant materials.
- m. A description and explanation of proposed access to the site.
- n. Detailed analysis of alternative sites, structures, access, and antennas as provided by the applicant. Particular attention will be placed upon the siting preferences found in these Regulations.
- o. Detailed propagation and antenna separation analysis relative to tower height.
- p. Information concerning tower sharing or co-location to facilitate the telecommunication needs of municipalities and other entities in order to reduce the need to construct additional towers. The Commission reserves the right to require the applicant to utilize the provisions of Section 16-50aa of the Connecticut General Statutes to achieve tower sharing.
- q. Assessment of tower structure type.
- r. Assessment of design characteristics/architectural treatments that mitigate, reduce or eliminate visual impacts on adjacent areas.
- s. If located on a property listed on the National Register of Historic Places, information concerning preservation of the historic and /or architectural character of the landscape or any structure.
- t. Information concerning future use or re-use of the site, with provisions for facility removal and site restoration.
- u. Documentation of the minimum height needed, prepared by a licensed telecommunication systems engineer, shall accompany an application. The Commission may require the submission of propagation modeling results to facilitate its review of tower height.

J. 6. Accessory Buildings

All accessory buildings associated with wireless telecommunication facilities shall comply with the following:

- a. Each building shall not contain more than one hundred and fifty (150) square feet of gross

floor area or be more than eight (8) feet in height.

- b. Each building shall comply with the setback requirements for accessory buildings for the zoning district in which it is located.
- c. If located on the roof of a building, the accessory building shall be designed to blend with the color and design of the main building to the extent possible.
- d. All ground level buildings, boxes, or cabinets shall be surrounded by a chain link or comparable fence and shall be appropriately landscaped.

J. 7. Abandonment

- a. A wireless telecommunication facility not in use for 12 consecutive months shall be removed by the facility owner or the property owner at such party's expense. This removal shall occur within ninety (90) days of the end of such twelve (12) month period.
- b. The Commission may require a bond or other surety in a form and amount satisfactory to the TOWN OF WOODSTOCK, to guarantee removal, which shall be reviewed and renewed every two years by the Commission.
- c. If there are two or more users of a single tower, this provision shall not become effective until all users cease utilizing the tower.

J. 8. Use

Any approved or permitted wireless telecommunications facility shall be used only for the purpose set forth in these Regulations.

K. Temporary Health Care Structure

No building, structure or premises shall be used for a temporary health care structure until a Zoning Permit has been granted in accordance with the provisions of this section.

1. General Provisions

- a. Only one (1) structure shall be permitted on a lot zoned for single-family use.
- b. Occupancy of a structure shall be limited to one (1) mentally or physically impaired person, as defined by C.G.S. 8-2.
- c. The property on which the structure will be located shall be owned either by the mentally or impaired person or by a caregiver.
- d. A caregiver is a relative, legal guardian, or health care agent who is responsible for the unpaid care of a mentally or impaired person, as defined by C.G.S. 8-2, and who will live on the property.
- e. Structures shall be limited to a maximum of five hundred (500) square feet.
- f. Structures shall not be placed on or attached to a permanent foundation.
- g. Signs promoting the existence of the structure shall not be allowed.
- h. The caregiver shall make provisions to allow inspections of the property by the Zoning Enforcement Officer or designee during reasonable hours upon prior notice.
- i. Unless renewed in accordance with the Zoning Regulations, an initial or subsequent Zoning Permit shall expire one (1) year from the issuance of the initial or renewed Zoning Permit.

2. Initial Application.

- a. An initial application for Zoning Permit shall be submitted on a form prescribed by the ZEO. The following shall be required to accompany the application:
 - i. The name and contact information of the mentally or physically impaired proposed occupant, the name and contact information of the proposed caregiver, and the relationship of the caregiver to the mentally or physically impaired proposed occupant;
 - ii. Address of the property;
 - iii. A written statement by a Connecticut-licensed physician confirming that the occupant is mentally or physically impaired, as per the requirements of C.G.S. 8-2;

- iv. A map or plan that shows the dimensions and boundaries of the lot, any existing structures on the lot, and the proposed location of the temporary health care structure;
 - v. Documentation that the structure will be primarily assembled at a location other than the proposed site of installation;
 - vi. Documentation that the structure is accessible to emergency vehicles and connected to adequate water, septic system or sewer, and electric utilities, serving the primary residence;
 - vii. Payment of any required filing fee(s);
 - viii. Any other information or documentation as may be required by the Zoning Enforcement Officer in order to make a decision upon the application.
- b. No Zoning Permit shall be issued pursuant to this section until the Zoning Enforcement Officer has found that the following criteria are met with regard to the proposed structure:
- i. It is in compliance with the Zoning Regulations; and
 - ii. The applicant has notified by certified or registered mail each abutting property owner.

3. Renewal Application.

- a. An application for Zoning Permit renewal shall be submitted on a form prescribed by the ZEO. All of the provisions and requirements for an initial Zoning Permit shall apply to a Renewal Zoning Permit.

4. A Zoning Permit shall be issued by the Zoning Enforcement Officer within fifteen (15) business days after receipt of a complete application.

5. Removal or Revocation

- a. A Temporary Health Care Structure shall be removed from the property within one hundred twenty (120) days from the date on which a mentally or impaired person last occupied it or no longer qualified as a mentally or impaired person.
- b. A bond of no more than fifty thousand dollars (\$50,000) may be required to be posted by the applicant to ensure compliance with removal of a Temporary Health Care Structure.
- c. A Zoning Permit may be revoked by the Zoning Enforcement Officer, designee, or Commission due to failure of the applicant to comply with any provisions of the Regulations.

Amendments

Add contiguous buildable area - Article VI, Section 1 .A.4 and Article VI, Section 2.A.1.a

Meeting date: 4/14/92

Effective date: 4/18/92

Add contiguous buildable area to definitions - Article II

Add street/road to definitions - Article II

Add requirement for two dwellings units on single septic

Decrease requirement for acreage for multi-family

Meeting date: 7/14/92

Effective date: 7/22/92

Change distance for septic system setback from 75' to 50'

Meeting date: 6/8/93

Effective date: 6/24/93

Earth & Gravel Removal Regulations

Meeting date: 7/21/94

Effective date: 7/28/94

Meeting date: 7/20/00

Effective date: 8/1/00

Customary Home Occupations, Article I, Section 10, #12

Meeting date: 5/18/00

Effective date: 5/31/00

Amendment to special permit provisions to existing non-conforming residential properties Article VI, Section 2.A.1.o

Meeting date: 7/21/94

Effective date: 7/28/94

Add Open Space Subdivision definition to Article II

Meeting date: 8/18/94

Effective date: 9/1/94

Add to Article VI, Section 1, Subsection B.1,2,3 - zoning standards and dimensional requirement

Meeting date: 8/18/94

Effective date: 9/1/94

Add to Article VI, Section 1, New Subsection C - Performance Standards/Relaxation of setback requirements for non-conforming lots re: accessory structures

Meeting date: 12/15/94

Effective date: 12/21/94

Amend headings and subheadings for Article VI, Section 1 .C

Meeting date: 5/18/95

Effective date: 5/25/95

Amend Article VI, Section 1 .A.6., to replace reference to public highway and road right of way with street/road

Meeting date: 6/15/95

Effective date: 6/22/95

Driveway Standards, Article I, Section 15

Meeting date: 7/20/95

Effective date: 7/27/95

Amend Article VI, Section 3 subsection 10 Driveway Standards – anti-tracking pad

Meeting date: 7/20/00

Effective date: 8/1/00

Driveway grade slopes to 5%

Meeting date: 7/20/00

Effective date: 8/1/00

Cottage Resort Use, Articles: II, IV, V, VI – New Subsection C

Meeting date: 11/16/95

Effective date: 11/20/95

Sign Regulations, Article I, Section 16

Meeting date: 1/9/97

Effective date: 1/9/97

Sign Regulations Article 1, Section 16 subsection D (1) No signs with internal illumination

Meeting date: 7/20/00

Effective date: 8/1/00

Single-family Residential and Two-family Residential Uses

Article VI Subsection A (2); subsection A (4); subsection A (6) Article VI Subsection B (6)

Meeting date: 3/16/00

Effective date: 3/27/00

Amend -Article VI Subsection B (4) open space front yard setback

Meeting Date & Effective Date: 7/18/02

Wireless Telecommunications Facilities, Article I Section 17

Meeting date: 11/16/00

Effective date: 11/24/00

Add to Article IV Sec 4.D: Require all proposed Special Permits conform to Plan of Conservation & Development & Plan of Open Space & Conservation

Meeting date: September 19, 2002

Effective date: September 19, 2002

Amend Article IV Sec 4.B Permit Requirements

Submission of the Conservation Commission Development Review Checklist

Meeting date: September 19, 2002

Effective date: September 19, 2002

Amend Article II Definition: Agriculture & Agricultural Uses—to include definitions for zoos; wildlife sanctuary and/or preserve and nature centers.

Meeting date: September 19, 2002

Effective date: September 19, 2002

Add to Article V, Sec 2 Permitted Uses by Special Permit: zoos, wildlife sanctuary and/or preserve and nature centers.

Meeting date: September 19, 2002

Effective date: September 19, 2002

Add to Article IV, Section 4 Special Permits Electronic Drawings

Meeting date: July 17, 2003

Effective date: July 17, 2003

Add to Article IV, Section 3 – Zoning Permit Requirements E. Electronic Drawings Required

Meeting date: July 17, 2003

Effective date: July 17, 2003

Delete from Article V, Section 1 Two-family Dwellings Permitted Uses

Add to Article V, Section 2 Two-Family (Multi Family) Dwellings Special Permitted Uses

Meeting Date: August 21, 2003

Effective: August 29, 2003

Amend Articles and Sections concerning Village Green District

Meeting Date: August 21, 2003

Effective Date: August 29, 2003

Added Definitions, added Uses to Permit and Special Permit categories in Community District (as noted) and Modified Article V, Section 1.A and 1 .B

Meeting Date: August 18, 2005

Effective: August 24, 2005

Amended Article IV, Section 3. D. Decisions on Applications for Zoning Permits

Date Amendment Approved: April 19, 2007

Effective: May 14, 2007

Amended Article VI, Section 4.G.7, 8 & 12

Date Amendment Approved: April 19, 2007

Effective: May 14, 2007

Amended Article I, Section 16.C Off-site Directional Signs

Date Amendment Approved: October 20, 2011

Effective: October 31, 2011

Amended Regulations to remove Off-site Directional Sign diagram (Appendix G) from the Regulations

Date Amendment Approved: April 19, 2012

Effective Date: May 19, 2012

Amended & updated Article VII, Section 3 Fees
Date Amendment Approved: April 19, 2012
Effective Date: May 19, 2012

Amended Article II (2 new definitions); Article IV, Section 3.D; Article V, Section 1.A.11 (new);
Article VI, Section 5 (new) regarding new regulations pertaining to Student Housing.
Date Amendment Approved: June 21, 2012
Effective Date July 25, 2012

Comprehensive Revision Amendment (whole document)
Date Approved: July 25, 2013
Effective Date: August 24, 2013

Adoption of Official Zoning Map
Date Approved: July 18, 2013
Date Effective: August 18, 2013

Amended Article IV.A.3.f.iv (delete) and 5 (new) re: 25 % expansion of non-residential legal
nonconformities
Date Amendment Approved: September 19, 2013
Amendment Effective: October 7, 2013

Amended Article VI, C. Earth and Gravel Operations, C.2 Existing Operations (new text added)
Date Amendment Approved: August 21, 2014
Amendment Effective: September 14, 2014

Amended Article III.A. Districts - added new Lake District to list; F. Lake District (Purpose; Permitted
and Special Permitted Uses – new text added); Article IV Dimensional Requirements and
Performance Standards, A.2. Structures (new text added re: setbacks) and H. Lake District Uses
(new text added)
Date Amendment Approved: August 21, 2014
Amendment Effective: September 14, 2014

Zone Change (map): Added Lake District to Zoning Map
Date Zone Change Approved: August 21, 2014
Zone Change Effective: September 14, 2014

Amended Article IV, B Agricultural and Single Family Residential Uses in the Community District
and B.2.a.i; ii (both revised) and iii (new text added) and IV.C. Subdivisions subsection 2.a.ii
(revised) re: accessory apartments
Date Amendment Approved: October 16, 2014
Amendment Effective: November 15, 2014

Amended the following sections all relating to accessory apartments:
Article II Definitions – Accessory Apartment (revised)
Art. IV C.2 Dimensional Requirements (revised)
Art. IV C.3 Standards, a.i (revised)
Art. IV H.2.a.ii (revised)
Date Amendment Approved: March 19, 2015
Amendment Effective: April 30, 2015

Amendments re: submittal deadline now 10 calendar days prior to PZC meeting

Art. I.E. Amendments, Subsection 1.b

Art. V, B.1 Special Permits, General, Subsection e

Approved: September 15, 2016

Effective: October 8, 2016

Amendments re: Equestrian Academy

Art. II Definitions – to delete “Equestrian Academy”

Art. III B.3.m Uses Allowed by Special Permit in the Community District – to delete “Equestrian Academy” from list

Art. III F.3.m Uses Allowed by Special Permit in the Lake District – to delete “Equestrian Academy” from list

Approved: September 15, 2016

Effective: October 8, 2016

Amended Article II Definitions, Several revisions & new terms

Approved: 7/20/17

Effective: 8/20/17

Amendments re: Temporary Health Care Structures

Art. II Definitions, 1 new term

Art. III, Section B, Subsection 2. Community District. L – new accessory use

Art. III, Section F, Subsection 2. Lake District. L – new accessory use

Art. IV, Section B, Subsection 2a.ii – new standard for THCS

Art. IV, Section C, Subsection 3a.ii – new standard for THCS (in Subdivisions)

Art. V, Section A, Subsection 1, Subsection c.ii and and xii – both new

Art. VI, Section K – create standards re: THCS – all new

Approved: 6/21/18

Effective: 8/12/18

Amendments re: Signs

Article II Definitions – several revisions and new definitions

Article V Permit Requirements A.1. General, c.v - proposed revisions

Article VI Town-Wide Requirements/Standards, G Signs - new text and several revisions.

Approved: 4/4/19

Effective: 5/15/19

Amendments re: Permit Requirements

Article V (throughout section)

Approved: 6/20/19

Effective: 7/18/19

Amendments re: Accessory Apartments (various sections amended)

Article II Definitions; Article IV.A.6.a-f; Article IV.B.2.a.iii, iv; Article IV.C.3.a.i; Article IV.H.2.a.i, ii

Approved: December 2, 2023 Effective: December 27, 2021

Amendments re: cannabis (various sections amended)

Article II Definitions; Article III.A.2.e; Article III.B.3.r; Article IV.I

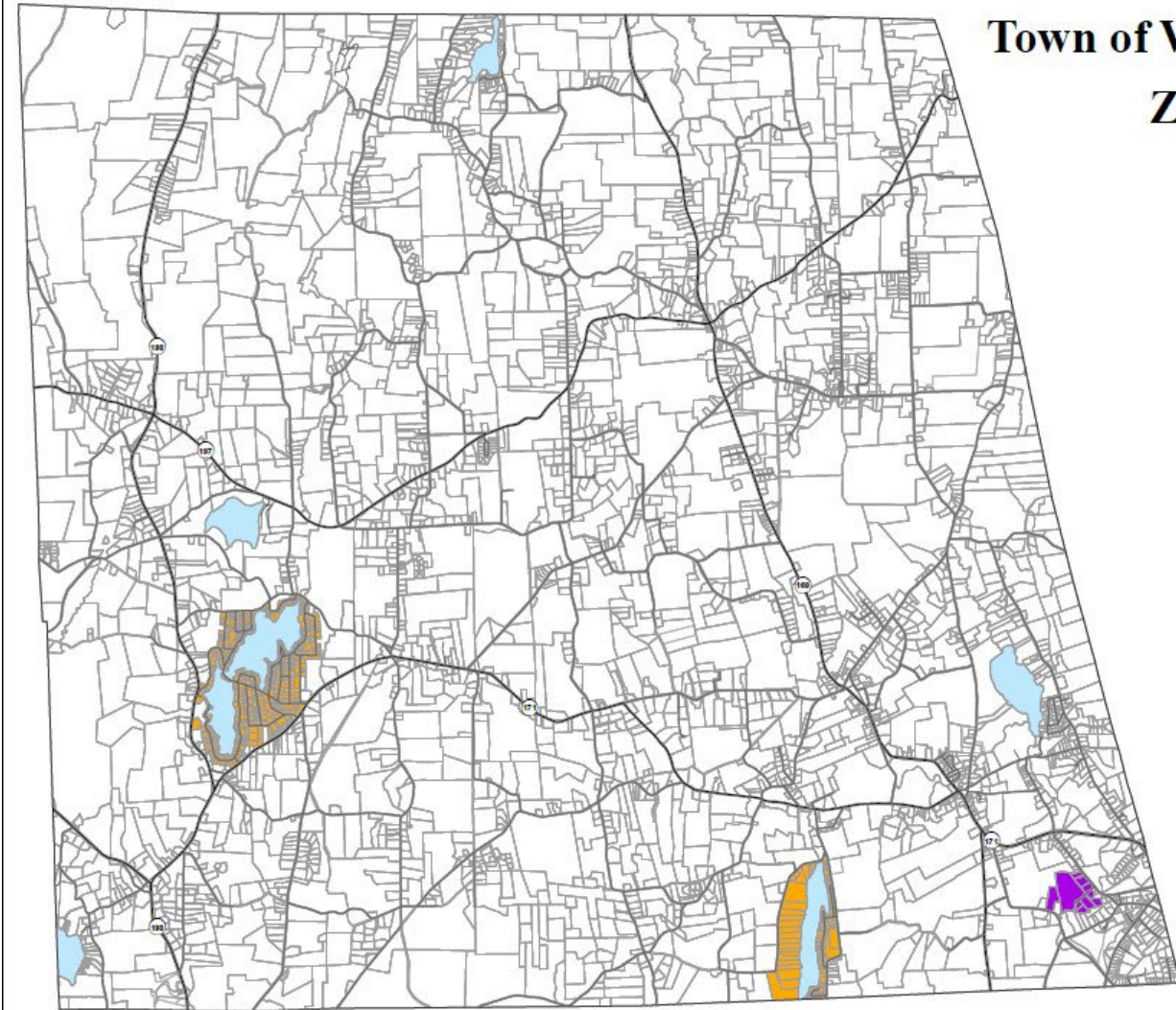
Approved: 10/12/23

Effective: 10/27/23

Appendix

1. Official Woodstock Zoning Map
2. Special Permit Application Timeline
3. Regulation Amendment or Zone Change Time Line: As proposed by Commission
4. Regulation Amendment or Zone Change Time Line: As proposed by Applicant
5. How are Lots created? diagram
6. Conventional Lot Diagram
7. Corner Lot Diagram
8. Interior (Rear) Lot Diagram
9. Reference Diagrams
10. Development Review Checklist Coverletter

Town of Woodstock, Connecticut Zoning District Map



Legend

- Community District
- Industrial Park District
- Water
- Lake District

Zoning District Information

Woodstock has four Zoning Districts: Community District, Industrial Park District, the Lakes District and the Village Green District.

Notes:

1. The Lakes District includes all properties within the following Lake Tax Districts: Lake Bunggee, Quassett Lake and Witches Woods.
2. The Village Green District is a floating zone, and as such shall be established only after
 - (1) a zone change and
 - (2) a general plan of development application has been approved for a Village Green Development at a specific location or locations.

This Zoning Map was adopted by the Woodstock Planning and Zoning Commission on July 18th, 2013.
Effective Date: August 17th, 2013.

Zone Changes:
Creation of the Lakes Districts, was approved on August 21, 2014
Effective on: September 14, 2014

PZC Chair: Jeff Gordon, M.D.



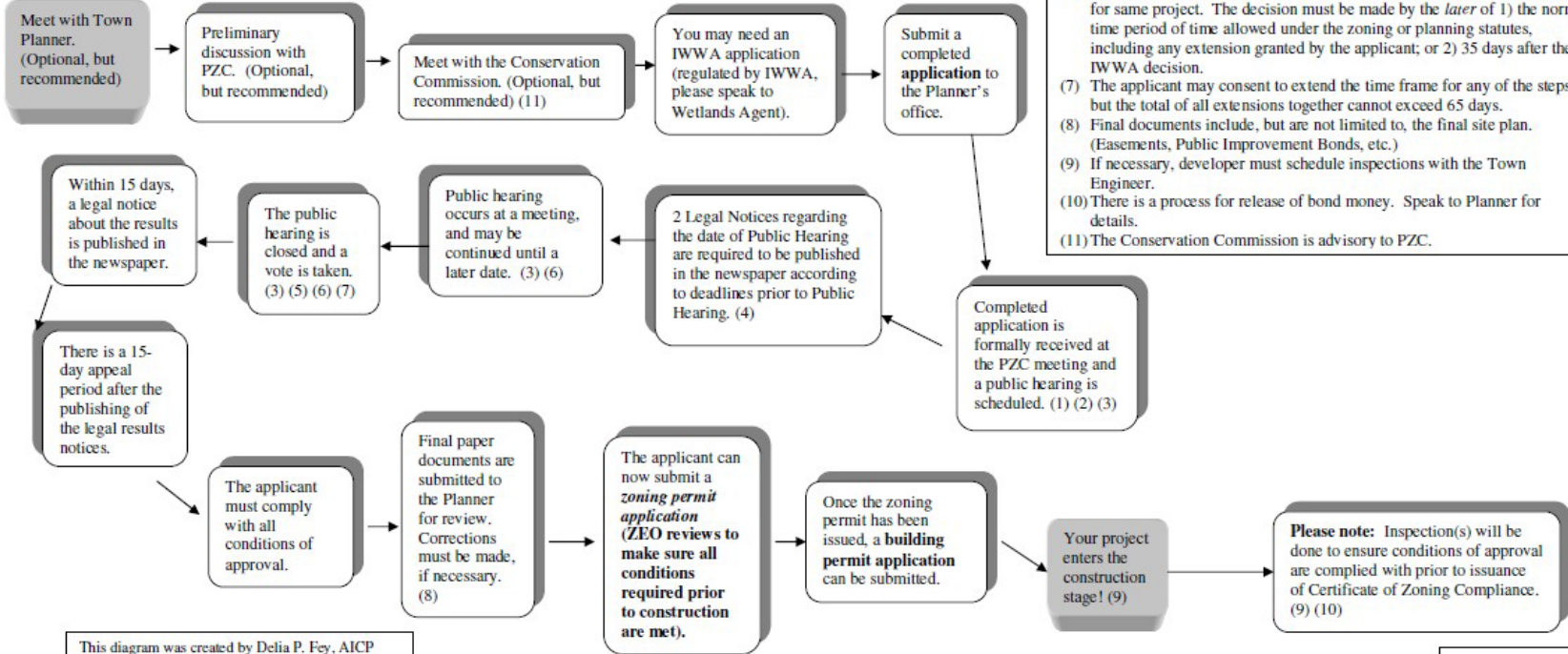
This map was prepared for general reference only. Questions regarding Zoning or this map should be directed to the Zoning Enforcement Officer. Map prepared by the NBCCOG on July, 2014.

Special Permit Application Time Line
As reviewed by the Planning & Zoning Commission

Please note: PZC holds regular meetings on the third Thursday of each month. Your complete application must be submitted by Wednesday in the week prior to the meeting.

This list is meant to be a guide for the PZC application process. You still may need other applicable local, state, or municipal permits.

- Notes**
- (1) The "date of receipt" is deemed to be the *earlier* of (i) the day of the next regularly scheduled meeting of PZC after the day the application is submitted; or (ii) 35 days after the application is submitted.
 - (2) All special permit applications require public hearings.
 - (3) The Public Hearing must commence within 65 days after original receipt by PZC, and must be completed within 35 days.
 - (4) The first notice must be published 10-15 days before the hearing. The second notice must be published at least 2 days after the first notice and not less than 2 days before the hearing. The day of publication and the day of hearing are not included in the count.
 - (5) The decision is rendered within 65 days after the hearing closes.
 - (6) A special extension of time may apply if an IWWA decision is pending for same project. The decision must be made by the *later* of 1) the normal time period of time allowed under the zoning or planning statutes, including any extension granted by the applicant; or 2) 35 days after the IWWA decision.
 - (7) The applicant may consent to extend the time frame for any of the steps, but the total of all extensions together cannot exceed 65 days.
 - (8) Final documents include, but are not limited to, the final site plan. (Easements, Public Improvement Bonds, etc.)
 - (9) If necessary, developer must schedule inspections with the Town Engineer.
 - (10) There is a process for release of bond money. Speak to Planner for details.
 - (11) The Conservation Commission is advisory to PZC.

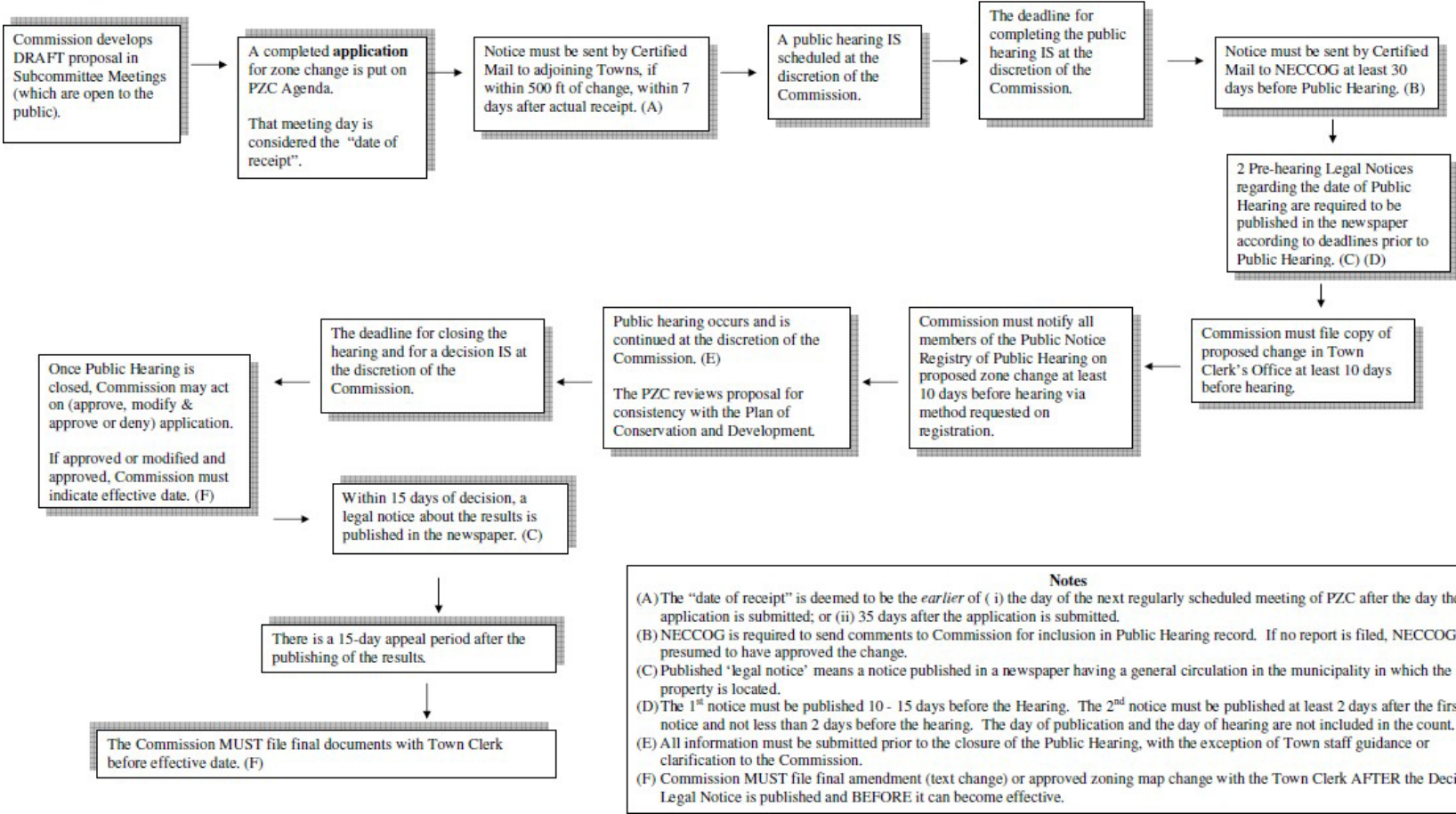


This diagram was created by Delia P. Fey, AICP
Town Planner / ZEO Town of Woodstock, CT

Last revised 8/26/08

Regulation Amendment or Zone Change Time Line: For Subdivision Regulations and Two Types of Zoning Amendments: Regulation (Text Amendment) or Zoning Boundary (Map) Change as reviewed by the Planning & Zoning Commission

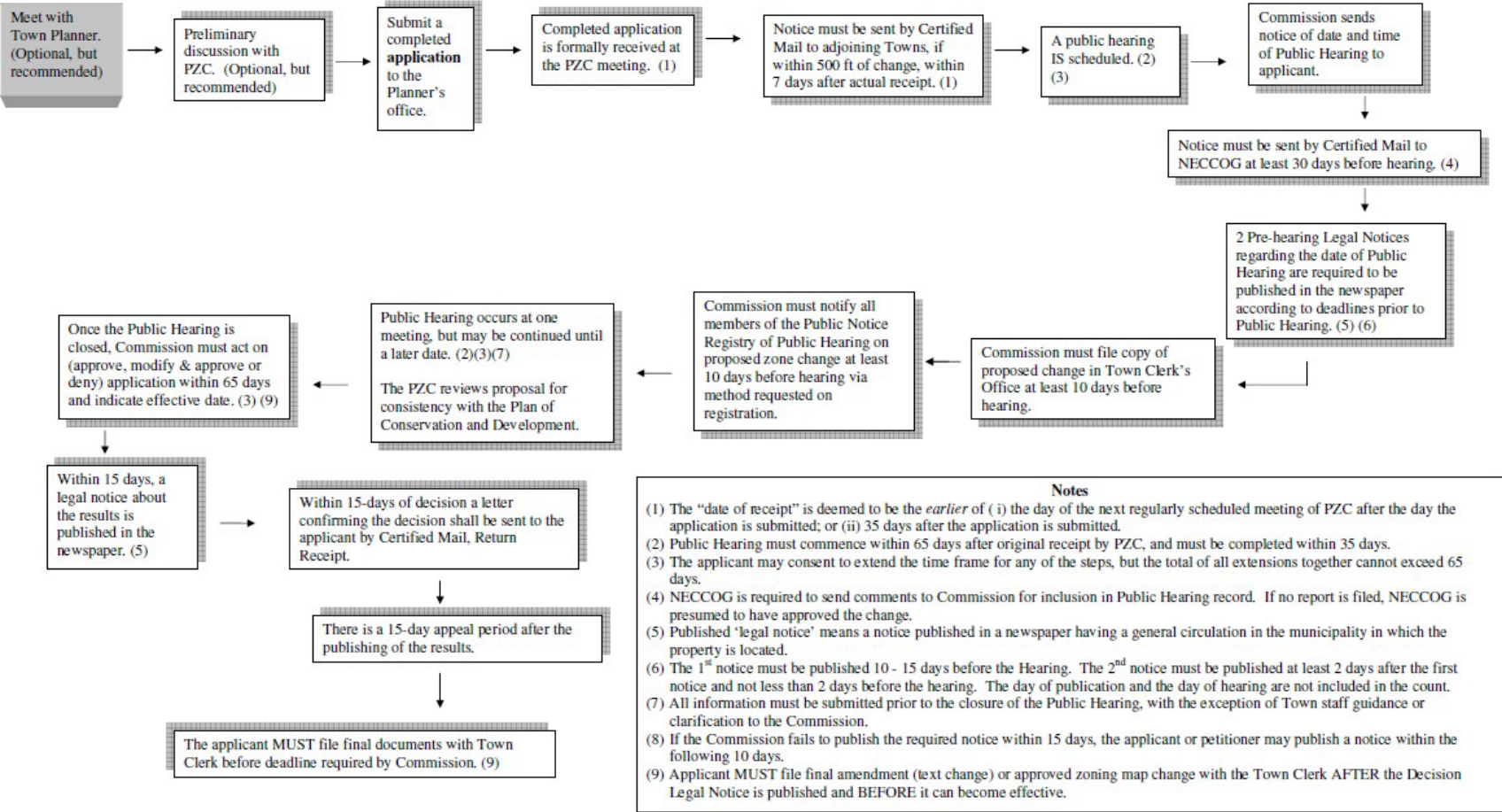
Application as Proposed by Planning & Zoning Commission (CGS reference: 8-3, 8-3a, 8-3b, 8-7d)



- Notes**
- (A) The "date of receipt" is deemed to be the *earlier* of (i) the day of the next regularly scheduled meeting of PZC after the day the application is submitted; or (ii) 35 days after the application is submitted.
 - (B) NECCOG is required to send comments to Commission for inclusion in Public Hearing record. If no report is filed, NECCOG is presumed to have approved the change.
 - (C) Published 'legal notice' means a notice published in a newspaper having a general circulation in the municipality in which the property is located.
 - (D) The 1st notice must be published 10 - 15 days before the Hearing. The 2nd notice must be published at least 2 days after the first notice and not less than 2 days before the hearing. The day of publication and the day of hearing are not included in the count.
 - (E) All information must be submitted prior to the closure of the Public Hearing, with the exception of Town staff guidance or clarification to the Commission.
 - (F) Commission MUST file final amendment (text change) or approved zoning map change with the Town Clerk AFTER the Decision Legal Notice is published and BEFORE it can become effective.

Regulation Amendment or Zone Change Time Line: For Subdivision Regulations and Two Types of Zoning Amendments: Regulation (Text Amendment) or Zoning Boundary (Map) Change as reviewed by the Planning & Zoning Commission

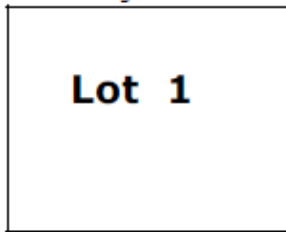
Application as Proposed by Applicant (CGS reference: 8-3, 8-3a, 8-3b, 8-7d)
 Recommendation: Seek professional guidance with preparing proposed zone changes.



- Notes**
- (1) The "date of receipt" is deemed to be the *earlier* of (i) the day of the next regularly scheduled meeting of PZC after the day the application is submitted; or (ii) 35 days after the application is submitted.
 - (2) Public Hearing must commence within 65 days after original receipt by PZC, and must be completed within 35 days.
 - (3) The applicant may consent to extend the time frame for any of the steps, but the total of all extensions together cannot exceed 65 days.
 - (4) NECCOG is required to send comments to Commission for inclusion in Public Hearing record. If no report is filed, NECCOG is presumed to have approved the change.
 - (5) Published 'legal notice' means a notice published in a newspaper having a general circulation in the municipality in which the property is located.
 - (6) The 1st notice must be published 10 - 15 days before the Hearing. The 2nd notice must be published at least 2 days after the first notice and not less than 2 days before the hearing. The day of publication and the day of hearing are not included in the count.
 - (7) All information must be submitted prior to the closure of the Public Hearing, with the exception of Town staff guidance or clarification to the Commission.
 - (8) If the Commission fails to publish the required notice within 15 days, the applicant or petitioner may publish a notice within the following 10 days.
 - (9) Applicant MUST file final amendment (text change) or approved zoning map change with the Town Clerk AFTER the Decision Legal Notice is published and BEFORE it can become effective.

TOWN OF WOODSTOCK, CONNECTICUT

Original Lot

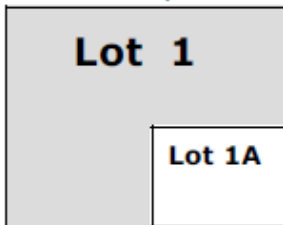


How Are Lots Created?

- This lot exists prior to adoption of the Woodstock Subdivision Regulations which occurred on August 31, 1965. This is the Original Lot.
- The Owner wants to split off one lot, and since it is *after* the adoption of the Subdivision Regulations, *AND* the lot has sufficient room to provide two lots compliant with the Zoning Regulations, the Owner is eligible for one **Free Split**.

There are now two lots, 1 and 1A.

Free Split



...some time later

- Now the Owner of Lot 1 wants to sell off some more land by creating new lot(s). The new lot(s) are created through a **Subdivision**, for the sake of this example, Lot 1 is converted into 3 lots (Lot 1, Lot 1B & Lot 1C).

Now four lots exist from the Original Lot (including 1A).

Note:

1. Even if only 1 new lot was created from the Original Lot after the Free Split, it would require a **Subdivision**,
2. If the Lot 1A Owner wanted to further divide this lot, he /she would also need to do a **Subdivision**...

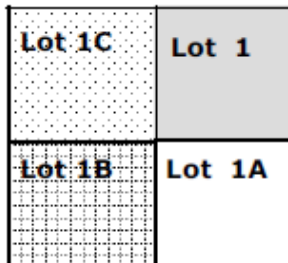
...in both cases, the above scenarios require a **Subdivision** *because* these lots would be created after the adoption of the Subdivision Regulations *AND* the Free Split was already taken from the Original Lot with Lot 1A.

- If the Owner of Lot 1C wanted to sell off some land by creating new lots, that would be a **Re-subdivision**, shown here as lots 1C & 1C-1.

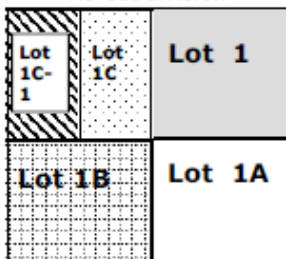
Note:

1. This is an example of lot labeling, which is meant to illustrate the history of the lots which makes it easier to track them through the Land Records.
2. All lots must conform to the Zoning Regulations in place when they are created.
3. The only other way to sell land is with a Boundary Line Adjustment which merges a 'minor' area into the adjacent lot; this must be researched by the property owner to ensure it does not actually fall under the category of Free Split, Subdivision or Re-subdivision. Please see "How to Determine Property Division in Woodstock, CT" handout.

Subdivision



Re-subdivision



RECAP: *ALL* new lots created from the Original Lot after the Free Split require a Subdivision or Resubdivision.

This diagram was created by Delia P. Fey, AICP Woodstock Town Planner / ZEO

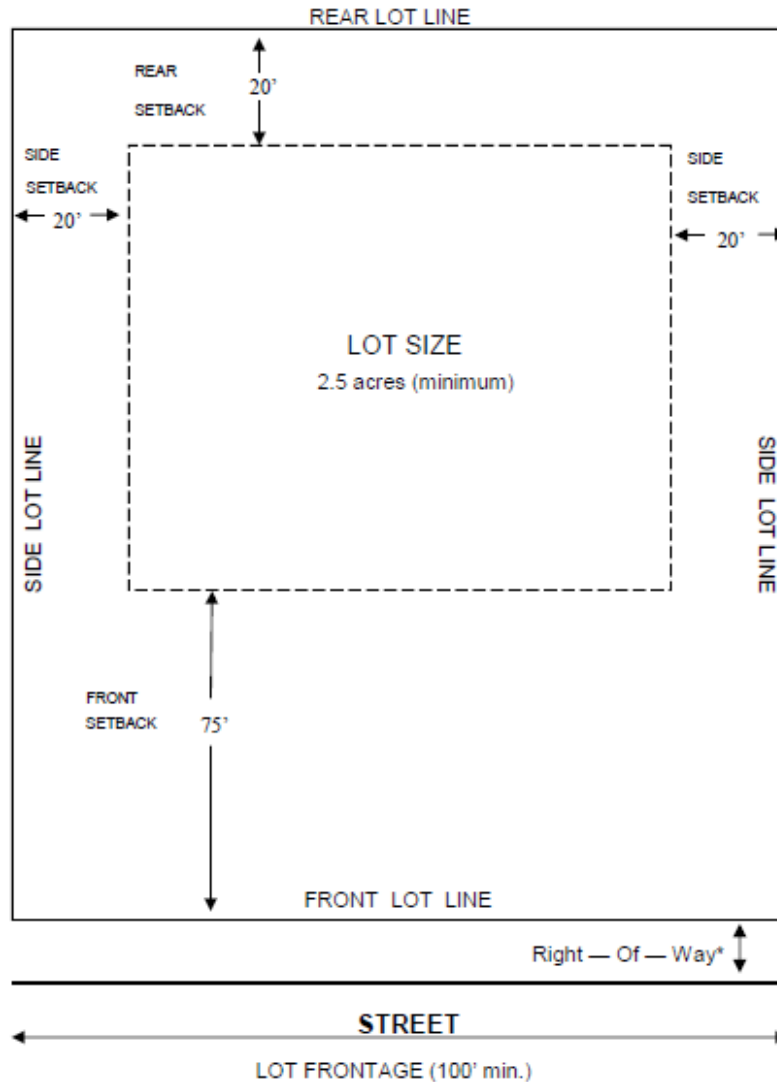
Disclaimer: This information is for illustrative purposes only. All lots created are subject to the legal requirements of the Connecticut General Statutes and Town of Woodstock Subdivision and Zoning Regulations.

WOODSTOCK COMMUNITY DISTRICT

ILLUSTRATIVE DIMENSIONAL REQUIREMENTS

CONVENTIONAL LOT

SINGLE-FAMILY HOME



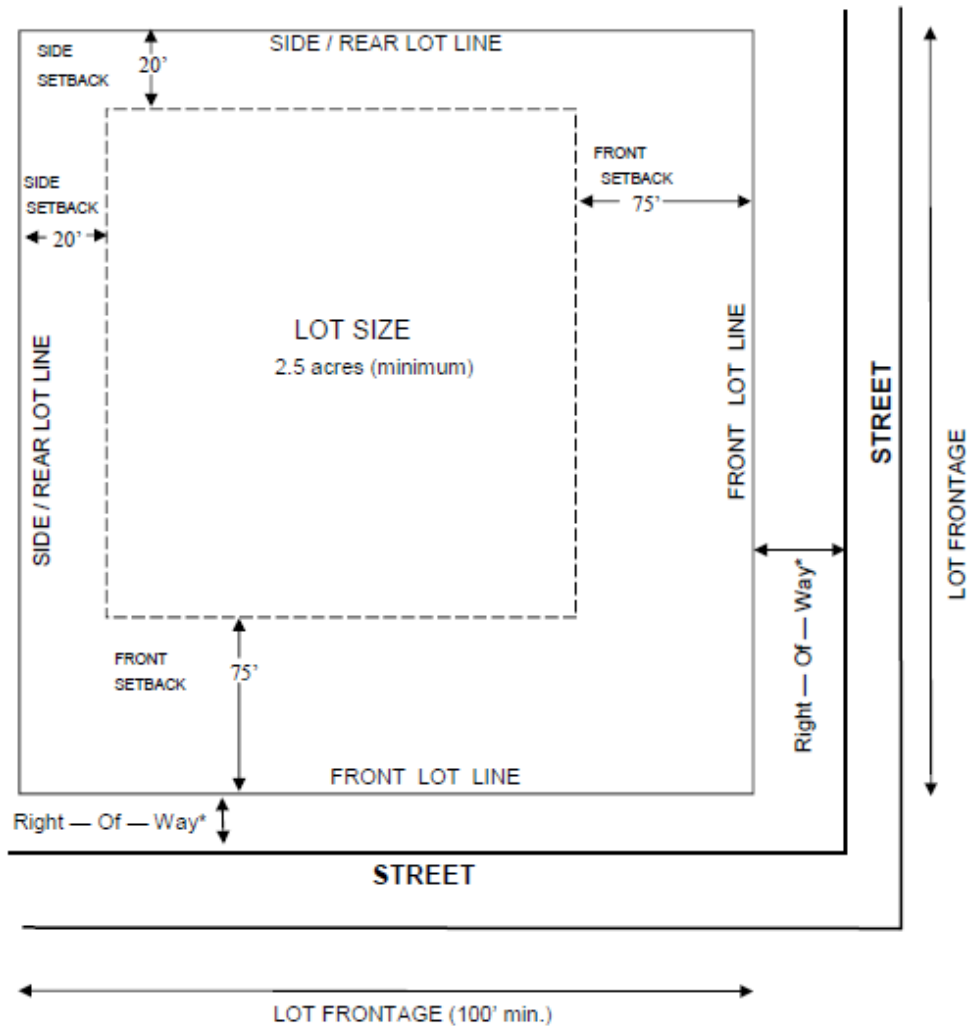
*Right — Of — Way also commonly shown as R-O-W
Please note: 1. the property extends to the lot line.
2. Subdivisions have different minimum standards.

WOODSTOCK COMMUNITY DISTRICT

ILLUSTRATIVE DIMENSIONAL REQUIREMENTS

CORNER LOT

SINGLE-FAMILY HOME



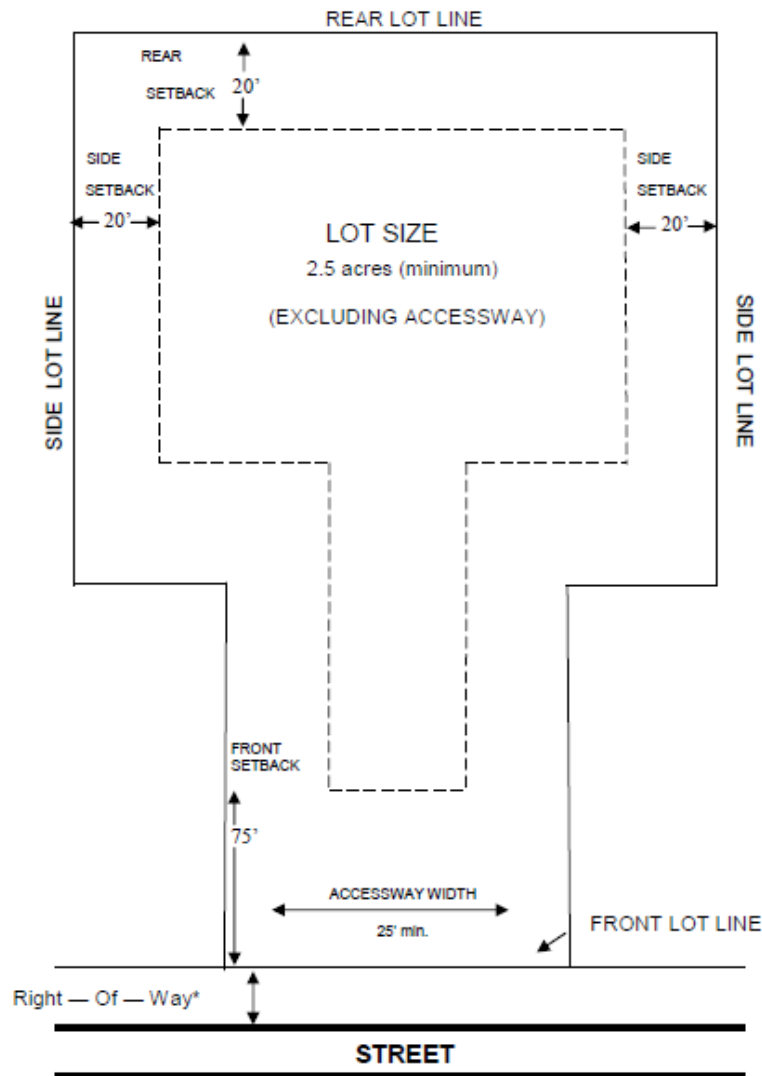
*'Right — Of — Way' also commonly shown as R-O-W
Please note: 1. the property extends to the lot line.
2. Subdivisions have different minimum standards.

WOODSTOCK COMMUNITY DISTRICT

ILLUSTRATIVE DIMENSIONAL REQUIREMENTS

INTERIOR (REAR) LOT

SINGLE-FAMILY HOME



*Right — Of — Way also commonly shown as R-O-W
Please note: the property extends to the lot line.

**DEVELOPMENT REVIEW CHECKLIST
TOWN OF WOODSTOCK CONSERVATION COMMISSION**

The Development Review Checklist is used to review subdivision and special permit applications for compatibility with the Town of Woodstock *A Plan of Open Space and Conservation (APOSC)* and the *2002 Plan of Conservation and Development Update*. Chapter IV of the *Town of Woodstock Subdivision Regulations* and Article IV of the *Town of Woodstock Zoning Regulations* requires that the applicant complete this Checklist and submit it to the Planning & Zoning Commission with a subdivision or special permit application.

The Checklist was designed by the Woodstock Conservation Commission to facilitate early identification of important natural and cultural resources that may be impacted by development, and to promote consideration of measures to appropriately protect those resources. Applicants are strongly encouraged to consider these resources and measures during the initial planning and design phase of the application process.

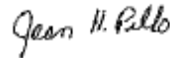
Although not required, applicants are also encouraged to meet with Conservation Commission staff (as the schedules of our volunteer members allow) during the planning phase, to review natural and cultural resources and conservation measures. Experience has shown that such pre-application reviews help identify critical resources, prioritize conservation goals, and avoid conflicts, while protecting the rights of applicants and property owners.

A copy of *APOSC*, the *2002 Plan of Conservation and Development Update*, and accompanying resource maps are available at the Woodstock Town Hall in the Building Department or the office of the Town Clerk. *APOSC*, maps, and an electronic copy of this Checklist are also available at the Town of Woodstock Conservation Commission website at <http://www.woodstockconservation.org>.

Sincerely,



Woodstock Planning and Zoning Commission
Jeff Gordon, MD, Chairperson



Woodstock Conservation Commission
Jean Pillo, Chairperson

Rev.2, 08/27/12

Reference: Zoning Board of Appeals

The Zoning Board of Appeals has its Authority and Responsibility based in State Statutes. The Planning and Zoning Commission has no oversight or responsibility in regards to the Appeals Process. The following information has been provided for the convenience of the public. Any specific questions should be directed to the land use office.

Powers and Duties

- A. The Woodstock Zoning Board of Appeals shall have all the powers and duties set forth in the CGS 8-5, 8-6, and 8-7 relating to Zoning Boards of Appeals, including, but not limited to:
 - 1. To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the ZEO;
 - 2. To determine and vary the application of the zoning regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of such regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured;
 - 3. To hear and decide on other matters only as delegated to the Zoning Board of Appeals in these regulations and the Connecticut General Statutes.
- B. Applications regarding motor vehicle sales or service, or applications proposing the sale or storage of gasoline and similar products shall be handled as is specified in CGS Chapter 14, where specifics related to the handling of these applications is detailed.

Procedures

- A. Any appeal, application or other matter requiring a decision of the Zoning Board of Appeals shall be submitted on a form prescribed by the Zoning Board of Appeals, and shall be accompanied by the required fee and any maps, statements and other documents required by the Zoning Board of Appeals in order to properly evaluate and render a decision on such appeal, application or other matter.
- B. All maps submitted shall meet or exceed the minimum requirements for a Zoning Permit

plan.

- C. No such appeal, application or other matter shall be decided without first convening a Public Hearing on same, in accordance with the requirements of the Connecticut General Statutes.
- D. No Variance approval shall take effect until a copy thereof, certified by the Zoning Board of Appeals, has been recorded in the Office of the Town Clerk.
- E. The securing of a Variance or other approval from the Zoning Board of Appeals shall not, in and of itself, exempt an applicant from the requirements for a Zoning Permit or other approval required by these Regulations.

Notifications of Public Hearings

- A. At least 10 days prior to the Public Hearing, the applicant shall post a notice, in a form and providing the content approved by the Zoning Board of Appeals, at a visible location(s) along the premises' street frontage(s), indicating that an application is pending with the Zoning Board of Appeals.
- B. The applicant shall also send a written notice of the pending application to all owners of property (from the records of the Town of Woodstock Assessor's office) within a 500-foot radius of each of the parcel's boundaries, at least 10 days prior to the public hearing, and shall provide a list of all the property owners and of the letter sent to them, together with evidence of the mailing, to the Board at least five days prior to the hearing.