

ZONING REGULATIONS

Town of Groton, Connecticut

First Adopted: June 21, 1957
Recodified and Adopted: October 7, 1987
Effective: November 2, 1987

AMENDMENTS

January 11, 1988	Sec. 7.1-6 Contractor's Construction and Commercial Vehicle and Equipment Storage
March 7, 1988	Sec. 8.1-3 Certificate of Zoning Compliance; Sec. 8.4-3 F. Certificate of Site Plan Compliance
April 11, 1988	Sec. 7.3-7 Sign Requirements in the WDD and WF Zones
September 1, 1988	Sec. 7.3-7 and 7.3-9 Sign Requirements in the WF Zones
October 1, 1988	Sec. 6.12-5 A. Water Resource Protection District Other Requirements and Restrictions
December 16, 1988	Sec. 2 Definitions and Sec. 7.2-3 G. Parking Requirements for Restaurants
May 1, 1989	Sec. 2 Definitions and Sec. 4.12 Storage of Unregistered Vehicles and/or Waste Material
September 1, 1989	Sec. 8.5-7 Referrals
October 1, 1989	Sec. 4.13 Dispensing of Fuel: Pumps and Canopies
October 31, 1989	Sec. 2 Definitions, Sec. 7.1-18 Child Day Care Center and Sec. 7.1-32 Group Day Care Home, and Related Regulations; Sec. 7.3-7 Signs in Non-Residential Districts
January 2, 1990	Sec. 5.1-3 Table of Permitted Uses, Sec. 7.1-16 Multi-Family Dwellings and Sec. 7.1-28 Executive Hotel/Motel Suites
May 1, 1990	Sec. 7.1-1 G. Residential Health Care Communities
January 2, 1991	Sec. 2 Definitions, Sec. 5.1-3 Table of Permitted Uses and Sec. 7.1-33 Waste Handling/Reduction Facilities

June 1, 1991	Affordable Housing Regulations: Secs. 4.2, 4.9, 4.11, 4.15, 5.1-3, 6.4, 6.9 (deleted), 7.1-34, 7.2-3B., and 8.4-1; and Sec. 7.1-11 Home Occupations and Related Regulations
July 1, 1991	Affordable Housing Regulations: Secs. 5.2, 6.7, 6.10-3, 7.1-16 (deleted)
October 1, 1991	Sec. 5.1-3 Table of Permitted Uses and New Sec. 7.1-16 Multi-Family Dwellings; Sec. 7.3-7 Requirements for Signs in Non-Residential Districts
February 1, 1992	Sec. 5.1-3 Table of Permitted Uses (Personal/Repair Services in OMF Zone; Assembly and Packaging of Medical Products in IPA District) and Sec. 6.1-1 C. Purpose
May 1, 1992	Sec. 5.1-3 Table of Permitted Uses and Sec. 7.1-4 Cemetery
May 11, 1992	Sec. 7.1-27 Other Outdoor Commercial Recreation
June 1, 1992	Secs. 7.5-1, 7.5-2, 7.5-3 and 7.5-4 Sidewalks
August 1, 1992	Sec. 2 Definitions, New Sec. 7.1-35 Adult Day Care Facility, and Related Regulations
October 1, 1992	Economic Development Regulations: Secs. 2 and 5.1-3 (Sheet 6) Large-Scale Destination-Oriented Commercial; Secs. 3.1, 4.12, 5.1-3 (all sheets), 5.2, 7.1-13, 7.1-26, 7.1-27, 7.1-29, 7.3-5 A., 7.3-7 Consolidation of IA, IB, IC Districts; Secs. 6.3-3, 7.1, and 8.3-9 Administrative Site Plan
November 1, 1992	Economic Development Regulations: Sec. 5.1-3 (Sheet 6), New Sec. 7.1-36 Drive Through Facilities, Sec. 7.2-3 Parking Spaces, and Sec. 7.2-17 Reduced Parking Standards (deleted)
January 2, 1993	Economic Development Regulations: Sec. 5.1-3 (Sheets 4 and 7), New Sec. 6.2-11 Auto Related Uses, and Secs. 7.1-25 and 7.1-26 (add DDD)
February 1, 1993	Economic Development Regulations: New Sec. 6.12-6 Expansion of Non-Permitted Uses (WRPD)

March 1, 1993	Sec. 2 Definitions and Sec. 7.3 Sign Regulations
July 1, 1993	Sec. 2 Definitions, New Sec. 7.1-37 Community Residential Counseling Facility, and Related Regulations
September 4, 1993	Sec. 2 Definition of Family; Sec. 8.4-3 D. Recording of Plans; Expiration
December 1, 1993	Sec. 6.12-3, new 6.12-3 I. and Sec. 6.12-5 B. 2. Water Resource Protection District; Sec. 8.5-10 Hearings and Sec. 8.5-11 Decision of the Board
January 3, 1994	Sec. 5.1-3 Table of Permitted Uses (Churches and Other Places of Religious Worship in IP Zones)
April 1, 1994	Sec. 5.1-3 Table of Permitted Uses and Sec. 7.1-33 Waste Handling/Reduction Facilities
June 1, 1994	Sec. 5.1-3 Table of Permitted Uses and Sec. 6.12-3 G. Water Resource Protection District; Sec. 6.12-3 I. Water Resource Protection District
October 1, 1994	Sec. 6.10-3 Nautilus Memorial Design District
December 16, 1994	Sec. 4.4 Height Limitation; New Sec. 6.12-7 Relocation of Non-Permitted Uses (WRPD)
February 1, 1995	Sec. 5.2 Lot, Yard and Building Requirements
February 10, 1995	Sec. 2 Definitions and Sec. 6.6 Flood Protection Regulations
June 1, 1995	New Sec. 7.1-38 Historic/Institutional Reuse
October 1, 1995	Sec. 5.1-3 Table of Permitted Uses (Laundry and Dry Cleaning (self-service or pick up only))
February 1, 1996	Sec. 7.3-7 Signs Permitted in Non-Residential Districts

December 9, 1996	Sec. 2 Definitions, 5.1-3 Table of Permitted Uses and New Sec. 7.1-39 Self-Service Storage Facilities
February 1, 1997	Sec. 5.1-3 Table of Permitted Uses (Sheets 4 and 6), Sec. 7.1-39 Self-Service Storage Facilities; New Sec. 7.1-40 Freestanding, Large-Scale Restaurants
April 15, 1997	Sec. 2 Definitions, Sec. 4.4 Height Limitation, Sec. 5.1-3 Table of Permitted Uses and New Sec. 7.1-41 Telecommunication Towers, Antennae and Facilities; Sec. 5.1-3 Table of Permitted Uses (Multi-Family Dwellings)
May 31, 1997	Sec. 2 Definitions, Sec. 4.11 More Than One Principal Building on a Lot, Sec. 5.1-3 Table of Permitted Uses, Sec. 6.7-6 Building and Site Requirements (RMF), Sec. 7.1-1 Residential Life Care Communities, Sec. 7.1-19 Nursing Home (Deleted), Sec. 7.2-3 Parking Spaces; Sec. 7.1-38 Historic/ Institutional Reuse
August 1, 1997	Sec. 2 Definition of Building Height
October 1, 1997	Sec. 2. Definitions, 5.1-3 Table of Permitted Uses and New Sec. 7.1-42 Large-Scale Conference/ Entertainment Facilities
February 1, 1998	Sec. 8.5-8 A. Appeals and Sec. 8.5-8 B. Variances
April 1, 1998	Sec. 6.12-4 C. Coverage, Buffers and Setbacks (WRPD)
May 1, 1998	Sec. 4.6 Front Yards (formerly Lots on Narrow Street)
July 1, 1998	Sec. 2 Definitions - Building and Building Area
September 1, 1998	Sec. 5.2 Lot, Yard and Building Requirements
October 1, 1998	Sec. 5.1-3 Table of Permitted Uses and New Sec. 7.1-43 Auto Rental in Downtown Development District
November 13, 1998	Sec. 7.2-9 Pedestrian Safety; Sec. 7.3-7 Requirements for Signs in Non-Residential Districts

December 1, 1998	Sec. 7.1-42 Large-Scale Conference/Entertainment Facilities
May 1, 1999	Sec. 3.2 Zoning Map, Sec. 6.12-2 Establishment of District, Sec. 8.4-4 B. Location Map; Sec. 7.2-5 Location of Required and/or Additional Parking Facilities; Sec. 7.3-8 Special IP Zone Signage
September 1, 1999	Sec. 5.2 Lot, Yard and Building Requirements
June 1, 2000	Sec. 5.1-3 Table of Permitted Uses (Residential Life Care Communities); Sec. 7.1-1 Residential Life Care Communities; Sec. 7.1-1 G. Building Height; Sec. 7.1-1 C. Setbacks
November 8, 2000	Sec. 2 Definitions (Day Spa); Sec. 5.1-3 Table of Permitted Uses (Day Spa)
February 16, 2001	Sec. 2 Definitions (CAMA); Sec. 8.2-4 Notice of Amendment to Zoning Map; Sec. 8.3-5 Notice of Public Hearing; Sec. 8.5-10 Hearings
November 1, 2001	Sec. 5.2 Lot, Yard and Building Requirements
January 1, 2002	Sec. 2 Definitions (Floor Area Ratio); Sec. 7.1-10 Filling and Removing Earth Products; Sec. 8.1-2 Zoning Permit; Sec. 8.2-2 Applications; Sec. 8.3-2 Applications; Sec. 8.3-9 Commission Action; Sec. 8.4-1 Authority; Sec. 8.4-3 Site Plan Procedure; Sec. 8.4-4 Contents of Site Plan; Sec. 8.5-8 Powers of the Board; Sec. 8.5-9 Applications; Sec. 8.5-10 Hearings; Sec. 8.5-11 Decision of the Board
January 11, 2002	Sec. 2 Definitions (Impervious Cover)
March 1, 2002	Sec. 8.1-2 B. Plot Plan
August 1, 2002	Sec. 7.2-3 B. Multi-Family Dwellings and Accessory Apartments (Parking Spaces)
October 1, 2002	Sec. 5.2 Lot, Yard and Building Requirements (Lot coverage in CA-12 increased to 25%)
February 1, 2003	Sec. 5.1-3 Table of Permitted Uses; Sec. 7.1-44 (Drug store Pick-Up Windows/Facilities)

May 1, 2003	Sec. 5.2 Lot, Yard and Building Requirements; Sec. 6.11 Erosion and Sediment Control Plan; 6.12 Water Resource Protection District regulations; 7.2-13 Surface and Drainage, 8.4 Site Plan Review and Approval; 8.5-8B Variances
December 1, 2003	Sec. 5.2 Notations for Lot, Yard and Building Requirements (Building Height in the IP-80C zone increased to 40 feet)
June 1, 2004	Sec. 5.2 Lot, Yard and Building Requirements; Sec. 7.1-20 One and Two Family Dwellings and boarding or Rooming Houses
December 10, 2004	Sec. 2 Definition Universal Design Features, Assisted Living Facility, Congregate Living Facility and Residential Life Care Community in Sec. 5.1-3 Table of Permitted Uses; Sec. 7.1-1 Residential Life Care Communities; Sec. 7.2-3 Congregate Living Facilities.
March 1, 2005	Sec. 2 Definitions; Sec. 5.1-3 Table of Permitted Uses; Sec. 6.7-6 Building and Site Requirements; 7.1-20 One and Two Family Dwellings, Boarding or Rooming Houses and Active Senior Housing; New Sec. 7.1-45 Active Senior Housing.
September 10, 2005	Sec. 7.3-7 Requirements for Signs in Non-Residential Districts; New Sec. 7.3-10 Special Large Commercial Building Signage Provisions.
February 4, 2006	Sec 5.1-3 Table of Permitted Uses; Sec 7.1-8 Elementary and Secondary School, College and University.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1 PURPOSE AND AUTHORITY	1-1
2 DEFINITIONS	2-1
3 ESTABLISHMENT OF ZONING DISTRICTS AND MAP	3-1
4 GENERAL REGULATIONS	4-1
5 DISTRICT REGULATIONS	5-1
5.1 Permitted Uses	5-1
5.2 Lot, Yard and Building Requirements	5-17
6 SPECIAL DISTRICTS AND REGULATIONS	6-1
6.1 Office-Multi Family Districts	6-1
6.2 Downtown Development District	6-5
6.3 Waterfront Design District	6-9
6.4 Open Space Subdivisions	6-12
6.5 Residential Performance Standards	6-16
6.6 Flood Protection Regulations	6-18
6.7 Residential Multi-Family	6-27
6.8 Coastal Resource Setback	6-30
6.10 Nautilus Memorial Design District	6-31
6.11 Erosion and Sediment (E&S) Control Plan	6-36
6.12 Water Resource Protection District	6-38

7	SUPPLEMENTARY REGULATIONS	7-1
7.1	Conditional Uses	7-1
7.2	Off-Street Parking and Loading	7-30
7.3	Sign Regulations	7-39
7.4	Landscaping, Screening and Buffer Areas	7-48
7.5	Sidewalks	7-52

8	ADMINISTRATION AND ENFORCEMENT	8-1
8.1	Zoning Enforcement	8-1
8.2	Zoning Amendments	8-4
8.3	Special Permit Procedure	8-8
8.4	Site Plan Review and Approval	8-12
8.5	Zoning Board of Appeals	8-26
8.6	Non-Conforming Uses, Buildings and Lots	8-31
9	SEPARABILITY, REPEALER AND VALIDITY	9-1

INDEX

SECTION 1

PURPOSE AND AUTHORITY

1.1 Purpose and Authority

In accordance with the provisions of Chapter 124 of the General Statutes of the State of Connecticut, as amended, the Zoning Commission of the Town of Groton hereby adopts the following Zoning Regulations for the Town of Groton, Connecticut, for the following purposes:

Promoting the health, safety, and general welfare of the community; lessening congestion in the streets; securing safety from fire, panic and other dangers; providing adequate light and air; preventing the overcrowding of land and avoiding undue concentration of population; facilitating adequate provision for transportation, water, sewerage, schools, parks, and other public requirements; conserving the value of buildings, and encouraging the most appropriate use of land throughout the Town; providing for the public health, comfort, and general welfare in living and working conditions; regulating and restricting the location of trades and industries and the location of buildings designed for specific uses; regulating and limiting the height and bulk of buildings hereafter erected and regulating and determining the area of yards, courts and other open spaces for buildings hereafter erected.

SECTION 2

DEFINITIONS

For the purpose of these regulations, certain terms or words shall be defined as below. Words in the present tense include the future; the singular number includes the plural, and vice versa. The word "lot" includes the word "plot". The word "building" includes the word "structure". The word "shall" is mandatory, and not directory. The word "used" shall be deemed also to include "designed, intended or arranged to be used". Unless otherwise specified, all distances shall be measured horizontally.

ACCESSORY USE OR BUILDING: A subordinate use or building or structure customarily incidental to and located on the same lot with the principal use or building or a contiguous lot under the same ownership.

ACTIVE SENIOR HOUSING: Housing designed for seniors, 55 years or older and providing several, but not all of the services and facilities required for Assisted Living and/or Congregate Living Facilities. Furthermore, it is a housing facility or community that fully complies with the provisions of the United States Fair Housing Act 42 USC Section 3601 et seq. as amended, (and Connecticut State Statutes Section 46a-64b, as amended, as it pertains to "Housing for Older Persons.") This includes compliance with any and all rules promulgated by the United States Department of Housing and Urban Development which govern implementation of such Act and compliance with all rules and restrictions promulgated by the Town of Groton and set forth in this zoning regulation. (New Eff: 3/1/05)

ADULT DAY CARE FACILITY: A facility established to offer activity programs authorized by the Department of Mental Retardation including training in one or more of the following areas: self-care, activities on daily living, personal and social adjustment, work habits and skills, speech and language development. Such a facility may also offer a recreational program involving activities which may be of a social, athletic or purely diversionary nature. This definition does not include facilities that provide overnight care and accommodations (New Eff: 8/1/92)

ANTENNA: A device used to receive or transmit telecommunications or radio signals. Such signals shall include, but not be limited to, radio, television, cellular telephone, paging, personal communication services (PCS), and microwave communications. Examples include panels, microwave dishes, and single poles known as whip antennae. (New Eff: 4/15/97)

ASSISTED LIVING FACILITY: Housing designed for more fragile seniors, including such facilities licensed and designed to meet the needs of seniors with Alzheimer or other dementia-related illnesses, that provides nursing services, communal dining facilities and meal services, and/or assistance with personal care activities of daily living to clients living within a managed residential community having supportive

services that encourage clients, aged 55 or older, to maintain a maximum level of independence. (New Eff: 5/31/97; 12/10/2004)

BASE FLOOD: A flood having a one percent chance of being equaled or exceeded in any given year; a 100 year storm. (New Eff: 2/10/95)

BASE FLOOD ELEVATION: The level, referenced to mean sea level, to which the flood waters of the base flood rise at any particular location. (New Eff: 2/10/95)

BASEMENT: For flood management purposes, any area of a building having its floor subgrade (i.e., below ground level) on all sides. (New Eff: 2/10/95)

BREAKAWAY WALL: A wall that is not part of the structural support of a building and is intended through its design to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system. (New Eff: 2/10/95)

BUILDING: Any structure having a roof and intended for the shelter, housing, or enclosure of persons, animals, or materials. Any other structure more than eight feet high shall be considered as a building, including a fence or wall, but excluding an electric transmission line or an electric light, telegraph, or telephone pole, highway, or railroad bridge or flagpole. Uncovered decks, 30 inches or more above grade, shall be considered a building. (Eff: 7/1/98)

For flood management purposes, "structure" means a walled and roofed building that is principally above ground, a manufactured home, and a gas or liquid storage tank. (Eff: 2/10/95)

BUILDING AREA: The ground area enclosed by the walls of a building together with the area of all covered porches and other roofed portions and uncovered decks 30 inches or more above grade. (Eff: 7/1/98)

BUILDING COVERAGE: The percentage which the aggregate building area of all buildings on the lot bears to the area of the lot.

BUILDING HEIGHT: The vertical distance from the average finished grade within ten feet from the walls of the building to the highest point of flat, shed, or mansard roofs including the top of a parapet or to the mean level between the eaves and ridge for gable, hip, or gambrel roofs. The height of structures having roofs or outside top coverings other than those listed here, or structures having no roof at all, shall be defined as the vertical distance from average finished grade to their highest point. (Eff: 8/1/97)

BUILDING LINE: A line parallel to a street at a distance equal to the required front yard or at a greater distance when otherwise established by the Town of Groton or by the Town of Groton Planning Commission as part of an approved subdivision.

CAMA: A Computer Aided Mass Appraisal system used by the Groton Assessor to establish fair market value for all land and improvements within the Town of Groton. (New Eff: 2/16/01)

CAMPGROUND: A lot upon which two or more campsites are located, established or maintained for occupancy by the general public as temporary living quarters for recreation or vacation purposes.

CAMPSITE: A plot of land within a campground intended for the accommodation of one tent, recreation vehicle, or other individual camping unit on a temporary basis not to exceed 30 days in any 12 month period.

CERTIFICATION: A signed, written approval by the Planning Commission, its designated agent, or the New London County Soil and Water Conservation District, that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.

CHILD DAY CARE CENTER: A facility which offers or provides a program of supplementary care to more than twelve (12) related or unrelated children outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week, which is operated either as a for profit or nonprofit business, and meets all the requirements of the State of Connecticut Department of Health Services "Public Health Code Regulations for Child Day Care Centers and Group Day Care Homes", Sections 19a-79-1 through 19a-79-8 inclusive, and Connecticut General Statutes Sections 19a-77 through 19a-87 inclusive, as amended, and any other applicable regulations, statutes or ordinances. (New Eff: 10/31/89)

CLUB, LODGE OR ASSOCIATION: An association of persons which is the owner, lessee, or occupant of an establishment operated solely for a recreation, social, fraternal, religious, political, or athletic purpose whose activities are confined to the members and guests, are not extended to the general public, and include the establishment so operated; but does not include such clubs the chief activity of which is a service customarily carried on primarily for business or gain.

COMMISSION: The Zoning Commission of the Town of Groton.

COMMUNITY RESIDENTIAL COUNSELING FACILITY: A residential building or group of buildings in which counselors and staff members provide counseling, rehabilitation, evaluation and other supportive services to detoxified resident persons or their dependents seeking to arrest, reverse, or ameliorate the compulsive use of alcohol or drugs pursuant to an organized and structured program. This definition

shall not include community correction programs under the jurisdiction of the Department of Correction pursuant to Section 18-100 of the Connecticut General Statutes or court ordered treatment programs under Section 17a-653 to 17a-656 of the Connecticut General Statutes. (New Eff: 7/1/93)

CONGREGATE LIVING FACILITY: Housing designed for seniors, 55 years or older, who require little, if any, assistance with activities of daily living and who may have some home health care-type services provided to them by in-house staff or an outside agency, offering communal dining facilities and meal services and including, but not necessarily limited to, services such as housekeeping, organized social and recreational activities, and transportation services. (New Eff: 5/31/97; 12/10/2004)

COURT: An open space, other than a yard, on the same lot with a building, which space is bounded on three or more sides by the walls of such a building.

DAY SPA: A commercial establishment, which offers patrons multiple services such as personal hygiene, grooming, relaxation therapy, and hydro therapy, and licensed massage therapy as defined by Connecticut General Statutes, and which may offer incidental light nourishment or refreshment for patrons. (New Eff: 11/8/00)

DEVELOPMENT: Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. (Eff: 2/10/95)

DIRECTOR OF HEALTH: The duly appointed Director of Health of the Town of Groton or his deputy.

DISTURBED AREA: An area where ground cover is destroyed or removed, leaving the land subject to accelerated erosion.

DWELLING, ONE FAMILY: A detached building designated for or occupied by one family.

DWELLING, TWO FAMILY: A detached building designated for or occupied by two families living independently of each other.

DWELLING, MULTI-FAMILY: A dwelling or group of dwellings on one lot containing separate living units for three or more families having separate or joint entrances, services, or facilities.

DWELLING UNIT: A dwelling or part of a dwelling occupied or intended to be occupied by one family for residence purposes.

ELEVATED BUILDING: In A and A1-30 flood zones, a non-basement building built to have the top of the elevated floor located above the ground level by means of pilings, columns (i.e., posts or piers) or shear walls or by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

In V and V1-30 flood zones, a non-basement building built to have the bottom of the lowest horizontal structural member of the elevated floor located above the ground level by means of pilings, columns (i.e., posts or piers) or shear walls parallel to the flow of water and adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood; it includes a building otherwise meeting the definition of "elevated building" in the following sentence, even if the lower area is enclosed by means of breakaway walls, if such walls meet the standards of Section 6.6-7 C. of these regulations.

In all other locations, a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls. (Eff: 2/10/95)

EROSION: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

FAMILY: Any number of individuals related by blood, marriage, or adoption, living together as a single housekeeping unit. A group of not more than four persons keeping house together, but not necessarily related by blood or marriage, may also be considered a family. (Eff: 9/4/93)

FAMILY DAY CARE HOME: A facility which consists of a private family home caring for not more than six (6) children, including the provider's own children not in school full time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a twenty-four (24) hour period and where care is given on a regularly recurring basis. During the regular school year, a maximum of three (3) additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three (3) children who are in school full time, all of the provider's children shall be permitted. Said facility shall be considered to conform to this definition if it operates either as a for profit or nonprofit business, and meets all the requirements of the State of Connecticut Department of Human Resources "Statutes and Regulations for Family Day Care", Connecticut General Statutes Section 17-31q inclusive, as amended, and any other applicable regulations, statutes or ordinances. This definition shall be deemed not to represent an intensification of use of a property. (New Eff: 10/31/89)

FLOOD BOUNDARY AND FLOODWAY MAP: The official map on which the Federal Emergency Management Agency (FEMA) has delineated the boundaries of the floodway. (New Eff: 2/10/95)

FLOOD HAZARD AREA: The maximum area of the flood plain which is likely to be flooded by a 100 year flood, or any area for which mudslides can reasonably be anticipated.

FLOOD INSURANCE RATE MAP (FIRM): An official map on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazard and the risk premium zones. (New Eff: 2/10/95)

FLOOD INSURANCE STUDY (FIS): The official report from the Federal Emergency Management Agency (FEMA) which contains examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations. (New Eff: 2/10/95)

FLOOD, 100 YEAR: That level of flooding having a one percent probability of occurrence in any year. (Eff: 2/10/95)

FLOOD PLAIN AREA: The relatively flat area or low lands adjoining the channel of a river, stream, watercourse, canal, or any body of standing or tidal water, which has been or may be covered by flood water.

FLOODPROOFING: Any combination of structural and nonstructural additions, changes, or adjustments to properties and structures, primarily for the reduction or elimination of flood damage to lands, water, and sanitary facilities, structures, and contents of buildings.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FLOOR: The top surface of an enclosed area in a building (including basement), i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

FLOOR AREA: The floor area of a building shall be the sum of the gross horizontal areas of the several floors of that building measured from the interior faces of the exterior walls. Floor area shall include the area of basements when used for non-residential purposes but need not include a basement or portion of a basement used for storage or housing of mechanical or central heating equipment.

FLOOR AREA, PUBLIC: Includes the floor area of a building which is accessible to visitors, patrons or the general public and does not include those areas of the building used exclusively by employees of the establishment.

FLOOR AREA RATIO: The total floor area of a building or buildings divided by the area of the zoning lot on which it sits. (New Eff: 1/1/02)

FUNCTIONALLY DEPENDENT FACILITY: A facility which cannot be used for its intended purpose unless it is located in close proximity to water, such as docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales or service facilities.

FUNCTIONALLY DEPENDENT USE: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. (New Eff: 2/10/95)

GRADING: Any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

GROUP DAY CARE HOME: A facility which offers or provides a program of supplementary care to not less than seven (7) nor more than twelve (12) related or unrelated children on a regular basis for part of the twenty-four (24) hours in one or more days in the week, which is operated either as a for profit or nonprofit business, and meets all the requirements of the State of Connecticut Department of Health Services "Public Health Code Regulations for Child Day Care Centers and Group Day Care Homes", Sections 19a-79-1 through 19a-79-8 inclusive, and Connecticut General Statutes Sections 19a-77 through 19a-87 inclusive, as amended, and any other applicable regulations, statutes or ordinances. (New Eff: 10/31/89)

HAZARDOUS MATERIAL: Any substance, virgin or waste, which is hazardous under any federal law or regulation including Section 9002 of the RCRA, CERCLA, CFR 40 (Section 116.4), Federal Hazardous Substances Act, Toxic Substance Control Act, EPA Priority Pollutants List, State statute or regulation, and any material which has flammable, corrosive, reactive, toxic, or other physical, chemical, or infectious characteristics which poses an actual or potential hazard to water quality, human health, or environment if discharged.

HOME OCCUPATION: An accessory use which produces a good or service for financial gain, is conducted entirely within and/or from a principal dwelling, carried on by the residents thereof, and which use is incidental and subordinate to the residential use of the dwelling. (Eff: 6/1/91)

HOTEL/MOTEL: A building providing lodging for compensation for 12 or more persons with or without meals and/or kitchen facilities, and intended primarily for the accommodation of transients.

IMPERVIOUS COVER: The area of a building site or lot that is covered by materials that prevent the infiltration of surface water into the ground beneath. Such materials shall include roofs, paved driveways, concrete slabs, sealed-joint paving blocks or stones, and pools. Impervious cover shall be expressed in terms of square footage or acreage, and percentage of total site or lot area. (New Eff: 1/11/02)

KENNEL: Any lot on which 4 or more dogs or cats, six months old or older, are available for sale or boarded for compensation.

LARGE-SCALE CONFERENCE/ENTERTAINMENT FACILITIES: An indoor or outdoor land use attracting large numbers of both local and regional visitors for conference and/or entertainment purposes, including, but not limited to, business meetings, sporting events, concerts, family events and amusements, and trade shows. A large-scale conference facility is defined as having a minimum of 175 hotel rooms and/or greater than 20,000 square feet of meeting and exhibition space and could include meeting and exhibition rooms, guest rooms, suites, resort amenities, dining and food services, personal services for the occupants of the facility, and entertainment. A large-scale entertainment facility is defined as having a minimum seating capacity of 2,000 seats or capacity for 2,000 visitors during peak hours and could include arenas, amphitheaters, megatheaters, stadiums and ball parks, other sports facilities, and theme parks. (New Eff: 10/1/97)

LARGE-SCALE DESTINATION-ORIENTED COMMERCIAL: Single purpose/user commercial building, having a gross floor area of 100,000 square feet or greater, serving local and regional consumer needs. (New Eff: 10/1/92)

LOT: A plot or parcel of land occupied or capable of being occupied by one principal building and the accessory buildings or uses incidental to it including such open spaces as are required by these regulations. In the case of multi-family dwellings and public, institutional, commercial, or industrial buildings, a group of buildings under the same ownership may be considered as occupying the same lot.

LOT, CORNER: A lot at the intersection of and abutting on two or more streets where the angle of intersection is not more than 135 degrees or where the intersection is rounded by a curve having a radius of less than 100 feet.

LOT, INTERIOR: A lot other than a corner lot or through lot.

LOT, THROUGH: A lot other than a corner lot which abuts two or more streets which do not intersect at the lot.

LOT LINE: The established division line between lots or between a lot and a street.

LOT LINE, FRONT: All dividing lines between a street and the lot shall be considered front lot lines.

LOT LINE, REAR: The line bounding a lot at the rear and approximately parallel to and at the maximum distance from the front lot line.

LOT LINE, SIDE: The line or lines bounding a lot which extend from the street towards the rear in a direction approximately perpendicular to the street. In the case of corner lots, or through lots, all lines extending from streets shall be considered side lot lines.

LOT, MINIMUM WIDTH OF: The distance between the side lot lines measured in a straight line at right angles to the mean direction of such side lot lines, which line of measurement shall touch, but not be in front of, the building line. In the case of a corner lot, the minimum width shall be similarly measured and, for the purpose of this measurement only, the front lot line and the lot lines adjacent thereto shall be considered as side lot lines.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). (Eff: 2/10/95)

MANUFACTURED (MOBILE) HOME: A transportable single family dwelling unit in one or more sections which is suitable for year round habitation, and equipped with a means to connect to water, sanitary and electric facilities. A manufactured home shall include prefabricated, modular and/or unitized dwellings placed on permanent foundations and mobile homes which are dwelling units built on chassis. It shall not refer to travel trailers, campers, or similar units designed for recreation or other short term uses.

For the purpose of flood management regulations, a manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers and recreational vehicles placed on a site for 180 consecutive days or longer and intended to be improved property. This definition shall not include recreational vehicles placed on sites for fewer than 180 consecutive days and which are fully licensed and ready for highway use; a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions. A manufactured home park or subdivision means a parcel, or contiguous parcels, or land divided into two or more manufactured home lots for rent or sale. (Eff: 2/10/95)

MANUFACTURED HOME PARK OR SUBDIVISION (EXISTING): A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which such homes are to be affixed (including, at a minimum, the installation of utilities, construction of streets and either final site grading or the pouring of concrete pads) is completed before the effective date of the Flood Protection Regulations (i.e., April 15, 1977). (New Eff: 2/10/95)

MEAN SEA LEVEL: Means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

MOBILE HOME: See Manufactured (Mobile) Home definition . (Eff: 2/10/95)

MOBILE HOME PARK: See Manufactured (Mobile) Home definition. (Eff: 2/10/95)

NEW CONSTRUCTION: Within areas of special flood hazard and risk premium zones, any structure for which the start of construction commenced on or after the effective date of the initial Flood Insurance Rate Map (i.e., April 15, 1977), as well as any subsequent improvements to such structure. (New Eff: 2/10/95)

NON-CONFORMING BUILDING: A building, the use or construction of which does not conform to all the applicable provisions of these regulations.

NON-CONFORMING LOT: A parcel of land that does not meet the area or width requirements for the zoning district in which it is located.

NON-CONFORMING USE: A use of land, building, or premises which is not a use permitted by the provisions of these regulations for the district in which such land, building or premises are situated.

NURSING HOME: A chronic and convalescent nursing home, or a rest home with nursing supervision, as defined and licensed by the Connecticut State Department of Health.

OPEN SPACE: A space, not occupied by a building or other roofed structure, on the same lot as the principal building.

PREMISES: A lot as defined in this section.

PROFESSIONAL OFFICE: The office of a member of a recognized profession including doctors or physicians, dentists, optometrists, ministers, architects, engineers, lawyers, and other recognized professional occupations. The issuance of a

state or local license for regulation of any gainful occupation need not be deemed indicative of professional standing.

RECREATIONAL VEHICLE: A vehicular type unit with a maximum size of 400 square feet, primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or is drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home (self propelled). (Eff: 2/10/95)

RESIDENTIAL LIFE CARE COMMUNITIES: A service-enriched community comprised of a building or group of buildings located on one or more contiguous parcels of land containing dwelling units including such housing and facilities defined hereunder as congregate living facilities, assisted living facilities, and nursing homes, with or without licensed nursing or health care facilities, primarily for the aged. Said category of uses shall also contain meeting rooms, dining rooms and central kitchen, and recreation rooms or areas for the use of the residents of such facility and their guests appropriate to the facility. Any facility covered by this definition may also contain offices used for the management and operation of the facility as well as services such as, but not limited to, a general store, beauty shop, and laundry for the use of the residents of such facility. In addition, other individuals having permanent and/or temporary difficulties with one or more essential activities of daily living such as feeding, bathing, grooming, dressing or transport may also be housed in any of the housing options noted herein. Dwelling units are either multi-bedroom units or individual housing units. The units may be rented, leased, or purchased. (Eff: 5/31/97; 12/10/2004)

RESTAURANT, FAST-FOOD: Any establishment whose business involves the sale of pre-prepared or rapidly prepared foods, confections or beverages to the customer in a ready-to-consume state, and whose method of operation is such that customers normally order and obtain the product at a central location separate from the tables or counters used for consumption on site. This definition includes convenience stores which sell prepared food for on-site consumption. (New Eff: 12/16/88)

RESTAURANT, STANDARD: Any establishment whose business involves the sale of foods, confections or beverages to the customer in a ready-to-consume state, and whose method of operation is such that an employee normally takes the seated customer's order and serves the food or beverages at tables and/or counters located inside or outside the building. (New Eff: 12/16/88)

RESTAURANT, TAKE-OUT ONLY: Any establishment whose business involves the sale of foods, confections or beverages to the customer in a ready-to-consume state, and whose method of operation is such that customers normally order the product at

a central location and take the product off the site for consumption elsewhere. This definition includes convenience stores which sell prepared food for off-site consumption. (New Eff: 12/16/88)

ROOMING AND BOARDING HOUSE: Any dwelling in which at least 3 persons but less than 12 persons are housed or lodged for hire or otherwise without separate kitchen facilities, with or without meals. If 12 or more persons are housed or lodged, such building shall be considered a hotel or motel.

SEDIMENT: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site or origin by erosion.

SELF-SERVICE STORAGE FACILITY: Any real property designed and used for the renting or leasing of individual self-contained units of storage space to occupants who are to have access to such units for storing and removing personal property only, and not for residential purposes. (New Eff: 12/9/96)

SEWER SYSTEM, COMMUNITY TYPE: A sewer system operated by the Town of Groton and/or a political subdivision or a private central plant approved by the State of Connecticut for sewage treatment consisting of a primary and secondary treatment and the production of a substantially clear effluent. Community type sewer system cannot be interpreted to mean a septic tank and leaching field.

SIGN: Any letters, words, figures, symbols, trademarks, or any other graphic representation which advertises, calls attention to, or indicates any premise, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever, and painted, printed, or constructed and displayed in any manner whatsoever, for exterior observation.

SIGN AREA: The surface area of any sign is the entire area within a single continuous perimeter, enclosing the extreme limits of lettering, representations, emblems, or other figures, together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. Only one side of a double-faced sign shall be used in computing the total area of said double-faced sign, providing that the two surfaces are joined at an angle of no greater than 60 degrees. The area of a sign composed of characters or words attached directly to a large, uniform building wall surface shall be the smallest rectangle which encloses the whole group of said characters or words.

SIGN, ACCESSORY: Any sign, or any other advertising device that advertises, calls attention to, or indicates the person occupying the premises on which the sign is erected or the business transacted thereon, or advertises the property itself or any

part thereof, as for sale or to let, and which contains advertising matter pertaining to the business conducted on the premises only.

SIGN, BANNER: Any sign of fabric or similar material that is periodically mounted or affixed to a building or between poles, usually to advertise some special or sale event. (New Eff: 3/1/93)

SIGN, BULLETIN/MENU: Any sign attached to a building, other than a wall sign, for the purpose of advertising a menu, sale event, special of the day, or other information which may change from time to time. (New Eff: 3/1/93)

SIGN, DIRECTLY ILLUMINATED: Any sign designed to give forth any artificial light directly or through any transparent or translucent material from a source of light connected to such sign.

SIGN, FLAG (Advertising): Any sign of fabric, hung from a pole in the traditional manner of flags, for the express purpose of advertising or calling attention to a business. National, state or municipal flags shall not be included under this definition. (New Eff: 3/1/93)

SIGN, FREE-STANDING: Any sign erected or affixed to the land and any and every exterior sign that is not attached to a building.

SIGN, INDIRECTLY ILLUMINATED: A sign illuminated with a light so shielded that no direct rays therefrom are visible elsewhere than on the lot where said illumination occurs. If such shielding is defective, such sign shall be deemed a directly illuminated sign.

SIGN, NON-ACCESSORY: Any billboard, sign, or other advertising device that does not come within the foregoing definition of any accessory sign.

SIGN, PROJECTING: A sign which is attached to the wall or a building and which extends more than fifteen inches from the face of such wall, including a sign erected at the corner of a building.

SIGN, TEMPORARY: A banner, pennant, poster, or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard, or other like materials and intended to be displayed for a limited period of time.

SIGN, WALL: A sign which is attached to the wall or other plane surface of a building, with the face in a plane approximately parallel to such wall or surface, and not extending more than fifteen inches from such wall or surface.

SITE PLAN: An accurate, scale plan prepared by a registered architect, landscape architect or engineer, showing buildings and uses, parking, loading and circulation, open space and landscaping, signs and lighting, utilities and other existing and proposed features required in Section 8.4 of these regulations.

SOIL: Any unconsolidated mineral or organic material of any origin.

SOIL EROSION AND SEDIMENT CONTROL PLAN: A scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

START OF CONSTRUCTION: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, regardless of whether such alteration affects the external dimensions of such building. (Eff: 2/10/95)

STREET: A public way or a way opened to public use or other right-of-way giving access to the lot, but excluding an alley used for service access only. "Street" shall be deemed to include the entire width of the right-of-way.

STREET LINE: The line dividing the street and the lot.

SUBSTANTIAL IMPROVEMENT: Any combination of repairs, reconstruction, alteration or improvements to a structure taking place over a one (1) year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure using the cost approach to value method, prior to the start of the initial repair or improvements, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purpose of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the

external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places. (Eff: 2/10/95)

TELECOMMUNICATION FACILITY: Towers and/or antennae and accessory structures and equipment used in receiving or transmitting telecommunications or radio signals from a mobile communication source and transmitting those signals to another wireless site, and other communication source or receiver or to a central switching computer which connects the mobile unit with land based telephone lines. (New Eff: 4/15/97)

TELECOMMUNICATION TOWER: The structure designed to support equipment and antennae used to transmit and/or receive telecommunications or radio signals. Examples of such structures include, without limitation, freestanding towers, guy towers, monopoles, and lattice towers. (New Eff: 4/15/97)

UNDERGROUND STORAGE: Storage below ground level, but it shall not include storage in freestanding containers within a building or basement.

UNIVERSAL DESIGN FEATURES: Such housing features that are incorporated into the site and building design of Residential Life Care and Active Senior Housing communities, including lever door handles, minimum 36" wide interior/exterior doors, hallways, and stairs, deeper and shorter steps to allow for retrofitting ramps, non-slip flooring with level thresholds, grab bars at residential toilets and showers and seat or walk in access to showers, security wiring, personal alarm system connected to onsite management and/or off-site emergency alarm organization, Connecticut Building Code compliant bath/shower for accessibility, ability for living, sleeping, and eating to be accommodated on a single floor level, and garage door openers and access from garage directly to home if garage provided. (Eff: 12/10/2004; New Eff: 3/1/2005)

UTILITIES: Utilities shall include water, sewer, gas, electricity, telephone and television lines and cables.

VEHICLE: Shall include all automobiles, trucks, vans, camp trailers, house trailers, mobile homes, motorcycles, or any other motorized, wheeled vehicle designated or used for highway purposes and required to be registered by the State of Connecticut Motor Vehicle Department. (New Eff: 5/1/89)

WASTE HANDLING/REDUCTION FACILITIES: Facilities for the transfer and waste reduction of materials including: municipal solid waste, construction and demolition materials and bulky waste; composting including all aforementioned byproducts as well as sewer sludge; separation and remanufacturing of recyclables; educational and scientific facilities to further the retrieval methods and uses for the recyclables collected through the waste stream. (New Eff: 1/2/91)

WATER SYSTEM, COMMUNITY TYPE: A system operated by the Town of Groton or a political subdivision or a duly licensed water company.

YARD, FRONT: An open space between the building and the front lot line, extending the full width of the lot, or in the case of a corner lot, extending along all streets.

YARD, REAR: An open space between the building and the rear lot line, extending the full width of the lot.

YARD, SIDE: An open space between the building and a side lot line, extending from the front yard to the rear yard. Any yard not a rear yard or a front yard shall be deemed a side yard.

SECTION 3

ESTABLISHMENT OF ZONING DISTRICTS AND MAP

3.1 Classes of Districts

For the purpose of these regulations, the Town of Groton is divided into the following classes of districts:

Residential Districts

RS-20	Districts
RS-12	Districts
RS-8	Districts
R-20	Districts
R-12	Districts
RMF-16	Districts
RMF-12	Districts
RMF-8	Districts
RU-80	Districts
RU-40	Districts
RU-20	Districts

Commercial Districts

OMF	Districts
CA-40	Districts
CA-12	Districts
CB-40	Districts
CB-15	Districts
DDD	Districts
WF-20	Districts
WDD	Districts
NMDD	Districts

Industrial Districts

IA-40	Districts
IP-80A	Districts
IP-80B	Districts
IP-80C	Districts

3.2 Zoning Map (Eff: 5/1/99)

The boundaries of these districts are hereby established as shown on the map entitled Zoning, Town of Groton, Connecticut, and amendments thereto, which map and amendments are hereby declared to be part of these regulations.

3.3 Extent of Districts

It is the intent of these regulations that all areas of the Town of Groton, including all land and land under water areas, be included in the zoning districts established by these regulations.

3.4 District Boundaries

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts shown on the zoning map, the following rules shall apply:

- 3.4-1 Where district boundaries are within the right-of-way of a street, highway, railroad, brook, stream, or easement, the center lines of such rights-of-way shall be construed to be such district boundaries.
- 3.4-2 Where district boundaries are so indicated that they are approximately parallel to the right-of-way lines of streets, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map.
- 3.4-3 Where district boundaries are so indicated that they are approximately perpendicular to the center line or right-of-way lines of streets, such lines shall be construed as being perpendicular thereto.
- 3.4-4 Where district boundaries are indicated as approximately following lot lines of record at the time of adoption of these regulations, such lot lines shall be construed to be such boundaries. Where a question arises and no dimensions or official lot lines of record are shown, then the district boundaries shall be determined by the Zoning Official. An appeal may be taken to the Zoning Board of Appeals.
- 3.4-5 Where district boundaries are dimensioned on the zoning map, they shall be measured from the street or right-of-way line.

3.5 Lot Lying in More Than One District

In the case of a lot lying in more than one district, the provisions of the less restrictive district may be applied for a distance of not over 30 feet into a more restrictive district provided that such lot has frontage on a street in the less restrictive district and access to the lot will be from that street having frontage in the less restrictive area of the lot.

SECTION 4

GENERAL REGULATIONS

4.1 Application of Regulations

No land, building, or part thereof shall be constructed, reconstructed, extended, enlarged, moved, arranged, designed, intended to be used, or altered except in conformity with these regulations, and no lot shall be less in area or width nor have small yards, nor shall any building or buildings or part thereof occupy in the aggregate a greater percentage of the lot, nor shall any building be greater in height than as prescribed in the applicable section hereof, except as otherwise specifically provided in these regulations. No lot shall be diminished in area nor shall any yard or open space be reduced, except in conformity with these regulations.

4.2 Required Frontage and Access (Eff: 6/1/91)

No building shall be built on any lot unless it has frontage of at least 25 feet on a public street accepted by the Town of Groton, or in an approved subdivision, or unless it has an unobstructed easement for access or private right-of-way of at least 25 feet wide to a public street accepted by the Town of Groton or in an approved subdivision. Such accessway shall not exceed a length of 400 feet, at which point the lot must meet the lot width requirements of the zone that the lot is located in. The area of this accessway shall not be included in the minimum lot area requirements associated with the lot being served. Each accessway shall provide access for one lot. The maximum number of adjoining accessways shall not exceed two. In those instances where two rear lots are being serviced by two separate accessways, a common driveway may be provided anywhere within these access areas. In addition, when two rear lots are being served and accessways are adjoining, these accessways may be reduced to a 20 foot width for each lot being served.

4.3 Open Spaces Required for Each Building

Except as specifically provided herein, no part of any yard or other open space required around any building may be included as part of a yard or other open space required for any other building.

4.4 Height Limitation

The building height limit shall be applied separately for each wing or other distinct portion of the building. Spires, cupolas, towers (other than telecommunication towers), chimneys, flagpoles, penthouses, ventilators, tanks, and similar features occupying in the aggregate not more than 10% of the building area and not used for human occupancy may be erected to a reasonable and necessary height as determined by the Commission. Telecommunication towers may be erected to the minimum height necessary as specified in Section 7.1-41 E. of the regulations. (Eff: 4/15/97)

Water storage tanks, owned and operated by a water supply company, may be erected to a reasonable and necessary height as determined by the Zoning Commission. In making such a determination, the Commission shall consider the need for and location of the proposed water storage tank. (Eff: 12/16/94)

4.5 Projection Into Open Space

Nothing in these regulations shall prohibit the projection of not more than one foot into a required open space of pilasters, columns, belt courses, sills, cornices, or other similar architectural features, nor the planting or landscaping of such open spaces.

4.6 Front Yards (New Eff: 5/1/98)

In the case of newly-created subdivision lots fronting on existing streets less than 50 feet in width, the required front yard shall be increased by one-half the difference between 50 feet and the actual width of the street where at the time of subdivision, the Planning Commission determines that the additional setback will be more in keeping with the character of the neighborhood or that the road the lot is fronting on may be widened in the future.

Where lots fronting on the same street have been improved with buildings having a front yard setback less than required by these regulations, new buildings may be constructed to a front setback line which is the average of the improved lots along that same street, if determined by the Zoning Official to be consistent with the established street rhythm and orientation of buildings on that street.

4.7 Lots Adjacent to a Railroad

In the case of a side or rear lot line in a commercial or industrial district which is contiguous to the right-of-way of railroad siding, the applicable yard shall not be required for any commercial or industrial use.

4.8 Existing Lots

The provisions of these regulations relative to required lot area and required lot width shall not prevent the construction of an otherwise permitted building or the establishment of an otherwise permitted use on a lot which, at the time of the adoption of these regulations, or of any pertinent amendment thereto, and continuously thereafter, was owned separately from any adjoining lot, as evidenced by deed recorded in the Land Records of the Town of Groton, provided that any reduction in the required front, side, or rear yards shall have been approved by the Zoning Board of Appeals.

4.9 Floor Area of Dwelling (Eff: 6/1/91)

All indoor calculations dealing with minimum floor area shall be guided by applicable building code and health code requirements, as determined by the Building Official.

4.10 Accessory Buildings

Detached accessory buildings not more than 14 feet in height and not used for human habitation or for the housing of animals may be located in the required side or rear yard, provided that they are located not less than 60 feet from any street line and not less than 6 feet from any side or rear yard line and provided further that they occupy in the aggregate not more than 20% of the area of the required rear yard.

4.11 More Than One Principal Building On A Lot (Eff: 5/31/97)

No lot in any residential district, except lots containing multi-family or townhouse dwellings in the RMF zone, Town of Groton services, or institutional services such as elementary and secondary schools, child day care centers, adult day care, residential life care communities, colleges and universities, shall contain more than one principal building, unless otherwise authorized in these regulations.

4.12 Storage of Unregistered Vehicles and/or Waste Material (New Eff: 5/1/89)

- 4.12-1 Temporary storage of unregistered vehicles shall be allowed in residential zones as follows:

In RS and R zones, one unregistered vehicle may be stored outside and in RU zones, two unregistered vehicles may be stored outside. Storage of these unregistered vehicles must be in the side or rear yard and shall not be visible from the street.

All such storage must be temporary and such vehicles must be capable of and intended to be placed in running condition and registered in six (6) months time.

In CA, CB, and IA zones, storage of unregistered vehicles shall be an accessory use to businesses having the appropriate Department of Motor Vehicles license only.

- 4.12-2 Except as provided above, no waste or scrap material, debris, motor vehicles which are partially or wholly dismantled, motor vehicle parts, abandoned machinery, junk or similar unsightly material shall be stored or allowed to accumulate in any open space or outside a completely enclosed building on any lot in any district other than as may be permitted in an industrial district. This provision shall not apply to the temporary storage of waste material from a construction operation being legally executed on the same premises.

4.13 Dispensing of Fuel: Pumps and Canopies (New Eff: 10/1/89)

- 4.13-1 All pumps or other devices for the dispensing of fuel shall be located not less than 19 feet from any lot line.

- 4.13-2 All canopies which are erected over pumps or other devices used or to be used for the dispensing of fuel shall be located not less than 10 feet from a front lot line. Canopies shall be designed and located such that there are no resulting conflicts with circulation on or through the site.

4.14 Party Wall Agreement

In all commercial and industrial districts, by agreement of the owners of two adjacent lots, duly recorded in the Land Records of the Town of Groton, one

side yard or each lot may be omitted and buildings built on the common lot line, provided that the party or other walls separating them are of masonry construction. Except in the case of a building on the lot line, no side yard may be less in width than as prescribed in this section.

4.15 Zero Lot Line (Eff: 6/1/91)

Zero lot line lots for attached and detached dwellings may be created in all residential zones, by agreement of the owners of the affected adjacent lots duly recorded in the Land Records of the Town of Groton, provided each lot contains the minimum lot area per dwelling unit required in the applicable zone, and complies with all other lot, yard and building requirements. Where detached dwellings are involved, each individual lot shall be vacant and abut another vacant lot to which side the zero lot line is being created.

SECTION 5

DISTRICT REGULATIONS

5.1 Permitted Uses

5.1-1 General

Land, water, and buildings may be used only for the purposes set forth in the Table of Permitted Uses and only within those districts specified in the said table of permitted uses. As used in the table, the following symbols mean:

- X - the use is permitted as a matter of right, subject to applicable district regulations.
- C - the use is permitted in the designated district but subject to both applicable district regulations and the special conditions set forth in Section 7.1.
- A - the use is permitted only as an accessory use in the designated district.

In the absence of any of the above symbols, the use is prohibited in the subject district.

The last column with the heading "cond." identifies the specific subsection which contains the conditions applicable to uses designated "C".

In addition to the Table of Permitted Uses, Section 8.4-2 Coastal Site Plan Review and Section 6.12 Water Resource Protection District should be consulted to ensure compliance with these regulations.

5.1-2 Interpretation

In the interpretation of the following Table of Permitted Uses, where a use is not specifically listed in the table, its status under this section shall be determined by the Zoning Official, by reference to that listed use, if any, which is so like the use in question in purpose, function, character, and effect as to be substantially similar to said listed use.

5.1-3 Table of Permitted Uses

To facilitate use of the table, all uses are organized by the following major categories:

<u>CATEGORY</u>	<u>SHEET NUMBER</u>
Residential	1
Signs	1
Agricultural & Resource Activities	1
Services:	
Cultural, Entertainment & Recreation	2
Financial, Business & Government	3
Personal, Repair & Construction	4
Professional, Educational & Other Institutional Services	5
Retail Trade:	
Personal	6
Household, Building & Motor Vehicles	7
Wholesale Trade	8
Transportation, Communication & Utilities	8
Industrial: (Refer to Section 5.14 for notations)	
Food & Kindred Products	9
Textile Mill Products	9
Apparel & Other Fabricated Textile Products	9
Lumber & Wood Products	9
Furniture & Fixtures	10
Paper, Printing, Publishing & Allied Industries	10
Chemicals, Drugs, Plastics & Allied Products	10
Stone, Clay & Glass Products	10
Fabricated Metal Products	11
Professional Scientific & Controlling Instruments	11
Miscellaneous	12

5.1-3 TABLE OF PERMITTED USES

PERMITTED USES	RESIDENTIAL DISTRICTS				COMMERCIAL DISTRICTS					INDUSTRIAL DISTRICTS				SECTION
	RS	R	RMF	RU	OMF	CA	CB	DD	WF	IA	IPA	IPB	IPC	
RESIDENTIAL														
One Family Dwelling	X	X	C	X	X	X	X		X				C	7.1-20
Two Family Dwelling		X	C	C	X	X	X		X				C	7.1-20
Multi-Family Dwelling			C		C	C		C	C					7.1-16
Boarding and Rooming House			C	X	X	X	X		X					7.1-20
Hotel or Motel					X	X	X	X		X	C	C		7.1-31
Executive Hotel/Motel Suites					C	C	C	C		C	C	C		7.1-28
Mobile Home Parks (existing)	C	C	C	C	C	C	C	C	C	C	C	C	C	7.1-15
Residential Life Care Communities	C	C	C	C	C	C		C			C	C	C	7.1-1
Caretaker/Security Service Dwelling	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	A	AC	AC	7.1-30
Accessory Apartments	AC	AC	AC	AC	AC	AC	AC		AC				AC	7.1-34
Community Residential Counseling Facility			C		C	C	C	C						7.1-37
Active Senior Housing	C	C	C	C	C	C							C	7.1-45
SIGNS														
Accessory	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	7.3
Non-Accessory						C	C	C		C				7.3
AGRICULTURAL AND RESOURCE ACTIVITIES														
Commercial Farm or Nursery	C	C	C	C	C	C	C	C		C	C	C	C	7.1-9
Filling or Extraction of Earth Products	C	C	C	C	C	C	C	C	C	C	C	C	C	7.1-10

5.1-3 TABLE OF PERMITTED USES

PERMITTED USES	RESIDENTIAL DISTRICTS				COMMERCIAL DISTRICTS				INDUSTRIAL DISTRICTS				SECTION
	RS	R	RMF	RU	OMF	CA	CB	DD	WF	IA	IPA	IPB	IPC
RETAIL TRADE - PERSONAL													
Apparel and Accessories						X	X	X					
Art and Hobby Supplies						X	X	X					
Bakery						X	X	X					
Books and Stationery						X	X	X					
Cameras and Photo Supplies						X	X	X					
Confectionery						X	X	X					
Dairy Products						X	X	X					
Drive Through Facilities						AC	AC	AC	AC	AC	AC	AC	7.1-36
Drug Store						X	X	X					
Drug Store Pick-Up Windows/Facilities						AC	AC	AC					7.1-44
Florist						X	X	X					
Fruit, Vegetables, and Other Farm Products						X	X	X					
Gifts, Novelties, and Souvenirs						X	X	X					
Grocery Store or Delicatessen						X	X	X					
Jewelry						X	X	X					
Large-Scale Destination-Oriented Commercial						X	X				X		
Liquor Store						X	X	X					
Luggage and Leather Goods						X	X	X					
Meat, Fish, and Poultry						X	X	X					
Music and Musical Instruments						X	X	X					
Newspapers and Magazines						X	X	X					
Optical Goods						X	X	X					
Restaurant					A*	X	X	X			C		7.1-40
Tobacconist						X	X	X					
Toys, Sporting Goods, and Bicycles						X	X	X					
*Accessory to Hotel/Motel Only													

5.1-3 TABLE OF PERMITTED USES

PERMITTED USES	RESIDENTIAL DISTRICTS				COMMERCIAL DISTRICTS					INDUSTRIAL DISTRICTS				SECTION
	RS	R	RMF	RU	OMF	CA	CB	DD	WF	IA	IPA	IPB	IPC	
WHOLESALE TRADE														
Assembly and Packaging of Medical Products											X	X	X	
Junk, Salvage, or Scrap Yard														7.1-13
Screen Printing/ Embroidery of Clothing											X	X	X	
Warehousing											X	X	X	
Wholesale with Indoor Storage Only											X	X	X	
Wholesale with Outdoor Storage											X			
TRANSPORTATION, COMMUNICATIONS, AND UTILITIES														
Airport														
Automobile Parking	A	A	A	A	A	A	A	A	A	A	A	A	A	
Bus Garage and Maintenance							X			X				
Bus Passenger Station							X	X	X					
Commercial Broadcasting Antennae				X						X	X	X	X	
Electric Transformer Substation	C	C	C	C	X	X	X	X	X	X	X	X	X	7.1-22
Motor Freight Terminal							X			X				
Moving and Storage Uses							X				X	X	X	
Radio and Television Broadcasting Studios				X	X	X	X	X	X	X	X	X	X	
Railroad Freight Station										X	X	X	X	
Railroad Passenger Station	X	X	X	X	X	X	X	X	X	X	X	X	X	
Solid Waste Disposal Facility - Town				X								X		
Telecommunication Towers				C	C	C	C	C	C	C	C	C	C	7.1-41
Telecommunication Antennae and Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	7.1-41
Telephone Exchange Station	C	C	C	C	X	X	X	X	X	X	X	X	X	7.1-22
Waste Handling/Reduction Facilities										C		C		7.1-33
Water Storage Tanks	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water and Sewer Pumping Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water and Sewer Treatment Plants	X	X	X	X	X	X	X	X	X	X	X	X	X	

5.1-3 TABLE OF PERMITTED USES

PERMITTED USES	RESIDENTIAL DISTRICTS					COMMERCIAL DISTRICTS					INDUSTRIAL DISTRICTS				
	RS	R	RMF	RU	OMF	CA	CB	DD	WF	IA	IPA	IPB	IPC	SECTION	
INDUSTRIAL - FOOD AND KINDRED PRODUCTS ^(A)															
Bakery Products										X	X	X			
Beverage										X	X	X			
Canning and Preservation of Fruit, Vegetables, and Seafood										X	X	X			
Confectionery										X	X	X			
Dairy Products										X	X	X			
Grain Products Excluding Milling										X	X	X			
Macaroni and Noodles										X	X	X			
Meat Products										X	X	X			
Roasting Coffee										X	X	X			
INDUSTRIAL - TEXTILE MILL PRODUCTS ^(B)															
Dyeing and Finishing of Textiles										X		X			
Felt Goods										X		X			
Knit Goods										X		X			
Rugs and Carpets										X		X			
Woven Fabrics										X		X			
Yarns and Threads										X		X			
INDUSTRIAL - APPAREL AND OTHER FABRICATED TEXTILE PRODUCTS ^(C)										X	X	X			
INDUSTRIAL - LUMBER AND WOOD															
Millwork, Veneer, Plywood, and Related										X					
Sawmills and Planing Mills										X					
Wooden Containers										X					

5.1-4 Industrial Notations

Unless indicated specifically, permitted industrial uses include manufacturing, compounding, processing, assembling, packaging, treatment and fabrication activities necessary to produce the product listed.

The following notations apply to specific industrial categories as indicated in the Permitted Use Table:

- Sheet 9: (A) Food & Kindred Products - Excluding the milling of grains; the rendering, reduction, or refining of animal or marine fats and oils; the distillation of bones; the manufacture or sauerkraut, vinegar, and yeast; and the slaughtering of animals.
- Sheet 9: (B) Textile Mill Products - Excluding the manufacture of artificial leather, oil cloth, and the coating or impregnating or fabrics.
- Sheet 9: (C) Apparel & Other Fabricated Textile Products - Made from fabrics, leather, and similar materials and excluding leather tanning and finishing.
- Sheet 10: (D) Chemicals, Drugs, Plastics & Allied Products - Excluding the rendering, reduction, or refining of animal or marine fats and oils; the distillation of bones; the manufacture of corrosive, poisonous, or malodorous acids and chemicals; the refining of petroleum; and the manufacture of glue, gelatin, printing ink, carbon black, and explosives other than small arms ammunition.
- Sheet 11: (E) Fabricated Metal Products - Excluding the use of drop hammers and punch presses of over 10 tons rated capacity.

5.1-5 Industrial Uses - General Provisions

- A. If the primary use (80%+) of the building floor area is for warehousing, storage, or distribution, the allowed building coverage shall be 50%.

- B. Any permitted wholesale or industrial use may use 20% or less of the building floor area for display/sales to the general public of goods stored or manufactured on the premises.

5.2 LOT, YARD AND BUILDING REQUIREMENTS BY ZONING DISTRICT								
Zoning Districts	Minimum Lot			Minimum Yards ⁽⁵⁾			Maximum Building	
	Area (Sq. Ft.)	Width (Feet)	Area Per Dwelling Unit (Sq. Ft.)	Front (Feet)	Side (Each) (Feet)	Rear (Feet)	Coverage (%) ⁽¹¹⁾	Height (Feet)
Residential								
RS-20	20,000	100	20,000	30	20	30	15	30
RS-12	12,000	80	12,000	30	12	30	20	30
RS-8	8,000	60	8,000	25	6	25	25	30
R-20	20,000	100	15,000	30	20	30	15	30
R-12	12,000	80	7,500	30	12	30	20	30
RMF-16	120,000	200	2,700	50	20	30	20	3 stories/40 ⁽¹⁾
RMF-12	80,000	200	3,600	50	20	30	20	3 stories/40 ⁽¹⁾
RMF-8	40,000	150	5,500	40	20	30	20	3 stories/40 ⁽¹⁾
RU-80	80,000	200	60,000	50	25	30	10 ⁽¹⁰⁾	30
RU-40	40,000	150	30,000	50	25	30	15	30
RU-20	20,000	100	15,000	30	20	30	15	30
Commercial								
OMF ⁽⁶⁾	20,000	100	4,000/6,500	50	20	30	20	30/40
CA-40	40,000	200	30,000	75	30 ⁽⁴⁾	30	15	6 stories/75 ⁽⁹⁾
CA-12	12,000	80	7,500	30	12 ⁽⁴⁾	30	25	6 stories/75 ⁽⁹⁾
CB-40	40,000	200	30,000	75	30 ⁽⁴⁾	30	15	6 stories/75 ⁽⁹⁾
CB-15	15,000	100	10,000	50	30 ⁽⁴⁾	30	30	6 stories/75 ⁽⁹⁾
DDD ⁽⁷⁾	40,000	N/A	N/A	20/75	30	30	N/A	N/A
WF-20	20,000	100	15,000	40	20	30	65	30
WDD ⁽⁸⁾	8,000	60	4,000	10	10	10	65	25/40
Industrial								
IA-40	40,000	150	N/A	40	30	30	40	40
IP-80A	80,000	200	N/A	50	30	30	40	110
IP ⁽²⁾	80,000	200	N/A	50	30	30	40	85 ⁽³⁾

Notations for Lot, Yard and Building Requirements Table (Eff: 7/1/91)

- (1) Option - Building height can be increased to 65 feet, provided the minimum lot area is 120,000 square feet. Any building exceeding 40 feet in height shall be set back from its front, side and rear lot lines an additional two feet for each foot in height over 40 feet.
- (2) Includes IP-80B and IP-80C districts. (Eff: 11/1/01)
- (3) 40 feet in IP-80C district; the building shall be setback from its front, side and rear lot lines one additional foot for each foot in height over 30 feet. In the IP-80B district, the building shall be set back from the lot lines that abut a residential zone one additional foot for each foot in height over 40 feet. (Eff: 9/1/99; Eff: 12/1/03)
- (4) Refer to Section 4.14.
- (5) Refer to Section 6.8.
- (6) Refer to Section 6.1.
- (7) Refer to Section 6.2.
- (8) Refer to Section 6.3.
- (9) Whichever is less. The building shall be set back from its front, side and rear lot line one additional foot for each foot in height over 40 feet.
- (10) Coverage may be increased to 20% for permitted and specially permitted non-residential uses on lots of 5 acres or more. (New Eff: 2/1/95)
- (11) Maximum building coverage for any lot approved pursuant to the Manufactured Home Subdivision regulation (former Section 6.9 repealed on April 3, 1991) shall be 25%. (New Eff: 9/1/98)

SECTION 6

SPECIAL DISTRICTS AND REGULATIONS

The following zoning districts and regulations are unique in comparison to other classes of districts in the Town of Groton in terms of development objectives and requirements. Office-Multi Family Districts, Downtown Development Districts, Waterfront Design Districts, Open Space Subdivisions, Residential Performance Standards, Flood Protection Regulations, Residential Multi-Family Districts, Coastal Resource Setback, Nautilus Memorial Design Districts, Erosion and Sediment Control Plans, and Water Resource Protection Districts are subject to all provisions of these zoning regulations except as specifically provided for in this section.

6.1 Office-Multi Family Districts

6.1-1 Purpose

- A. The Office-Multi Family (OMF) district is intended to provide an orderly transition between single-family residential areas and more intensive commercial development along arterial roads.
- B. The OMF district is intended to preserve the existing character of the area from the standpoint of intensity of use and physical appearance while protecting property values.
- C. The permitted office, multi-family and other noted uses are intended to minimize traffic generation and to protect low density residential areas from retail and other commercial infringement. (Eff: 2/1/92)

6.1-2 Design Objectives

The architectural design, scale and mass of buildings including, among other elements, the exterior building material, roofline, and building elevations, shall be of such character as to harmonize and be compatible within the district so as to protect the property values in the neighborhood and to preserve and improve the appearance of the area. Furthermore, the preservation, conversion, or expansion of existing residential buildings shall be encouraged in proposals for new development.

6.1-3 Permitted Uses

- A. Uses permitted in Office-Multi Family districts shall be in accordance with Section 5 of these regulations. One and two family dwellings shall conform to the requirements of the R-12 district.
- B. Office and/or residential uses may be permitted in existing buildings on lots of less than 20,000 sq. ft. and 100 foot width in existence at the time of adoption of this amendment.

6.1-4 Minimum Lot Requirements

- A. For all office and similar uses, the lot shall have a minimum area of 20,000 sq. ft., a minimum lot width of 100 feet, and front on an arterial road. Office and similar uses having a lot area less than 20,000 sq. ft. and 100 foot width may be permitted as a conditional use in accordance with Sections 7.1-24 and 8.4.
- B. For multi-family dwellings, the lot shall have a minimum area of 40,000 sq. ft. and a minimum lot width of 150 feet. Except as provided in Section 6.1-8, the minimum lot area per dwelling unit shall be 6,500 sq. ft.
- C. Any lot created in an OMF zone shall contain a minimum of 20,000 sq. ft. and a minimum lot width of 100 feet.

6.1-5 Minimum Yard Requirements

- A. Front yard - minimum of 50 feet
- B. Side yard - minimum of 20 feet each
- C. Rear yard - minimum of 30 feet

6.1-6 Maximum Building Requirements

- A. The maximum coverage of all buildings on the lot shall not exceed 20%.

- B. No building shall exceed a height of 2 stories or 30 feet, whichever is less, except when the proposed building is more than 150 feet from a residential structure in an R, RU or RS zone. In these instances, the proposed building shall not exceed a height of 3 stories or 40 feet, whichever is less.

6.1-7 Additional Requirements for Multi-Family Dwellings

Multi-family dwellings shall also be subject to the conditions set forth in Section 6.7-6 of these regulations.

6.1-8 Multi-Family Options

It is in the public interest to encourage higher standards of development and the provision of amenities for multi-family residents. As part of site plan review, the Planning Commission may reduce the minimum lot area per dwelling unit up to a maximum of 2,500 sq. ft. (from 6,500 sq. ft. to 4,000 sq. ft. per unit) if the applicant chooses to provide one or more options listed below.

OPTION	MAXIMUM REDUCTION IN LOT AREA PER DWELLING UNIT
A. Consolidation of two or more parcels existing prior to adoption of these regulations having an aggregate area of at least 80,000 sq. ft. and an aggregate width of at least 200 feet.	1,000 sq. ft.
B. Provide for individual ownership of each dwelling unit with an interest in common areas and facilities either through condominium or cooperative ownership.	1,000 sq. ft.
C. Provide for masonry construction of all exterior and common walls.	500 sq. ft.

OPTION	MAXIMUM REDUCTION IN LOT AREA PER DWELLING UNIT
D. Provide for enclosed, covered or underground parking space for at least 50% of the units.	500 sq. ft.
E. Provide a landscaped earthen berm to screen parking spaces from eye-level view from public streets. (The size or number of berms is not important compared to achieving the desired effect, i.e. careful siting of buildings and extra landscape materials in combination with the berm.)	500 sq. ft.
F. Provide an in-ground swimming pool having a minimum water surface area of 600 sq. ft. or 20 sq. ft. per dwelling unit, whichever is greater, and a minimum capacity of 25,000 gallons.	250 sq. ft.
G. Provide a regulation tennis court for every 20 dwelling units enclosed by a fence at least 8 feet in height.	250 sq. ft.
H. Provide an enclosed private patio having a minimum area of 400 sq. ft. and suitably landscaped with trees, shrubs and decorative stone and other materials for each dwelling unit.	250 sq. ft.
I. Provide a private balcony having a minimum area of 50 sq. ft. for each dwelling unit.	250 sq. ft.

6.2 Downtown Development District

6.2-1 Purpose

The area defined as the Downtown Development District (DDD) is the central business district of Groton. It is identified as a special district unlike any other in Town because the regulations in this district are specifically intended to encourage a concentration of commercial development with special attention paid to public amenities. This district is seen as the Town center and development within the district should be of a quality and character appropriate for the business and cultural focus of Town.

Development in the DDD should attempt to meet the following goals:

- Continue to develop the downtown area as the Town's retail, office, governmental, and cultural center.
- Encourage the breakdown of large expanses of parking lots with appropriate building placement and landscaping.
- Encourage relief of traffic along Route 1 by promoting a reduction of curb cuts and an increase in the number of connections between properties.
- Promote a pleasant pedestrian environment with increased landscaping, more effective pedestrian connections between buildings, and outdoor amenities.
- Maintain a sense of the natural beauty of the Groton area through the extension of landscaping into the DDD and the preservation of natural features surrounding the downtown.

6.2-2 Permitted Uses

Uses permitted in the DDD shall be in accordance with Section 5 of these regulations.

6.2-3 Minimum Lot Area and Width

No land in the DDD shall be subdivided so that any lot shall be less in area than 40,000 sq. ft. The Planning Commission may approve the development of any lot with less area or dimensions which existed in separate ownership at the effective date of this section, and continuously thereafter, provided the Planning Commission finds that the proposed development and its site plan are compatible with the purposes of the DDD.

6.2-4 Minimum Front Yards

Each lot in the DDD shall have a front yard not less than 20 feet in depth, except along Route 1 where the setback requirement is 75 feet. The setback along Route 1 can be reduced to no less than 30 feet if the Planning Commission finds that a lesser dimension can best carry out the objectives of the DDD.

6.2-5 Minimum Side and Rear Yards

Each lot in the DDD shall have side and rear yards not less than 30 feet in width or depth, provided that the Planning Commission may approve a site plan with a side or rear yard with a lesser dimension where it finds that the site plans of two adjacent lots can best carry out the objectives of the DDD by placing buildings in closer proximity than otherwise permitted.

No two buildings on such adjacent lots shall be less than 20 feet apart except where they are immediately adjacent to each other, with adjacent walls of masonry construction or where they are built to a common party wall of masonry construction.

6.2-6 Building Height

There is no height restriction on buildings in the DDD.

6.2-7 Building Coverage

There is no restriction on the maximum area that a building can cover in the DDD.

6.2-8 Parking Standards

For office uses, the requirement for parking area shall be one space for each 300 sq. ft. of gross floor area. For retail and other commercial uses, the requirement shall be one space for each 250 sq. ft. of gross floor area. Parking requirements for other allowed uses shall be as per Section 7.2-3.

6.2-9 Downtown Flexibility Standards

To allow additional flexibility within the area zoned DDD, the following standards are hereby established to be used in conjunction with the special permit procedure. The purpose of the special permit is to allow additional flexibility within the DDD so that an improved image and greater opportunity for economic growth and development is possible. In addition to the criteria listed below, all special permit uses shall be evaluated on the basis of the objectives listed in Section 8.3-8 of these regulations.

- A. The parking for a proposed development may be reduced up to 10% of the total required parking if it is found that the proposed use, location of the site, and the related facilities, existing or proposed by the applicant, will result in the generation of pedestrian, bicycle and mass transit trips in sufficient volume to warrant the parking reduction.
- B. In addition to the parking reduction granted under item A above, a further reduction of 10% of the total required parking shall be granted for those uses which provide parking as an integral part of their structure. In order to qualify for this further reduction, a minimum of 30% of the total required parking shall be provided within the parking structure. This includes parking areas located below a building, on the rooftop, or within a parking structure attached to a building. The designs of such parking structures will be carefully reviewed by the Planning Commission to ensure that they are in keeping with the objectives of the DDD in promoting a pleasant pedestrian environment.

6.2-10 Utilities

Utilities required to serve uses permitted in the DDD shall be placed underground.

6.2-11 Auto Related Uses (New Eff: 1/2/93)

Automobile related uses are permitted in the DDD as identified in Section 5.1-3 Table of Permitted Uses. If possible, automobile access into buildings shall be positioned so as not to be visible from the public way. Evergreen screening, decorative fencing and/or a combination thereof shall be provided around the perimeter of the site so as to minimize any objectionable impacts from this type of use. No outdoor storage of automobiles, equipment, supplies, parts, etc. is allowed.

6.3 Waterfront Design District

6.3-1 Purpose

The purpose of this district is to allow development within the designated Waterfront Design District (WDD) which will protect and enhance the unique qualities of the Mystic area while providing a mixture of residential, commercial, and office uses that serve the needs of area residents

6.3-2 Design Objectives

All development within the WDD must be consistent with the following objectives:

- A. The direction of development will be in keeping with the Town's Plan of Development.
- B. A viable commercial, residential, and cultural area which serves the needs of the residents of the immediate Mystic area must be maintained.
- C. In recognition of the attraction the area holds for tourists, a limited degree of commercial development should be provided to accommodate this tourist market; however, this should be secondary to the area's primary role of providing the services to its residents.
- D. To insure that high intensity and bulk uses do not encroach into the surrounding residential districts.
- E. The establishment of a coordinated pattern of land uses which allows safe access and movement of pedestrians, bicycles, and vehicles throughout the WDD is desired.
- F. Structural rehabilitation, wherever feasible, will be encouraged in order to preserve and enhance the historic and diverse qualities of the Mystic area.
- G. Architectural and site design which promote aesthetic qualities while sustaining and enhancing the unique qualities of the Mystic area will be encouraged.

- H. A circulation pattern and related facilities within the WDD, such as sidewalks, benches, and bike racks, which will give priority to pedestrian movement and bicycle travel, should be provided.
- I. The Mystic River is the most vital element within the WDD and as such must be given primary consideration in any proposed development. To this end, special consideration must be given to the area of the water and land interface; the preservation and creation of views from public and other areas to the water, and the preservation and integrity of the existing river bank. Pedestrian access to the river's edge should be encouraged from Main Street south to the railroad bridge.

6.3-3 Permitted Uses

Any residential, office, or commercial use or mix of same which is consistent with the purpose and objectives of the WDD and which is not detrimental to the unique character of the area is permitted in the WDD. Any use to be located in a new structure or any use located in an existing structure that is either an intensification of the use of that structure or will alter the exterior of the structure shall be subject to the approval of a special permit and site plan approval by the Planning Commission or administrative site plan approval, whichever is appropriate. Intensification of use shall be defined as additional residential units, additional employment, additional clients or customers, additional floor space for sales and services, or additional required parking than existed prior to application for a special permit. (Eff: 10/1/92)

6.3-4 Building and Development Standards

- A. The maximum height of any structure within the WDD shall not exceed 25 feet except for every 10% reduction of allowed overage, an additional 5 feet of height will be permitted up to a maximum of 40 feet.
- B. In no case shall new construction at the foundation line be located less than 25 feet from the Mystic River at mean water level elevation.

- C. In no case shall new construction be located within 10 feet of any property line unless a party line agreement has been properly executed and recorded.
- D. In no case shall building coverage exceed 65% of the lot area.
- E. Multi-family residential units shall be limited to efficiency and one or two bedrooms, and density of new multi-family housing shall be one unit per 4,000 sq. ft. of land area.
- F. A Certificate of Appropriateness shall be obtained as required by the Historic District Commission regulations prior to the start of construction and issuance of a building permit.
- G. Where the Planning Commission deems it feasible, it may approve a site plan for a use which does not have direct access from a Town approved road, provided that adequate and safe pedestrian access is provided.
- H. The Planning Commission may waive any of the requirements of off-street parking where it is demonstrated that existing parking facilities are available and adequate only in accordance with the provisions of Section 7.2-5 and may waive any of the site design standard requirements of the Waterfront Design District for any use where such waiver would be consistent with the intent of these regulations.
- I. Any lot created in a Waterfront Design District zone after the effective date of this paragraph shall conform to the requirements of an RS-8 zone as listed in Section 5.2 except as noted above.
- J. Any applicant for a special permit shall demonstrate how the proposed site plan achieves the objective of provision of pedestrian access to the riverfront and preserves visual access where feasible and appropriate.

6.4 Open Space Subdivisions (Eff: 6/1/91)

6.4-1 Purpose

Development under this provision is optional and is intended to promote imaginative, well designed subdivisions which preserve open space, respect the physical qualities of the land, and reduce the overall development costs of a subdivision. The Planning Commission shall approve a residential Open Space Subdivision in the RS, R and RU districts, provided the following conditions are met:

6.4-2 Land Area

The minimum land area required for an Open Space Subdivision shall be 10 acres.

6.4-3 Permitted Dwelling Units

The total number of dwelling units permitted in the Open Space Subdivision shall be determined by dividing the total land area of the site minus the 20% open space requirement by the minimum lot area required for the applicable zoning district in Section 5.2.

6.4-4 Permitted Uses

In RS districts, only single family detached homes shall be permitted. Duplex units are permitted in R and RU districts where lot area is provided as required below. Mobile homes having as their narrowest dimension less than 22-feet wide shall be permitted in Open Space Subdivisions. No more than 50% of all homes in an Open Space Subdivision shall be mobile homes having as their narrowest dimension less than 22-feet wide.

6.4-5 Minimum Lot Area

In an Open Space Subdivision, the minimum lot area per dwelling and the minimum useable lot area exclusive of wetlands, and slope in excess of 15%, shall be determined by the applicable zoning districts as follows:

<u>Zoning Districts</u>	<u>Minimum Lot Area (sq. ft.) Single Family Unit</u>	<u>Minimum Lot Area (sq. ft.) Two Family Unit</u>	<u>Minimum Useable Lot Area (sq. ft.) Per Dwelling Unit</u>
RS-20	10,000	Not Permitted	5,000
RS-12	7,500	Not Permitted	4,000
RS-8	7,500	Not Permitted	4,000
R-20	10,000	15,000	5,000
R-12	7,500	12,000	4,000
RU-80	40,000	60,000	10,000
RU-40	20,000	30,000	10,000
RU-20	10,000	15,000	5,000

No development of land under this section shall take place unless the land is in fact subdivided into lots with each structure having a separate lot described on an approved subdivision plan.

6.4-6 Dimensional Requirements

- A. Front yards shall be staggered to provide a maximum variety in the size of such yards. The minimum average of all front yards in the Open Space Subdivision shall be 25 feet, however no front yard of any lot shall be less than 18 feet.
- B. Side yards shall be a minimum of 10 feet each.
- C. Rear yards shall be a minimum of 30 feet.
- D. Lot frontage shall be provided pursuant to Section 4.2 of these regulations.
- E. There is a minimum 50' lot width requirement in Open Space Subdivisions.

6.4-7 Open Space Lands

At least 20% of the gross area of the Open Space Subdivision shall be designated as common open space.

The plan shall provide for open space lands in a location deemed suitable by the Planning Commission as per the Town of Groton Subdivision Regulations.

6.4-8 Utilities

Community type water systems, designed to provide adequate water flows and approved by the water utility and fire chief, and community type sewer systems meeting the requirements and specifications of the Public Works Department shall be available and must be used.

6.4-9 Design Requirements

In addition to the site plan objectives set forth in Section 8.4-5, an Open Space Subdivision shall comply with the following specific design requirements:

- A. Within the subdivision, a variety of architectural styles shall be encouraged.
- B. Adequate foundation plantings shall be provided on each lot.
- C. Shade trees, in accordance with the specifications of Section 7.4-3 shall be provided along all streets.
- D. Driveways shall be covered with a surface of crushed stone or equal material compacted to a depth of 4 inches.
- E. Mobile homes constructed in an Open Space Subdivision shall be placed on a 6" thick reinforced concrete pad and anchored with tie downs.
- F. A minimum of 25% of all mobile homes, having as their narrowest dimension less than 22 feet, shall have their longest dimension facing the street.
- G. Mobile homes, having as their narrowest dimension less than 22 feet, shall comply with the following design standards:
 - 1. The main roof shall have sloping lines with a minimum of a 1:6 slope.

2. The main roof shall appear to be shingled.
3. The exterior wall covering materials shall look like wood and/or masonry regardless of the actual composition.
4. If a solid concrete or masonry perimeter foundation is not used, exterior wall covering material shall extend to the ground.

6.5 Residential Performance Standards

6.5-1 Purpose

In order to avoid situations that may result in the creation of public health problems, the minimum lot sizes and minimum lot area per dwelling unit within RU and RS districts shall be determined on the basis of ability of the soil to accommodate on-site sewage disposal systems according to the following conditions and criteria:

6.5-2 Exceptions

Where public sewers are completed, under construction, or authorized for construction, or where capped sewers are installed to serve a lot, the minimum lot areas shall be as stated in the standards required by these regulations for that specific zoning district.

6.5-3 Developed Parcels

Where a parcel of land or portion thereof has been developed or a building permit has been issued for construction in accordance with the zoning regulations, prior to the effective date of Section 6.5, the conditions of 6.5-2 shall apply to the developed parcel or developed portion thereof. However, nothing shall prevent the application of all other provisions of this section in the event of the expansion of structures on a previously developed parcel or portion thereof, if said expansion creates another dwelling unit.

6.5-4 Minimum Lot Area

Where no public sewers are constructed, under construction, or authorized for construction, minimum lot area shall be based on and related to soil percolation rate tests conducted by a qualified individual in a manner acceptable to the Director of Health or his agent. Actual lot areas shall be determined as follows:

Percolation Rate (Minutes/Inch)	Minimum Lot Area (sq. ft.)	Minimum Lot Area Per Dwelling Unit (sq. ft.)
0-10	20,000	15,000
11-20	30,000	25,000
21-30	40,000	30,000
31-60	80,000	60,000

NOTE: No lot shall have a lot area less than required by the applicable zoning district.

6.5-5 Unfavorable Site Conditions

However, where soil, topography, groundwater, or ledgerock conditions indicate unfavorable conditions for on-site sewage disposal not correctable to the satisfaction of the Director of Health or his agent, the minimum lot area indicated in Section 6.5-4 shall be increased to the next larger lot size. Unfavorable conditions are defined as follows:

- A. Ledgerock within 7 feet of the ground surface.
- B. Groundwater within 4 1/2 feet of the ground surface during the spring of the year (January 30th to May 30th).
- C. Impervious soil or hardpan within 4 1/2 feet of the ground surface.
- D. Ground slope in excess of 10%.
- E. Any combination of the above or any other natural or man-made features which could create long-term public health problems.

6.6 Flood Protection Regulations (Eff: 2/10/95)

6.6-1 Purpose

The purpose of this section is to apply special regulations to the use of the land in the flood plains of all rivers, streams, and bodies of water in the Town which have or tend to have flooded or overflowed their banks. These special regulations are designed to: a) prevent or minimize loss of life, injuries, property damage, and other losses, both private and public; b) to promote the health, public safety and general welfare of the people; and c) to help control and minimize the extent of floods and reduce the depth and violence of flooding. The provisions of this section shall apply in any zoning district which is located within a flood hazard area, floodway, or coastal high hazard zone. Permitted uses are allowed, provided they meet the following additional requirements, and/or those of the Connecticut State Building Code dealing with construction in floodplains and coastal high hazard areas, whichever is more restrictive.

6.6-2 Identification of Areas

Flood Hazard Areas include all special flood hazard areas designated as zones A, A1-30, V1-30 on the Town of Groton Flood Insurance Rate Map (FIRM), dated August 15, 1984 as may be amended, on file with the Town Clerk, Planning Office and Building Official. These maps as well as the accompanying Town of Groton Flood Insurance Study and Flood Boundary and Floodway Map are incorporated herein by reference.

6.6-3 Flood Hazard Areas

In all special flood hazard areas (for all unnumbered and numbered A and V zones), the following provisions shall apply.

- A. Proposed development shall be reviewed to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1344.

- B. All proposed developments greater than 50 lots or 5 acres, whichever is less, shall include within such proposals base flood elevation data.
- C. Permits shall be required for all new construction, substantial improvements (including the placement of manufactured homes), and other development and shall 1) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure; 2) be constructed with materials and utility equipment resistant to flood damage; and 3) be constructed by methods and practices that minimize flood damage.
- D. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system; and
- E. 1) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters; and 2) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- F. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- G. Within the A and A1-30 zones, new construction or substantial improvements that include fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:

1. a minimum of two openings having a total area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
2. the bottom of all openings shall be no higher than one foot above grade;
3. openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

6.6-4 Flood Hazard Areas - A Zones

In all special flood hazard areas designated as A zones, the following shall additionally apply:

- A. In unnumbered A zones, the Zoning Official shall obtain, review, and reasonably utilize any base flood elevation data and floodway data available from a Federal, State, or other source as criteria for requiring that 1) all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood level; and 2) all new construction and substantial improvements of non-residential structures have the lowest floor (including basement) elevated or floodproofed to or above the base flood elevation.

The Town may request floodway data of an applicant for watercourses without FEMA-published waterways. When such data is provided by an applicant, or whenever such data is available from any other source (whether or not in response to the Town's request), the Town shall adopt a regulatory floodway based on the principal that the floodway must be able to convey the waters of the base flood, without increasing the water surface elevation more than one (1) foot at any point along the watercourse.

- B. For the purpose of the determination of applicable flood insurance risk premium rates, 1) the applicant shall provide the as built elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures and whether or not such structures

contain a basement; 2) the applicant shall obtain, if the structure has been floodproofed, the as built elevation (in relation to mean sea level) to which the structure was floodproofed; and 3) a record of all such information shall be maintained with the Building Official.

- C. In riverine situations, the applicant shall notify adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse and submit copies of such notification to the Federal Insurance Administrator.
- D. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- E. All manufactured homes shall be elevated to or above the base flood elevation, or to 36 inches above grade (whichever is lower). In addition, such homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that 1) over-the-top ties be provided at each of four corners of the manufactured home, with two additional ties per side at intermediate locations and manufactured homes less than 50 feet long requiring one additional tie per side; 2) frame ties be provided at each corner of the home with five additional ties per side at intermediate points and manufactured homes less than 50 feet long requiring four additional ties per side; 3) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and 4) any additions to the manufactured home be similarly anchored.

Recreational vehicles meeting the definition of manufactured homes shall meet all the general standards of Section 6.6-3.

- F. An evacuation plan indicating alternate vehicular access and escape routes shall be filed with appropriate Disaster Preparedness Authorities for manufactured home parks and manufactured home subdivisions located in A zones.

6.6-5 Flood Hazard Areas - A1-30

In all special flood hazard areas designated as zones A1-30, the following additionally shall apply:

- A. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood level.
- B. All new construction and substantial improvements of non-residential structures 1) have the lowest floor (including basement) elevated or floodproofed to or above the base flood elevation; or 2) together with attendant utility and sanitary facilities, be designed so that below base flood level the structure is water-tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- C. Where floodproofing is utilized for a particular structure in accordance with this section, a Connecticut registered professional engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the base flood, and a record of such certificate indicating the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the Building Official.
- D. New manufactured home parks and manufactured home subdivisions, or expansions to existing manufactured home parks and manufactured home subdivisions, or existing manufactured home parks and manufactured home subdivisions where the repair, reconstruction, or improvement of the street, utilities, and pads equals or exceeds 50% of the value of the streets, utilities, and pads before the repair, reconstruction or improvement has commenced, and for manufactured home placement not in existing manufactured home parks and subdivisions, then 1) stands or lots shall be elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be at or above the base flood level; 2) adequate surface drainage and access for a

hauler shall be provided; and 3) in the instance of elevation on pilings, lots shall be large enough to permit steps, piling foundations shall be placed in stable soil no more than 10 feet apart, and reinforcement shall be provided for pilings more than 6 feet above the ground level.

All other manufactured homes to be placed or substantially improved within an existing manufactured home park or subdivision shall be elevated so that either the lowest floor of the home is at or above the base flood elevation, or the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

6.6-6 Floodway

In the designated floodway, the following shall additionally apply:

- A. Encroachments, including fill, new construction, substantial improvements, and other development (when combined with all other existing and anticipated development) that would result in any increase in flood levels within the community during the occurrence of the base flood discharge shall be prohibited.
- B. The placement of any manufactured home, except in an existing manufactured home park or manufactured home subdivision, shall be prohibited.

6.6-7 Coastal High Hazard Zones

In the coastal high hazard zones V1-30, the following provisions shall additionally apply:

- A. The applicant shall provide the elevation, in relation to mean sea level, of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures, regardless of whether such structures contain a basement. A record of all such information shall be maintained with the Zoning Official.

B. All new construction shall be located landward of the reach of mean high tide.

C. 1) All new construction and substantial improvements shall be elevated on adequately anchored pilings or columns, and securely anchored to such piles or columns so that the lowest portion of the structural members of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level, 2) a registered professional engineer or architect shall certify that the structure is securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash, and 3) the space beneath the lowest floor shall be free of obstruction, or be constructed with a non-supporting breakaway wall, lattice work or mesh screening provided it is not part of the structural support of the building and is designed so as to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building on which it is to be used and provided the following design specifications are met:

Design safe loading resistance of each wall shall not be less than 10 nor more than 20 pounds per square foot; or if more than 20 pounds per square foot, a registered professional engineer or architect shall certify that the design wall collapse would result from a water load less than that which would occur during the base flood event, and the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components during the base flood event. Maximum wind and water loading values to be used in this determination shall each have one percent (1%) chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

D. No use of fill for structural support of buildings shall be permitted.

E. The placement of manufactured homes, except in existing manufactured home parks and manufactured home subdivisions, is prohibited. Placement of manufactured homes in existing manufactured home parks and manufactured home

subdivisions shall meet the standards in Section 6.6-4 E. of these regulations.

- F. Man-made alteration of sand dunes which would increase potential flood damage is prohibited.

6.6-8 Specific Situation Variances

- A. Buildings on an Historic Register - Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places provided the proposed reconstruction, rehabilitation or restoration will not result in the structure losing its historical character.
- B. Functional Dependent Uses - Variances may be issued for new construction and substantial improvement and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, create no additional threat to public safety, and meet the following requirements:
 - 1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and design of the building.
 - 2. Variances shall only be issued upon 1) a showing of good and sufficient cause, 2) a determination that failure to grant the variance would result in exceptional hardship, and 3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

3. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as \$25 for \$100 of insurance coverage. The Town shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

6.7 Residential Multi-Family (RMF) (New Eff: 7/1/91)

6.7-1 Purpose and Definition

The purpose of the RMF district is to encourage and guide the development of multi-family projects within the Town where necessary utilities and transportation improvements are in place. The variation of RMF-8, 12, and 16 are to be applied to those areas which are best suited for this type and scale of development.

6.7-2 Design Objectives

The architectural design, scale and mass of buildings including, among other elements, the exterior building material, roof line and building elevation shall be of such character as to harmonize and be compatible, so as to protect the property values in the neighborhood and to preserve and improve the appearance of the area. Where appropriate and applicable, individual treatment of areas is encouraged, whereby each unit is accented architecturally to indicate its individuality.

6.7-3 Permitted Uses

Multi-family dwellings limited to residential use including elevator buildings, garden apartments, townhouses, row houses or any other group housing projects, including executive hotel/motel suites, are subject to all of the above and below noted requirements and conditions.

6.7-4 Minimum Lot Requirements

Refer to Section 5.2 "Lot, Yard and Building Requirements by Zoning District."

6.7-5 Minimum Yard Requirements

Refer to Section 5.2 "Lot, Yard and Building Requirements by Zoning District." Where detached dwellings are constructed, the minimum yard requirements for RS-20 zones shall apply.

6.7-6 Building and Site Requirements

In addition to the requirements noted in Section 5.2 entitled "Lot, Yard and Building Requirements by Zoning District," for RMF-8, 12, and 16, the following additional requirements shall also apply:

- A. Multi-family dwellings without individual basements will be provided with individual dead storage areas of at least 100 square feet per dwelling unit, and indoor laundry facilities, both of which will be accessible from within the building without the need to go outdoors.
- B. All dwelling units shall have at least one balcony or patio, which shall afford relative privacy by architectural articulation or in the case of patios, by fencing and planting. The minimum size of these areas is 30 square feet.
- C. No exterior wall shall extend more than 100 feet on the same architectural plane. Articulation of entry ways, balconies, roofs, window areas and exterior walls, architectural forms, materials and textures are encouraged. In the case of townhouse units, this architectural plane should not extend more than 50 feet and articulation of individual units is encouraged.
- D. Required front, side and rear yard shall be applied to a residential building or group of residential buildings. On newly created roads for internal traffic circulation, all residential buildings shall be set back at least 20 feet from the edge of pavement. All accessory structures, attached or detached, i.e., sheds, carports, garages, patios, fences and pools, shall be set back at least 10 feet from the edge of pavement.
- E. The minimum distance between residential buildings on the same site shall be at least 35 feet. The minimum distance between any attached or detached accessory structures shall be at least 10 feet. The minimum distance between any residential building and any detached accessory structure shall be at least 10 feet. For buildings over 40 feet in height, these distances shall be increased one foot for each foot of additional building height.

- F. No building footprint (including overhang) shall exceed the bounds of an imaginary circle with a radius of 110 feet.
- G. The developer shall provide a total recreation area of not less than 7% of the total lot area or 5000 square feet, whichever is greater. The recreation area shall be centrally located and shall be graded, provided with topsoil, seeded with perennial grass and suitable recreation equipment and facilities shall be installed.
- H. No parking space shall be permitted within 5 feet of any building or internal road. The area between the parking space and the building or internal road shall be appropriately landscaped.
- I. Public sewer and water systems must be available and used. Multi-family dwellings must be connected to systems before a certificate of occupancy can be issued.
- J. Utilities shall be placed underground. Television antennas shall be limited to the community type and not more than a single T.V. antenna shall be provided for each building.
- K. Outdoor clothes drying areas and rubbish areas shall be fenced and screened from view from all streets by planting of dense shrubbery or a screen type fence.
- L. During site plan review, pursuant to Section 8.4-1 of these regulations, the Planning Commission may authorize a reduction in the requirements of Section 6.7-6 upon a finding, or findings, that such reduction of any of these conditions:
 - 1. will provide a more suitable use of the site with regard to topography of the site in relation to the placement of buildings,
 - 2. provide an increase in useable open space or provide an increase in the area allocated for recreational use,
 - 3. will not result in any adverse affect on the aesthetic quality of the use,

4. will be consistent with the intent of these regulations.
5. will result in the development of a residential life care community meeting the purpose and intent of Section 7.1-1. or an Active Senior Housing Community meeting the purpose and intent of Section 7.1-45. (Eff: 5/31/97; New Eff: 3/1/05)

6.8 Coastal Resource Setback

The following shall apply to all lots within the designated Coastal Area Boundary as adopted:

No new building construction, including minor additions to or modifications of existing buildings or detached accessory buildings, such as garages, utility sheds, pools, tennis courts, or parking lots shall be permitted within 50 feet of any of the following Coastal Resource Areas: coastal waters, tidal wetlands, coastal bluffs, escarpments, beaches or dunes, as defined by Chapter 444, Section 22a-93 of the Connecticut General Statutes and as shown on a map entitled "Coastal Area Management Resource Map". This section shall not apply to Section 6.3-4 B - Waterfront Design District or to water-dependent uses as defined by Chapter 444, Section 22a-93 of the Connecticut General Statutes.

NOTE: Section 6.9 Manufactured Home Subdivision (MHS) has been deleted, effective June 1, 1991.

6.10 Nautilus Memorial Design District

6.10-1 Purpose

The purpose of this district is to permit and control development within the designated design district which will protect and enhance the primary entryway to the Nautilus Memorial, to service tourist-related and Navy needs and to provide protection to adjacent residential areas. Development within this district is subject to the approval of a special permit as noted in Section 8.3 and the following provisions.

6.10-2 Design Objectives

All development within the Nautilus Memorial Design District (NMDD) shall be consistent with the following objectives:

- A. To insure the creation of a high quality tourist service area and to provide an area for those commercial and other activities that service the needs of visitors to the Nautilus Memorial and Submarine Base as well as other area attractions.
- B. To insure that high intensity and bulk uses do not encroach into and/or adversely impact surrounding residential districts.
- C. To encourage assemblage of small parcels into larger units of land.
- D. To encourage uses and architectural and site designs which improve the existing environment of the area and highlight the uniqueness of the Nautilus Memorial and Submarine Base Museum.
- E. To create a viable tourist commercial, service and residential area which serves the needs of visitors to the Nautilus Memorial, personnel associated with the Submarine Base and adjacent residential areas.

- F. To establish a coordinated pattern of land uses which allows safe access and movement of pedestrians, bicycles and vehicles to, from and throughout the NMDD and to limit possible access to the properties from Crystal Lake Road only.
- G. To encourage architectural and site design which promotes aesthetic qualities while sustaining and enhancing the unique qualities associated with the Nautilus Memorial and the Submarine Base.
- H. To provide circulation patterns and related facilities within and adjacent to the NMDD such as walkways, benches, bike tracks, which will give priority to pedestrian movement and travel.
- I. The Thames River is a vital element within the NMDD and as such must be given primary consideration in any proposed development. To this end, special consideration must be given to the area of the water and land interface, preservation and creation of use from public and other areas to the water, and the preservation and integrity of an existing river bank. Pedestrian access to the river's edge, where possible, should be encouraged from the Nautilus Memorial and Military Highway to the Gold Star Bridge.

6.10-3 Permitted Uses

Tourist commercial uses, uses to service the Navy base and/or their personnel, and residential uses or mix of same which are consistent with the purpose and objectives of the NMDD, and which are not detrimental to the unique character of the area, are permitted in the district. Any use to be located in a new structure or any use located in an existing structure that is either an intensification of the use of that structure and/or parcel, or will alter the exterior of the structure, shall be subject to the approval of a special permit. Intensification of use shall be defined as additional residential units, additional employment, additional clients or customers, additional floor space for sales and services, or additional required parking from that which existed prior to the application for a special permit.

Examples of the types of uses that could be considered in the district for tourist commercial include hotel/motels, restaurants, convention/meeting facilities, photo services, etc. Uses that could be considered to serve the Navy base and personnel include banking/credit services, library, associations, personal services, day care facilities, etc. The examples listed above should not be construed to mean that said uses will be allowed in the district as a matter of right nor should it be interpreted that uses not listed could not be considered in a special permit application. (Eff: 10/31/89)

Residential uses are allowed in the NMDD as provided for in Section 6.7 entitled "Residential Multi-Family" at a density consistent with the RMF-12 zone. The RMF district must be complied with unless they are superseded by provisions of the NMDD with respect to additional and/or more stringent requirements. It is envisioned that residential uses within the NMDD will be situated so as to provide a transition/buffer area between proposed tourist commercial and service uses and adjacent residential zones. (Eff: 7/1/91)

Uses specifically not allowed in the NMDD include drive-up window facilities, outdoor storage of equipment, cars and other vehicles, and automobile related facilities such as muffler shops, car repair facilities, etc. Said prohibition does not apply to the dispensing of gasoline.

Uses that are not allowed in the NMDD, but which existed before the establishment of the NMDD, are allowed to expand within their original lot, subject to the approval of a special permit and site plan approval of the Planning Commission or administrative site plan approval, whichever is appropriate, and the following conditions:

- A. The proposed expansion shall not exceed an increase of more than 50% of the area dedicated to the prohibited use at the time of the effective date of this regulation amendment.
- B. The applicant shall demonstrate that the proposed expansion is in conformance with the purpose and objectives as stated in Sections 6.10-1 and 6.10-2.
- C. All other requirements contained in Section 6.10-4 of these regulations must be met by the proposed expansion applied for under this provision. (Eff: 10/1/94)

In granting or denying approval for a specific proposed use or mix of uses, the Zoning Commission shall evaluate the proposal's conformance with the purpose and objectives as stated in Sections 6.10-1 and 6.10-2.

6.10-4 Building and Development Standards

- A. Access to existing and future parcels of land shall be from Crystal Lake Road only. Access to Military Highway, Route 12, North Pleasant Valley Road and the residential areas of Bailey Hill will not be allowed unless they are the only access points possible and/or the Planning Commission determines that such access is needed for safety reasons.
- B. Access points between various properties and/or uses shall be provided so as to allow vehicle and/or pedestrian circulation. Common access points onto Crystal Lake Road shall be provided so as to limit the number of curb cuts onto Crystal Lake Road.
- C. The lot, yard and building requirements of new lots created in the NMDD shall be as follows:
 - Lot area - 200,000 sq. ft.
 - Lot width - 300 feet
 - Minimum front yard - 50 feet
 - Minimum side yard - 30 feet each
 - Minimum rear yard - 30 feet
 - Maximum building coverage - 40%
 - Maximum building height - 40 feet
- D. The Planning Commission may approve the development of any lot with less area or dimensions as noted above which existed in separate ownership at the effective date of this section and continuously thereafter provided the Commission finds that the proposed development and its site plan are compatible with the purposes of the NMDD and conform to the following requirements where possible:

Lot area - 40,000 sq. ft.
Lot width - 150 feet
Minimum front yard - 50 feet
Minimum side yard - 30 feet each
Minimum rear yard - 30 feet
Maximum building coverage - 40%
Maximum building height - 30 feet

6.11 Erosion and Sediment (E&S) Control Plan

Whenever plans for the proposed development show that it will result in the disturbance of more than one-half acre of land, the applicant will submit with the site plan an erosion and sediment control plan that presents, in mapped and narrative form, the measures to be taken to control erosion and sedimentation both during and after construction. The E&S plan shall be based on "Connecticut Guidelines for Soil Erosion and Sediment Control", available from the Council on Soil and Water Conservation of the Connecticut Department of Environmental Protection.

Exemption: Construction of a single family dwelling that is not part of a subdivision of land shall be exempt.

6.11-1 The E&S Control Plan shall include the following:

- A. A description of the project and construction activities and a schedule of the major activities to be conducted on the land, including the sequence of major improvements phases such as clearing, grading, paving, installation of drainage features, utilities and the like to ensure that erosion and stormwater controls are in place prior to any land disturbance such as site grading, roadway, and building construction. (Eff: 5/1/03)
- B. Location of areas to be regraded, disturbed, or stripped of vegetation, contour data indicating existing and proposed grades, and location of wetlands and watercourses.
- C. Location, design and timing of temporary and final soil erosion and sediment control measures, such as, but not limited to, phasing of construction, haybale dikes, sediment fence, diversions, waterways, stabilization structures, sediment and debris basins, seeding, sodding, revegetation plans, and specifications for all unprotected or unvegetated areas and the like.
- D. The design criteria used in the design of control measures.
- E. A description of procedures to be followed to maintain sediment control measures. The plan shall consider and follow the format and outline as described in Chapter 4, Requirements for Soil Erosion and Sediment Control Plans, of

the "Connecticut Guidelines for Soil Erosion and Sediment Control" (January 1985 as revised).

- 6.11-2 After review of the E&S Control Plan by the Commission or its designee, the Commission shall vote to certify that the plan is in compliance with these regulations. (A vote of the Commission to approve a site plan shall imply certification of the E&S plan as well).
- 6.11-3 The Commission, through its members, agents or consultants shall periodically inspect construction projects for which site plans have been approved to verify that E&S controls are consistent with the certified plan.
- 6.11-4 The bond required for site plan improvements shall also cover the costs of E&S control measures prescribed by the E&S plan.

6.12 Water Resource Protection District

6.12-1 Statement of Intent

Creation of this district is deemed essential to protect water supply sources in the Town and is promulgated under Public Act 85-279. As groundwaters and surface waters have been shown to be easily, and in many cases, irrevocably contaminated by many common land uses, it is imperative that all reasonable controls over land use, waste disposal and material storage be exercised. This district is designed to protect the following existing and future water supply resources: extensive stratified drift aquifers, surface water reservoirs, and areas in which groundwater is the sole source for water supply.

6.12-2 Establishment of District (Eff: 5/1/99)

The Water Resource Protection District is herein established as an overlay district. The boundaries of this district are those shown on the map entitled Zoning, Town of Groton, Connecticut on file with the Town Clerk and Zoning Enforcement Officer. The district includes all land over and upgradient of the water supply resources as defined by the watershed drainage boundaries.

Where the bounds of this district are in doubt or dispute, the burden of proof shall be upon the owners of the land in questions to show where they should be located. Such proof shall be in the form of a map, prepared by a professional engineer or land surveyor, at a scale of 1"=40', with 2-foot contours, showing the existing district boundary and that proposed.

6.12-3 Non-Permitted/Regulated Uses (Eff: 12/1/93)

Within this district, the requirements of the underlying districts continue to apply, except that the following uses are prohibited/regulated, even where the underlying district requirements are more permissive.

- A. Any industrial, commercial, or other use in which the manufacture, use, storage, transport, process or disposal of hazardous materials or waste is a principal activity.

- B. Sanitary landfill, septage lagoon, wastewater treatment facility for municipal or industrial wastes.
- C. Road salt storage.
- D. Junkyard, salvage yard, truck terminal.
- E. Automotive service operations: fuel stations, auto service stations, body shops, rustproofing, and auto sales dealerships.
- F. Engine repair and machine shops.
- G. Dry cleaners, printers, furniture strippers, photo processors and photo labs. Screen printing/embroidery of clothing is permitted subject to the following conditions:
 - 1. A zero discharge/closed loop system shall be employed.
 - 2. There shall be no production discharge to sanitary sewer, on-site septic or groundwater/surface water.
 - 3. Periodic inspections to insure compliance with the purpose of the Water Resource Protection District shall be permitted.
 - 4. The applicant must demonstrate the method and technology used for the removal of all wastes and fluids used in the production process. (New Eff: 6/1/94)
- H. Dental offices, beauty salons, car washes, science, research or medical laboratories, unless public sewer and water are available.
- I. Medical offices which do not perform laboratory, x-ray, or other services which result in the production of chemical wastes and kennel facilities may be permitted in unsewered areas by special permit subject to the following conditions: (Eff: 6/1/94)
 - 1. Septic tank installations shall be designed with provisions for sampling at the outlet baffle.

2. Applicant shall provide verification that septic system is serviced by a waste hauler.
3. Floor drains, excluding those only accepting animal waste, which discharge to the ground, septic systems, storm sewers or to any surface water body are prohibited. Floor drains may discharge to a holding tank which is periodically pumped out. Floor drains only accepting animal waste shall first discharge into a settling tank prior to release into a septic system.
4. Floor surfaces in work areas and chemical storage areas shall be sealed with an impermeable material resistant to acids, caustics, solvents, oils or any other substance which may be used or generated at the facility.
5. Wastewater, other than domestic sewage, shall be disposed of using best management practices.

In addition, kennel facilities shall be subject to the following conditions:

6. Dipping is prohibited.
7. Outside runs shall be roofed and not allowed in flood zones.
8. Swales or drains shall be required to direct stormwater away from runs.
9. A list of chemicals and cleaning agents to be used shall be provided and approved.
10. Pesticides, pesticide-laden disinfectants, and products containing aromatic hydrocarbons, coal tar, and organic phosphates shall not be used or stored on the site.

6.12-4 Lot and Parking Coverage, Buffers and Setbacks (Eff: 5/1/03)

Within the district, the following additional lot requirements shall apply except for 1 and 2 family residential lots which are excluded.

In the instances where the underlying zone requirements are different, the more stringent shall apply.

- A. Total lot coverage, which shall include all impervious surfaces, shall not exceed 70% of total lot area. Within this overall requirement, the total minimum parking area required by any provisions of Section 7.2 shall determine the maximum amount of impervious parking area allowed. Excess parking beyond the minimum requirement established shall be constructed of a pervious material, deemed acceptable by the Planning Commission/Planning Department, subject to underlying soil permeability, level of ground water, lot slope, and maintenance needs of the project (e.g. sweeping and washing). In no case shall the parking requirement permit the impervious coverage calculation to exceed the 70% maximum. (Eff: 5/1/03)
- B. A minimum of 20% of total lot area shall be retained in its natural state with no more than minor removal of existing trees and vegetation. Areas within this 20% minimum that should not be disturbed include 100-year flood plains and slopes in excess of 25 percent. Existing natural vegetation may be required to be retained to satisfy landscaping and lot buffer requirements of Section 7.4 and meet the intent of the Water Resource Protection District. This 20% minimum lot area requirement may be excluded, if in the subdivision approval process, the 20% was included in addition to the 10% reserved open space or conservation area. On those sites where previous land disturbance has occurred, this 20% shall be restored and revegetated in keeping with the intent of this regulation. (Eff: 5/1/03)
- C. A minimum 50 foot buffer shall be maintained between watercourses and directly adjacent streambelt wetlands and the developed land area. In those areas where extreme irregularity exists along these resource boundaries, the buffer may be varied within the intent of the regulation subject to Planning Commission approval. This buffer is not required for lot access where alternative access is not feasible.

If it is determined that the proposed use may pose a threat to water quality, this buffer may be expanded to achieve the

intent of these regulations. This expansion may be based on the subject site's soil type and permeability, topography, depth to groundwater, proposed waste water disposal method or other physical characteristics of the site. (Eff: 4/1/98, 5/1/03)

6.12-5 Other Requirements and Restrictions

The following requirements and restrictions shall apply:

- A. Underground storage of hazardous materials is not allowed. Replacement of existing underground storage tanks with the same capacity tank will be allowed when installed in a concrete vault or equal, approved by the Building Official. A Leak Detection System, Monitoring Wells, and Overflow Protection will be required in conjunction with replacement of existing underground tanks. (New Eff: 10/1/88)
- B. Above ground storage of hazardous materials in quantities greater than associated with normal use, other than fuel storage or space heating, is not allowed. Areas where hazardous materials are used, handled or stored shall be designed as follows:
 - 1. Floor surfaces shall be impermeable to stored material and have containment dikes, sumps, or berms surrounding them. Unless other acceptable methods are used, a containment area shall be constructed to contain 110% of maximum storage volume.
 - 2. There shall be no floor drains, however floor drains may be considered if connected to a public sanitary sewer and preceded by an approved treatment system or if provided in accordance with Section 6.12-3 I. of these regulations. (Eff: 12/1/93)
 - 3. Areas shall be enclosed and roofed to protect from the weather.
 - 4. Dumpsters used for wastes shall be covered or located within a roofed area, have drain plugs intact, and be on an impermeable surface away from stormdrains.

5. Loading docks shall be designed to contain spillage or discharges, and located away from stormdrains.
 6. A maintenance and inspection schedule of the areas or structures may be required.
- C. Stormwater management facilities shall be designed to manage site runoff to eliminate surface and groundwater pollution and where required, control peak discharges and provide pollution treatment. The following measures and restrictions are required:
1. The use of underground drywells or leaching trenches is not allowed for any stormwater from developed parking areas. (Eff: 5/1/03)
 2. Stormwater discharges from rooftops shall not be directed to impervious surfaces. The stormwater shall discharge to the ground or to other stormwater infiltration structure(s), utilizing best management practices. (New Eff: 5/1/03)
 3. Following development, all stormwater should be directed to the same wetland or watercourse that received the stormwater prior to development. (New Eff: 5/1/03)
 4. Stormwater discharges shall terminate at least 100' from a class AA watercourse unless such termination is impractical or advantageous to water quality.
 5. Detention ponds, basins, swales or other measures designed to treat runoff, contain pollution and/or control peak flows, and infiltrate clean water, may be required. Detention structures, when required, shall be designed such that there is no net increase in the peak rate of runoff over pre-developed conditions for the 1, 2, 5, 10, and 25-year storms. (Eff: 5/1/03)
 6. Grease, oil and other floating liquid/solid separators may be required when deemed necessary by the

Commission to mitigate impacts to surface and/or groundwater resources. (Eff: 5/1/03)

7. Structures or treatment measures to settle suspended materials and evaporate volatile materials including swales, basins, and structures designed to trap oil and sediments. (Eff: 5/1/03)
 8. The drainage design shall maximize overland flow of stormwater prior to discharge to stormwater basins, wetlands or watercourses. This may be accomplished by the elimination of curbing, provision of leak-offs, the use of grassed swales and/or use of other best management practices to promote stormwater renovation, reduce point discharges, and to reduce the discharge of heavy metals and nutrients. (New Eff: 5/1/03)
 9. Stormwater discharges to wetlands or watercourses shall be treated first by a detention pond, grassed swale or other best management practice designed to remove 80% of total suspended solids. (New Eff: 5/1/03)
 10. Restriction of salt (NaCl) application.
 11. Where it is determined that development may result in significant water quality effects from development runoff, it shall be referred to the Department of Environmental Protection for a determination if a discharge permit is required. The Planning Commission may request the Department of Environmental Protection to consider a discharge permit for specific reasons.
- D. Where a use poses a significant threat to water quality due to total structure loss because of fire, fire protection measures shall be required including: public water, sprinklers, chemical extinguishers, and similar measures.
- E. Where potential exists for public sewers to be used for wastes other than domestic sewerage, or where the sewerline passes through or adjacent to a sensitive resource area including a

watercourse, wetland or stratified drift aquifer, the sewerline shall be constructed to a higher class standard to prevent pollution from sewerline failure. Standards shall be determined by the Public Works Department.

- F. Unless otherwise acceptable, all treatment and protection structures, facilities, and measures shall be Department of Environmental Protection approved, or in compliance with Best Management Practices (BMP) and Best Available Technology (BAT) guidelines.
- G. If any proposed treatment, measure or practice is in question, it may be referred to the Department of Environmental Protection, Department of Health Services, or other agency for review and comment. Evidence of required permits or approvals may be required.
- H. Where required, an emergency spill contingency plan shall be provided, filed, and updated with appropriate officials.
- I. Uses are subject to the site plan requirements of Section 8.4.

6.12-6 Expansion of Non-Permitted Uses (New Eff: 2/1/93)

Uses existing at the time of the adoption of the WRPD, made prohibited uses by the adoption of these regulations, are allowed to expand subject to approval of a special permit, site plan approval of the Planning Commission or administrative site plan approval, whichever is appropriate, and the following conditions:

- A. The proposed expansion shall not exceed an increase of more than 50% of the area previously dedicated to the prohibited use.
- B. The applicant shall demonstrate to the Commission's satisfaction that the proposed expansion shall not in any way pose more of a threat to the existing or future water supply source than does the existing prohibited use.
- C. The expansion plan shall include best management practices, designed to prevent, minimize, or control spills, leaks or other releases that pose a threat to the water supply source. Such

best management practices shall include but not be limited to those contained in the Department of Environmental Protection's "A Guide to Groundwater Protection for Local Officials" and "A Guide for Drafting Local Aquifer Protection Regulations".

- D. All other requirements contained in Section 6.12-4 and 6.12-5 of these regulations must be met by the proposed expansion applied for under this provision.

6.12-7 Relocation of Non-Permitted Uses (New Eff: 12/16/94)

Uses existing at the time of the adoption of the WRPD, made prohibited uses by the adoption of these regulations, are allowed to relocate to other sites in the WRPD which have access to municipal sewer, subject to approval of a special permit, and site plan approval of the Planning Commission, and the following conditions:

- A. The proposed relocation shall not result in an increase of more than 50% of the area previously dedicated to the prohibited use.
- B. The applicant shall demonstrate to the Commission's satisfaction that the proposed relocation shall pose less of a threat to the existing or future water supply source than does the existing prohibited use due to the new site's physical characteristics, location, and employment of best management practices.
- C. The relocation plan shall include best management practices, designed to prevent, minimize, or control spills, leaks or other releases that pose a threat to the water supply source. Such best management practices shall include but not be limited to those contained in the Department of Environmental Protection's "A Guide to Ground Water Protection for Local Officials," and "A Guide for Drafting Local Aquifer Protection Regulations."
- D. All other requirements contained in Sections 6.12-4 and 6.12-5 of these regulations must be met by the proposed relocation applied for under this provision.

- E. Once the non-permitted use is relocated, prior to the issuance of a Certificate of Occupancy at the new site, the non-permitted use at the old site shall cease. In no way shall this regulation result in the establishment of or the continued maintenance of a non-permitted use at the old site.
- F. After grant of special permit and prior to approval of the site plan by the Planning Commission, soils at the old site shall be tested by a state certified laboratory and test results reported to the Town and Department of Environmental Protection.
- G. The old site shall be cleaned of any soil contamination found, debris and other old underground tanks be removed, prior to the issuance of a Certificate of Occupancy at the new site. If the removal operation is under way but not completed at the time the use is ready to open for business at the new site, a bond may be posted for the remaining cleanup effort prior to issuance of a Certificate of Occupancy subject to Planning Commission approval.
- H. Upon recording of the special permit in Land Records, a statement shall be recorded in Land Records, indexed by the address of the old site, stating that during the time the WRPD overlays the site, the old site cannot be converted back to a non-permitted use.
- I. The application shall include a statement from the owner of the property where the old use is located noting his understanding that once the use is relocated to the new site, the old site cannot be converted back to a non-permitted use while overlain by the WRPD.