

SECTION 7

SUPPLEMENTARY REGULATIONS

7.1 Conditional Uses

Each of the following uses is permitted in each district to the extent indicated for that use and district, subject to all provisions of the applicable district, except as specifically provided for in this section.

Every application for the use of property subject to conditions set forth herein shall be filed in accordance with the provisions of these regulations, and shall be subject to site plan approval by the Planning Commission or administrative site plan approval, whichever is appropriate, and any other approval stipulated in this section. (Eff: 10/1/92)

7.1-1 Residential Life Care Communities (Eff: 5/31/97; 6/1/00; 12/10/04)

The purpose of Residential Life Care Communities is to provide housing and/or health care facilities for elderly persons and those persons having permanent and/or temporary handicaps as the case may be, designed to meet the needs of its residents through various stages of the aging process by, for example, incorporating universal design features as defined in these regulations and other measures appropriate to the type of residential life care community being proposed at a particular site. Residential Life Care Communities are to be designed as harmonious units, promote semi-independent living of residents, provide appropriate services to accommodate the needs of the residents, and shall be consistent with the character and scale of the neighborhood. This provision recognizes housing and care facilities for elderly persons as having less impact than other higher density housing options, and therefore meriting unique consideration.

Residential Life Care Communities are permitted uses in the CA, RS, R, RMF, RU, OMF, DDD, and IP districts, subject to approval of a special permit and the conditions listed below, and may not be constructed within coastal flood hazard areas unless, at a minimum, it can be demonstrated that hazards to life and property are

minimized and all potential flood hazard impacts have been mitigated to the maximum extent practicable.

- A. The minimum lot width shall be 250 feet.
- B. The minimum respective lot area per dwelling unit shall be in accordance with the permissible density standards in the case of the RMF and OMF zones, and as follows for other zones:

Congregate Living Facility: 5500 sq. ft. per dwelling unit

Assisted Living Facility: 3000 sq. ft. per dwelling unit

Nursing Home Facility: 1500 sq. ft. per patient accommodation or bed or 3 acres, whichever is greater.

- C. No building containing a dwelling unit or related facilities shall be located within 75 feet of any property line or within 150 feet of any existing residential structure in an R, RU or RS zone, except in the case of individual, single family dwelling units when the setback may be reduced by the Zoning Commission. In no event shall the setback from a property line be reduced to less than the required setback for the underlying zone. This section shall not supercede other, more restrictive requirements and standards of the Zoning Regulations. (Eff: 6/1/00)

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

- E. The minimum floor area for dwelling units is as follows:

Congregate Living: 400 sq. ft. per dwelling unit

Assisted Living: 300 sq. ft. per dwelling unit

In the case of the above congregate or assisted living units, the minimum floor area requirements as noted in Section 4.9 do not apply; for all other types of dwelling units, the provisions of Section 4.9 shall control.

- F. Residential Life Care Communities are primarily intended for senior citizens and shall be restricted to persons 55 years of age and older subject to the following exceptions: If a couple resides in one unit, one member of the couple must meet this

age requirement. Persons having permanent or temporary handicaps are eligible to reside in such facilities. At any time the total number of dwelling units occupied by persons under 55 years of age cannot exceed 20% of the total number of units. Age restrictions specified in this section shall not apply to duly licensed and authorized nursing homes.

- G. Building height shall be regulated by the height requirements of the zone in which the facility is to be located, in accordance with Section 5.2 of these regulations. If the proposed building is to be located in an R, RU, RS, or IPC zone, the proposed building(s) shall not exceed a height of 3 stories or 40 feet, whichever is less. In order to achieve this increase in height over 30 feet in the R, RU, RS, or IPC zones, the proposed building(s) shall be set back from its front, side and rear lot lines one additional foot for each foot in height over the allowed height of that zone. (Eff: 6/1/00)
- H. The provisions of Section 6.7-6 shall apply to all uses covered under the definition of Residential Life Care Communities except for item F. In lieu of item F, information is to be submitted to the Planning Commission during site plan review noting that the exterior walls of the proposed facility provide for variation with respect to surface treatment and/or variation in the plane of the exterior walls and roof areas, so as to provide visual relief. Compliance with the standard for visual relief shall require that the design, arrangement, size, mass and bulk, and location of buildings or other created or natural elements are sufficiently consistent in scale, character, and siting with its surroundings, so as to avoid abrupt or severe differences in scale. Residential Life Care Communities may obtain reductions or waivers from the other requirements of Section 6.7-6 in accordance with the provisions of Section 6.7-6 L.
- I. All congregate living facility dwelling units and assisted living facilities shall provide at minimum, a kitchenette for all living units. A kitchenette will include a sink, refrigerator of at least 9.0 cubic feet for congregate/independent units and 7.0 cubic feet for assisted living units, and counter space for a microwave or toaster oven.

- J. The community shall be designed to promote mobility and socialization of residents, provide appropriate facilities and amenities for the intended community, and provide for a variety of common and shared spaces to provide a social support system for residents.
- K. A comprehensive plan for directional signage shall be provided to assure that major pathways connect housing with on and off-site activities, and that visitors and residents easily orient themselves.
- L. A management plan or community design package shall be provided with the application for special permit and site plan approvals to provide, in perpetuity, for the following service enrichment as necessary for the projected population:
 - 1. Congregate Facilities, shall at a minimum, include the following:
 - a) A communal dining room and kitchen which will provide at least 1 meal/day for residents.
 - b) Services including regular cleaning of resident spaces.
 - c) Regular scheduled social activities.
 - d) Regular scheduled transportation for residents to shopping, commercial services, doctors' appointments, community facilities and institutions.
 - e) A 24-hour on-site presence of management staff.
 - f) A Residential Services Coordinator to facilitate residents program needs and activities.
 - g) At a minimum, 25% of residential units and all common spaces shall conform to Connecticut Building Code requirements for wheelchair accessibility.
 - h) All units shall be designed to be able to be easily converted to provide for handicapped accessibility to the individual unit if needed in the future (i.e., easily converted to allow for a ramp or level access to the individual unit).
 - i) Universal Design Features shall be incorporated into the site and building design.

- j) All residential units shall be provided with alarms in bedroom and toilet areas to connect to onsite management and an off-site emergency alarm organization.
 - k) A community building or indoor community space within the complex shall be provided at a minimum ratio of 20 square feet per unit. The community area may be included in the 7% recreation area requirement to be met under Section 6.7-6. In no case shall the community building or indoor community space area of the facility be less than 2000 square feet in the case of new construction.
2. Assisted Living Facilities, shall at a minimum, include all facilities as outlined for Congregate Living Facilities (L. 1 above) plus the following.
- a) Services for the facility shall be provided by an Assisted Living Services Agency licensed by the State of Connecticut and include all services for a managed residential facility as required by the State of Connecticut Department of Health.
 - b) All units shall meet the Connecticut Building Code requirement for accessibility.
 - c) Food service requirements, management staff for nursing services, transportation services, and assistance with daily living functions such as eating, dressing, bathing, medication management, etc, shall be administered in accordance with licensing requirements.
- M. Parking shall be provided in accordance with the provisions of Section 7.2 as the case may be. Spaces shall be located within 200' of the dwelling units in congregate facilities and shall not exceed 3% in grade in any Residential Life Care Community unless otherwise approved by the Planning Commission.

7.1-2 Campground

A campground is a permitted use in the RU district subject to approval of a special permit and the following conditions:

- A. There shall be a minimum lot area of 10 acres.
- B. The average density of the campground shall not exceed 8 campsites per acre.
- C. Each campsite shall have a minimum width of 50 feet and a minimum area of 2,500 sq. ft.
- D. No building or campsite shall be located within 100 feet of any property line.
- E. Campsites for recreational vehicles over 20 feet in length shall be grouped in an area separate from other campsites.
- F. Campground roads shall have a minimum width of 10 feet per travel lane and shall be readily traversable with a well-drained surface.
- G. Roads to be used by recreational vehicles over 20 feet in length shall have a minimum internal radius of 60 feet.
- H. Turnarounds shall be provided for all deadend roads over 100 feet in length and those to be used by recreational vehicles over 20 feet in length shall have a minimum internal radius of 60 feet.
- I. Water supply, sanitary conveniences and sewage facilities shall be provided in accordance with the Health and Sanitation Standards for Recreational Vehicle Parks of the National Fire Protection Association (Chapter 4 of NFPA publication 501D as amended).
- J. If provided, electrical systems shall be in accordance with Chapter 6 of NFPA publication 501D as amended.

- K. Provision shall be made for fire safety in accordance with Chapters 5 and 7 of NFPA publication 501D as amended.
- L. Within the campground, one dwelling unit may be permitted for the residence of the campground owner or operator.
- M. Within the campground, the sale of camp supplies and a snack bar are permitted accessory uses provided they do not exceed 500 sq. ft. of floor area and they are used only by persons using the campground.

7.1-3 Carnival or Fair

Carnivals, fairs, circuses, bazaars, and similar events sponsored by non-profit organizations, are permitted as a temporary use in any district subject to the following conditions:

- A. There shall be a minimum lot area of 2 acres.
- B. No event shall exceed a time period of nine consecutive calendar days.
- C. In any residential district, approval of a special permit shall be required.
- D. In any commercial or industrial district, alcoholic beverages may be sold to the public subject to the regulations and procedures adopted by the Town Council on September 6, 1977.

7.1-4 Cemetery (New Eff: 5/1/92)

- A. New

A new cemetery is a permitted use in the RU and all industrial districts subject to the following conditions:

- 1. There shall be a minimum lot area of 15 acres.
- 2. No building, structure, or monument shall exceed a height of 15 feet or a gross floor area of 250 sq. ft.

3. The location of all buildings, structures, and burial plots shall adhere to the yard requirements of the applicable zoning district.

B. Existing

Expansion of cemeteries existing at the time of the adoption of this regulation into a contiguous area on the same lot is permitted subject to conditions 2. and 3. above. Expansion of existing cemeteries in the RS, R, RMF, OMF, CA, CB, DD and WF zones are also subject to approval of a special permit.

7.1-5 Club, Lodge or Association

Clubs, lodges, and associations are permitted uses in any residential district subject to approval of a special permit and the following conditions:

- A. There shall be a minimum lot area of 60,000 sq. ft.
- B. The maximum building height shall be 30 feet.
- C. Outdoor facilities other than parking, such as but not limited to swimming pools, tennis courts, putting greens, golf courses, and basketball courts are permitted as accessory uses in the RU district, provided the minimum lot area is 5 acres.
- D. No building or outdoor facility other than parking shall be located within 75 feet of any property line.

7.1-6 Contractor's Construction and Commercial Vehicles and Equipment Storage (Eff: 1/11/88)

The storage/parking of a contractor's construction or commercial motor vehicle not exceeding 1½ tons capacity, whether inside or outside a building, is a permitted use in a residential district. This limitation does not apply in those instances where a property is being primarily used for agricultural or similar uses allowed by these regulations.

Contractor's construction or commercial equipment storage is a permitted use in the RU district, provided all such equipment is stored or parked within a building.

7.1-7 Charitable and Philanthropic Institution

Charitable and philanthropic institutions (other than correctional institutions, drug rehabilitation centers, or institutions for the insane, but excluding administrative headquarters or branch office buildings thereof) are permitted uses in the RU district subject to approval of a special permit and the following conditions:

- A. There shall be a minimum lot area of 3 acres.
- B. No building shall be located within 75 feet of any property line.
- C. All parking shall be located within the rear yard.

7.1-8 Elementary and Secondary School, College and University
(Effective 2/4/06)

Regularly organized elementary schools, secondary schools (including vocational schools), colleges, and universities are permitted uses in all residential districts and the IA district subject to the following conditions:

A. Residential Districts

- 1. There shall be a minimum lot area of 5 acres or 1,000 sq. ft. for each student based on enrollment capacity, whichever is greater. Enrollment capacity is based on the number of seats/desks or other facilities available to students for educational purposes in a classroom situation.
- 2. Lot coverage shall not exceed 15% of the lot area.
- 3. No building shall be located within 75 feet of any property line.

B. IA District

1. The building height may be increased above 40 feet to a maximum of 60 feet on lots of 10 acres or more. Sites that use this provision are subject to a maximum lot coverage of 25%.
2. A building may not be constructed within coastal flood hazard areas unless, at minimum, it can be demonstrated that hazards to life and property are minimized and all potential flood hazard impacts have been mitigated to the maximum extent practicable.
3. A buffer area of 50 feet shall be provided in accordance with the intent of Section 7.4 when deemed necessary by the Planning Commission. The buffer area shall be designed to mitigate impacts from the intensity of the adjacent uses and shall be applied to the portion of the site dedicated to any educational uses including, but not limited to, play areas and indoor/outdoor classrooms. The Planning Commission may modify the width requirement of the buffer area where lot size and shape, natural features, or existing structures make it infeasible to comply with the minimum width requirement provided the buffer area meets the intent of the regulations.

7.1-9 Farm or Nursery

Commercial farms or nurseries, including truck gardens and greenhouses, are permitted in any zoning district, except the WF district, subject to the following conditions:

- A. There shall be a minimum lot area of 5 acres.
- B. No livestock, horses, or poultry shall be housed within 100 feet of any property line or permitted to graze within 100 feet of any dwelling on abutting property.
- C. No building other than a dwelling or display and sales area shall be permitted within 75 feet of any property line.
- D. The sale of farm produce, garden produce, and nursery stock raised on the premises is permitted as an accessory use to a farm or nursery in any residential district, provided:
 - 1. The display and sales area is limited to one building not to exceed 200 sq. ft. in area.
 - 2. Provision is made for at least four off-street parking spaces.

7.1-10 Filling and Removing Earth Products

The filling with and/or removal of earth products, such as, but not limited to, earth loam, topsoil, sand, gravel, clay, stone, or minerals, is permitted in any district subject to special permit approval and the following conditions. Applications to fill and remove earth products are also subject to administrative site plan approval as provided below. (Eff: 1/1/02)

A. Exemptions

The provisions of this section and the requirement to obtain special permit approval shall not apply to filling or removal in the following cases, provided that the filling or removal shall be deemed to permit the filling with or removal of only the minimum quantity of material necessary to make such lot, site, or right-of-way suitable for the proposed use.

1. Necessary filling with or removal of earth products in direct connection with the building construction, structural alteration, or site improvements on a lot for which a building permit has been issued.
2. Necessary filling with or removal of earth products in direct connection with required site improvements in accordance with an approved subdivision plan.
3. Necessary filling with or removal of earth products in direct connection with street or utility improvements within a public right-of-way for which the Town Department of Public Works or State Department of Transportation has granted a street opening permit.
4. Incidental filling with or removal of earth products, provided the quantity of material does not exceed 1,000 cubic yards per property, is exempt from the requirement for special permit approval, but still must

obtain approval of a grading plan as an administrative site plan. (Eff: 1/1/02)

5. The filling with or removal of earth products in an amount less than 50 cubic yards shall be exempt from both the requirements for a special permit and approval of an administrative site plan. (Eff: 1/1/02)

B. Considerations for Approval of Special Permit and Grading Plan (Eff: 1/1/02)

All applications for a special permit to fill or remove earth products shall be accompanied by a grading plan. In reviewing all plans, the Zoning Commission shall take into consideration the public health, safety, and welfare, and the following specific considerations. (Eff: 1/1/02)

The Commission will subject each application to careful scrutiny, considering the location, intensity, and type of operation contemplated. The Commission may need to impose conditions with regard to safety of operations and damage to adjacent lands or improvements, including the application of appropriate performance standards.

1. Filling with and/or removing earth products shall be restricted to areas which have access to roads of sufficient width and capacity to carry maximum projected loads.
2. Locations shall be avoided where it is anticipated that the activity may cause slides, sinking, collapse of supporting soil, erosion, water pollution, or undue alteration of the water table of adjoining properties. Specifically, no bank shall exceed a slope of one foot of vertical rise in one and one-half feet of horizontal distance, except in ledge rock. No removal shall take place within 25 feet of a property line, except that where the grade from a property line raises towards the lot where removal is to take place, material lying above the grade at the property line may be removed.
3. Proper measures shall be taken to minimize the nuisance of noise, flying dust or rock, and unsightly or dangerous conditions. Such measures may include,

when considered necessary, limitations on the time of operation and upon the practice of stockpiling excavated materials or fill upon the site.

4. Filling and/or removing activities shall also be reviewed with concern for the condition in which the site will be left after completion of the operation and the relationship of that site to existing and permitted development in the general area in which the site is located. As part of the grading plan, the applicant shall submit a restoration plan to the Zoning Commission showing final grading and landscaping and whatever other information is necessary to indicate how the site will be restored to permit future development of the site. (Eff: 1/1/02)
5. In reviewing the grading plan, the Zoning Commission will evaluate the extent to which the site can and reliably will be restored to a condition that will facilitate, and not impede, the appropriate development of its general area. For this purpose, the Zoning Commission may specify such topographic and landscaping and other conditions and require surety bonds as in its judgment are warranted by the circumstances of each case. (Eff: 1/1/02)
6. Any approved grading plan for which implementation is not commenced or which is not otherwise put into effect within a period of one year from the date of approval shall become null and void unless an extension of time is applied for by the applicant and granted by the Zoning Commission. An approved grading plan shall not be deemed to be completed unless and until a Certificate of Site Plan Compliance is issued by the Planning Department. (New Eff: 1/1/02)

7.1-11 Home Occupation (Eff: 6/1/91)

Home occupations are permitted accessory uses in one and two family dwellings in the R, RS, RU, RMF, and OMF districts, subject to the following conditions:

- A. The home occupation shall not occupy more than 25% of the gross floor area of the dwelling unit or 500 sq. ft., whichever is less.
- B. The home occupation shall not change the exterior residential character of the dwelling in any visible manner.
- C. The home occupation shall not result in any increase in pedestrian or vehicular traffic in excess of what is normally associated with a dwelling unit.
- D. The home occupation shall be clearly incidental to the residential use of the dwelling. The occupation may involve only residents of the dwelling unit, except in zoning districts where the minimum lot area permitted is 40,000 square feet, or greater, one non-resident employee is allowed.
- E. The home occupation shall not display or advertise any commodity or service for sale on the premises, nor shall it store any materials, products, or equipment outside of the space allocated in subsection A. above.
- F. The home occupation shall not create any noise, odor, dust, vibrations, smoke, gas fumes, radiation, electromagnetic interference, lighting, or unsightly conditions noticeable on or off the lot.
- G. On-site parking spaces shall not be provided for clients, patients, customers or patrons. Parking spaces shall be provided for the principal use in accordance with Section 7.2-3.

7.1-12 Hospital

Public and private hospitals, sanitariums, and clinics (other than drug rehabilitation centers and institutions for the insane) are permitted uses in the RU, OMF, CA, CB, DD, IPA, IPB, and IPC districts, subject to approval of a special permit and the following conditions:

- A. There shall be a minimum lot area of 5 acres or 1,500 sq. ft. for each patient accommodation, whichever is greater.
- B. The emergency entrance shall have direct access to a major public street.
- C. No building shall be located within 75 feet of any property line.
- D. The power plant or laundry, if located in a separate building, shall be located a minimum of 100 feet from any property line.

7.1-13 Junk, Salvage, or Scrap Yard

Junk, including automobile, salvage and scrap yards are permitted uses in the IA district subject to approval of a special permit and the following conditions:

- A. The total coverage of all buildings and open storage areas shall not exceed 50% of the lot area.
- B. All buildings and open storage areas shall be in accordance with the yard requirements of the applicable district, except any yard adjoining any residential district shall be a minimum of 75 feet.
- C. Open storage areas shall be enclosed by a solid fence not less than 8 feet in height which shall bear no advertising other than the name of the owner and the use of the premises, with a suitable gate which shall be closed and locked except during the working hours of such yard. All unregistered motor vehicles, used parts, iron, scrap metal, glass, paper, rags and any other material shall be within this enclosure.

- D. All materials shall be stored or piled in such a manner that the materials shall not be seen from adjoining properties or a public street.
- E. All salvaging operations and sales shall be conducted entirely within a building which shall be of such a nature to screen said operation or operations from public view.
- F. Heavy machinery and compacting or shearing machinery shall be located on a solid concrete or similar foundation to avoid vibration.
- G. There shall be no burning of any materials on the property unless carried out in a properly designed incinerator as approved by the Health Officer and the Fire Marshal.

7.1-14 Kennel or Stable

Commercial kennels, riding stables, and boarding stables are permitted uses in RU and all industrial districts, subject to approval of a special permit and the following conditions:

- A. A minimum lot area shall be as required by the applicable district or 3 acres, whichever is greater.
- B. Open exercise areas and buildings containing animals shall be a minimum of 100 feet from any property line.
- C. Open exercise areas shall be enclosed by a fence at least 5 feet in height and such areas shall be maintained in a sanitary and odor-free condition at all times.
- D. All stalls, pens and similar enclosures for animals shall have a floor made from concrete or other impervious material which shall contain adequate drainage facilities connected to an acceptable sanitary system for proper washing and maintenance.

7.1-15 Mobile Home Parks (Existing)

Mobile home parks existing at the time of the adoption of these regulations may be permitted to expand in any zoning district, subject to approval of a special permit and the following conditions:

- A. The expansion area shall be contiguous to the existing mobile home park.
- B. The mobile home park may be permitted to expand its land area without increasing the number of mobile home spaces.
- C. In evaluating the proposal, the Commission shall take into consideration the site plan objectives in Section 8.4-5 and the following guidelines:

The principal purpose of expanding an existing mobile home park shall be to improve the living environment for the residents within the park. For example, this may be accomplished by enlarging and rearranging the mobile homes, increasing open space around the periphery of the park, providing recreation areas for residents, and/or providing additional automobile parking spaces.

7.1-16 Multi-Family Dwellings (New Eff: 10/1/91)

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 the conditions set forth in Section 6.7-6.

7.1-17 Nightclub, Disco, or Cabaret

A nightclub, disco or cabaret is a permitted use in the CA, CB and DD districts, subject to the following conditions:

- A. No building or part thereof shall be within 125 feet of any residential district boundary.
- B. A buffer area having a minimum width of 25 feet shall be provided in accordance with the provisions of Section 7.4-4.

- C. Sound emanating from an audio system shall be controlled and maintained at a level so as not to constitute a nuisance to residents on adjoining residential properties.

7.1-18 Child Day Care Center (New Eff: 10/31/89)

Child Day Care Centers are permitted uses in the RS, R, RMF, RU, and all other commercial and industrial districts, except the Waterfront districts, subject to the conditions listed below and other applicable regulations. Child Day Care Centers consisting of 20 or more children in the RS, R, RU, and RMF zones are also subject to approval of a special permit. The above requirements shall not necessarily prohibit the establishment of a Child Day Care Center in the NMDD zone.

- A. No building shall be located within 50 feet of any property lot line, except in commercial zones and the IPA, IPB and IPC zones, where the required setbacks of the respective zone shall apply.
- B. Building coverage shall not exceed 15% in the RS, R, or RU districts.
- C. A buffer area shall be provided in accordance with the intent of Section 7.4-1 of these regulations within all boundaries of a lot as follows:

Residential Districts:	25 feet
Commercial Districts:	25 feet
Industrial Districts:	50 feet
Industrial Park Districts:	50 feet

The buffer area shall be designed to mitigate impacts from adjacent uses as well, particularly in cases where centers are located in commercial and industrial districts. This buffer requirement shall typically be applied to the portion of the site dedicated to day care use including such items as play area(s). The play area or areas shall not be located within the designated buffer area. The Planning Commission may modify the width requirement of the buffer area where lot size and shape or existing structures make it infeasible to comply with the minimum widths required above, provided the buffer area meets the intent of the regulations.

- D. A graded and suitably fenced play area, including a minimum of 75 square feet of play space for each child who would be using the play area at any one time, shall be provided. The minimum required play area shall be free of hazards and regulated wetland soils, provide a suitable play surface, and shall be a minimum of 1% but not in excess of 3% in grade. Where the existing topography and conditions present unique circumstances which will not compromise child safety, the Planning Commission may modify the maximum play area grade requirement to 5%. Active play areas, defined as areas containing playground equipment, including but not limited to swings and other apparatus, shall not exceed 1% in grade. In RS, R and RU zones, outdoor play activities shall take place within the hours of 9:00 a.m. and 6:00 p.m.
- E. The applicant shall accommodate all pedestrian and vehicular traffic to and on site, and shall provide an acceptable area for dropping off children on site. To the extent possible, parking stalls dedicated to the public shall be located so as to preclude pedestrian crossing of interior drives.
- F. All state and/or local licensing and permit requirements/ standards shall be met.

7.1-19 Nursing Home (Deleted 5/31/97)

7.1-20 One and Two Family Dwellings and Boarding or Rooming Houses and Active Senior Housing

One and two family dwellings and boarding or rooming houses are permitted in the RMF district subject to the provisions of the R-12 district.

Any dwelling existing in an IP-80A, B or C zone shall be considered conforming if it meets the requirements of an RU-20 zone.

Any lot existing in an IP-80C zone may be developed in accordance with the requirements of an RU-20 zone as a special permit to be approved by the Zoning Commission following a public hearing to determine the area suitability and the effect of possible increased traffic. In the case of Active Senior Housing Communities, the density standard for the RU20 zone shall be used in the application of Section 7.1-45. (New Eff: 3/1/05)

Two family dwellings are permitted in the RU-20 district as of right. Two family dwellings are not permitted in the RU-40 and RU-80 districts. (Eff: 6/1/04)

7.1-21 Professional Offices

Professional offices are permitted uses in the RU district subject to approval of a special permit and the following conditions:

- A. There shall be a minimum lot area of 60,000 sq. ft.
- B. The gross floor area of all buildings shall not exceed 6,000 sq. ft. and the maximum horizontal cross-section of all buildings shall not exceed 3,000 sq. ft.
- C. No building shall be located within 75 feet of any property line.
- D. All parking shall be located in the side or rear yards.
- E. Medical and dental laboratories and outpatient clinics are permitted as accessory uses to medical and dental offices.

7.1-22 Telephone Exchange Stations and Electric Transformer Substations

Telephone exchange stations and electric transformer substations are permitted uses in any residential district subject to the following conditions:

- A. The minimum lot area shall be as required by the applicable district of 60,000 sq. ft., whichever is greater.
- B. No building shall be located within 50 feet of any property line.
- C. The station or substation shall be suitably screened by a fence and/or landscaping.

7.1-23 Veterinary or Animal Hospital

Veterinary or animal hospitals are permitted uses in the RU, CA, CB and all industrial districts subject to the approval of a special permit and the following conditions:

- A. The minimum lot area shall be as required by the applicable district or 60,000 sq. ft., whichever is greater.
- B. All activities, except as provided in D below, shall be conducted within an enclosed building.
- C. The building shall be sufficiently soundproof so as not to create a nuisance to adjoining property owners or the general public.
- D. Open areas such as exercise areas are permitted subject to the additional conditions of Section 7.1-14 Kennel or Stable.

7.1-24 Office and Similar Uses

Offices and similar uses within the OMF zone on lots of less than 20,000 sq. ft. and 100 foot width are permitted subject to the following conditions:

- A. The number of employees shall not exceed 4.
- B. Two parking spaces shall be provided per employee, with a minimum of 4 spaces required. At least 50% of the spaces shall be located in the rear yard if the number of spaces exceed 4.

7.1-25 Ignition, Brake, Muffler and Similar Limited Repair

Ignition, brake, muffler, and similar limited repair are permitted in the CA and DD districts subject to approval of a special permit and the following conditions: (Eff: 1/2/93)

- A. Vehicular access into the building shall be positioned so as not to be visible from the public way.
- B. All automotive repair or limited repair activities shall be conducted within the principal building.
- C. Limited repair activities shall not consist of auto body work, heavy repairs such as transmissions or engine overhauling, or activities generating nuisance type of activities.
- D. When such use is proposed for location in a shopping center or a group of commercial structures located on the same lot, the use shall locate to the side or rear of these commercial buildings.
- E. All storage materials and other materials shall be stored within the building.

7.1-26 Automobile Washing Facility

Automobile washing facilities are permitted in the CA, CB, DD and IA zoning districts subject to approval of a special permit and the following conditions: (Eff: 1/2/93)

- A. Minimum lot size for self-service type facilities shall be 40,000 sq. ft. and 45,000 sq. ft. for automatic facilities.
- B. Automobile access into the building shall be positioned so as not to be visible from the public way.

- C. Adequate vehicle stacking space shall be provided for all car wash facilities. In the case of self-service facilities, stacking lanes shall be provided for a minimum of five vehicles per bay. In the case of automatic washing facilities, sufficient stacking space shall be set aside to accommodate 2½ times the average number of cars washed in an hour period.
- D. A minimum of 15 off-street parking spaces shall be provided.
- E. Evergreen screening, decorative fencing, or a combination thereof, shall be provided around the perimeter of the site so as to minimize any objectionable effects of the facility.
- F. Public water and sewers shall be provided to the facility, and all water used for washing shall be recycled.
- G. Building surfaces shall be faced with impact resistant materials such as brick or other masonry surfaces.
- H. Vacuuming facilities may be outside building but shall not be in front yard. In case of a through lot, the vacuuming area shall be located within the portion of the lot having frontage on the low volume street. Additional fencing and landscaping may be required to contain litter and insure a favorable commercial image from the public way.

7.1-27 Other Outdoor Commercial Recreation (Eff: 5/11/92)

Other outdoor commercial recreation facilities are permitted in the RU, CB, IA, IPA, IPB and IPC zones subject to approval of a special permit and the following conditions:

- A. Size of site shall be a minimum of 10 acres.
- B. Proximity of active recreation portion of site to any property line associated with a residential dwelling existing at the time of application for special permit, other than a dwelling occupied or owned by the applicant, or to any residentially-zoned property, shall not be less than 250 feet.

Any individual outdoor commercial recreation activity shall be setback an additional one foot for every one foot of height over 30 feet up to the maximum height allowed in the underlying zone. The Zoning Commission may allow a reduction in this additional setback depending on site characteristics and adjoining uses.

- C. No motorized vehicles shall be used for competitive or exhibition purposes.
- D. Public address loudspeakers shall be directed away from populated areas and shall only be used from 9:00 a.m. to 8:00 p.m. No public address loudspeakers shall be permitted in the RU zones.
- E. Outdoor commercial recreation facilities shall contain adequate sanitary facilities in compliance with the State of Connecticut Building Code and Health Code. Concession facilities shall be constructed in conformance with the State of Connecticut Health Code.
- F. Outdoor commercial recreation uses shall not include music concert activities.
- G. Section 7.4-4 of the Zoning Regulations concerning required buffer areas shall apply except no buffer adjacent to residentially-zoned property shall be less than 50 feet in width.

7.1-28 Executive Hotel/Motel Suites (New Eff: 1/2/90)

Executive hotel/motel suites are permitted uses subject to the following conditions:

- A. Said suites are defined as a hotel/motel unit with three or less bedrooms with kitchen facilities that will be used on a longer term basis than normal hotel/motel units.
- B. The density of such suites is to be determined by the allowable lot coverage of the zone in which they are located.

- C. Said suites may be rented, leased and/or sold as condominium units. The conversion of any units to condominium ownership must have site plan approval by the Planning Commission.
- D. During site plan review consideration shall be given to providing both indoor and outdoor recreational facilities. Indoor facilities could include T.V./meeting room, game room and/or exercise room. Outdoor facilities could include a swimming pool, outdoor spa, a sport court, tennis court, barbecue and picnic facility.
- E. Laundry facilities for the patrons use shall be provided within the development.
- F. Community-type sewer and community-type water systems must be available and used.

7.1-29 Bowling Alley or Other Indoor Recreation

Bowling alleys or other indoor recreation facilities are permitted in CA, CB, DD, IA, IPA and IPB districts. Said recreation facilities when located in IA, IPA and IPB districts may include related accessory facilities which are supportive but supplemental to the principal use, subject to the following conditions:

- A. Services provided to patrons of the principal facility and their guests may include:
 - Food and beverage service, excluding the service of alcoholic beverages
 - Retail sale of items directly related to the principal use
 - Child care services to patrons while they are utilizing the facility.

The floor space of these services shall not exceed 15% of the total floor area of the building. Documentation shall be filed with the Commission indicating that such services are for the benefit of patrons and guests of the principal use only, and

will not be open to the general public. Hours of operations as related to those of the principal use shall be indicated, and the conditions pertaining to guest usage shall be defined.

- B. Services may be provided for the benefit of patrons and the general public, provided they can be clearly shown to be related to the principal use, but subordinate thereto. These may include education/training in subjects related to the principal use, personal or professional services related to recreation, health care, and the enhancement of physical fitness and appearance. The floor space of these services shall not exceed 25% of the total floor area of the building

7.1-30 Caretaker/Security Service Dwelling

One dwelling for the provision of caretaker/security services may be provided as an accessory use to the principal use in all zones. Such dwelling unit shall be located in the same building as the principal use. The applicant shall provide documentation that this dwelling unit will be occupied by an employee or principal of the proposed use, and that the occupant will be residing on the premises for the legitimate provision of maintenance/security services.

7.1-31 Hotel/Motel - Accessory Uses

Hotels/motels allowed in IP zones may include related accessory facilities which are supportive, but supplemental to the principal use. Examples of such accessory uses include nightclubs, discos, cabarets, barber and beauty shops, books and stationery, cameras and photo supplies, gifts, novelties and souvenirs, newspapers and magazines, restaurants, tobacconists, apparel and accessories, etc.

7.1-32 Group Day Care Home (New Eff: 10/31/89)

Group Day Care Homes are permitted uses in the RS, R, RMF, and RU districts subject to the conditions listed below and other applicable regulations. The above requirements shall not necessarily prohibit the establishment of a Group Day Care Home in the NMDD zone.

- A. Building coverage shall not exceed 15% of the lot area in the RS, R, or RU districts.
- B. A graded and suitably fenced play area, including a minimum of 75 square feet of play space for each child who would be using the play area at any one time, shall be provided. The minimum required play area shall be free of hazards and regulated wetland soils, provide a suitable play surface, and shall be a minimum of 1%, but not in excess of 3% in grade. Where the existing topography and conditions present unique circumstances which will not compromise child safety, the Planning Commission may modify the maximum play area grade requirement to 5%. Active play areas, defined as areas containing playground equipment, including but not limited to swings and other apparatus, shall not exceed 1% in grade. In RS, R, and RU zones, outdoor play activities shall take place within the hours of 9:00 a.m. and 6:00 p.m.
- C. The applicant shall accommodate all pedestrian and vehicular traffic to and on site, and shall provide an acceptable area for dropping off children on site. To the extent possible, parking stalls dedicated to the public shall be located so as to preclude pedestrian crossing of interior drives.
- D. All state and/or local licensing and permit requirements/standards shall be met.

7.1-33 Waste Handling/Reduction Facilities (Eff: 4/1/94)

Waste handling/reduction facilities are permitted uses in the IA and IP-B zones subject to the conditions listed below and other applicable regulations. Facilities located in the IP-B zone are also subject to approval of a special permit.

- A. Such uses are only allowed on property not overlain by the Water Resource Protection District (WRPD).
- B. In the IP-B zone, there shall be a required minimum lot area of 25 acres.
- C. Access to the site shall be from collector or arterial roads.

- D. No buildings, equipment, or material stockpiles shall be located within 200 feet of a dwelling.
- E. No permanent disposition of any waste materials on-site is permitted.
- F. Identification must be made at the time of application regarding disposition of residual waste products. This waste must be disposed of at a legally permitted facility.
- G. No hazardous or medical waste shall be handled, stored, or processed.
- H. Demonstration will be made that proper measures are taken to prevent leachate from any material entering the ground including inside storage, and the covering and use of impermeable storage pads for materials stored outside, unless an appropriate alternative is approved or required by the Planning Commission.
- I. Facilities constructed under this regulation shall hook up to municipal water and sewer systems when such utilities are located within 1000 feet of the lot the facility is located on. This hook up shall be made within 6 months of the utility's availability. The hook up to utilities shall not be required in the case of facilities where brush and stumps alone are collected, stored and processed.
- J. The combined total coverage of all buildings and outside storage areas shall not exceed 50% of the lot area.
- K. All materials shall be stored or piled in such a manner that the materials are not seen from adjoining properties or a public street.
- L. Heavy machinery used in the operation of waste handling/reduction shall be located on a solid concrete or similar foundation to avoid vibration.

7.1-34 Accessory Apartments (New Eff: 6/1/91)

The intent of this regulation is to encourage the provision of affordable housing units for moderate income families and individuals and to encourage the provision of housing units for small households. Accessory apartments are permitted in the RS, R, RMF, RU, OMF, CA, CB, WF and IPC zones subject to Administrative Site Plan Approval and the following conditions:

- A. Each accessory apartment created must be associated with a single family dwelling and there may be only one accessory apartment permitted for each single family dwelling.
- B. The owner of the residence with which the accessory apartment is associated must occupy at least one of the dwellings.
- C. Freestanding accessory apartments are permitted, provided they meet all lot, yard and building requirements of Section 5.2, required of the principal dwelling.
- D. The accessory apartment shall clearly be the secondary use and its maximum floor area shall not exceed 600 square feet or 25% of the combined floor areas of the principal dwelling and the accessory apartment, whichever is less.
- E. Off-street parking shall be provided for all accessory apartments and the principal dwelling in accordance with Section 7.2-3.
- F. Each accessory apartment shall have its own independent bathroom and kitchen facilities.

7.1-35 Adult Day Care Facility (New Eff: 8/1/92)

Adult Day Care Facilities are permitted uses in all residential, commercial and industrial districts, except the waterfront districts, subject to the conditions listed below. Adult Day Care Facilities of 20 or more adults in the RS, R, RU and RMF zones are also subject to approval of a special permit. The above requirements shall not necessarily prohibit the establishment of an Adult Day Care Facility in the NMDD zone.

- A. No building shall be located within 50 feet of any property line, except in commercial and industrial zones where the required setbacks of the respective zone shall apply.
- B. Building coverage shall not exceed 15% in the RS, R or RU zoning districts.

- C. A buffer area shall be provided in accordance with the intent of Section 7.4-1 of these regulations within all boundaries of a lot as follows:

Residential districts: 25 feet
Commercial districts: 25 feet
Industrial districts: 50 feet

The buffer area shall be designed to mitigate impacts from adjacent uses as well, particularly where centers are located in commercial and industrial districts. This buffer area shall typically be applied to the portion of the site dedicated to day care uses including any outdoor activity areas. The outdoor activity area shall not be located within the designated buffer area. The Planning Commission may modify the width requirement of the buffer area where lot size and shape or existing structures make it infeasible to comply with the minimum width requirements above, provided the buffer area meets the intent of the regulations.

- D. The applicant shall accommodate all pedestrian and vehicular traffic to and on the site, and shall provide an acceptable area for dropping off and picking up adults using the facility. To the extent possible, parking stalls shall be located so as to preclude pedestrian crossing of interior drives.
- E. All state and/or local licensing and permit requirements/standards shall be met.

7.1-36 Drive Through Facilities (New Eff: 11/1/92)

Drive through facilities are permitted accessory uses on lots equal to or greater than 20,000 square feet in any non-residential zone, except OMF and NMDD, in which the principal use is permitted, subject to the following conditions:

- A. Drive through facilities, including required stacking lanes, shall be located in the rear or side yards only.
- B. Drive through facilities shall not generate the need for an additional driveway curb cut.

- C. A minimum of 10 stacking spaces shall be provided on site for each drive through station, including the vehicle being serviced. Where an order board and pickup window are involved, a minimum of 5 stacking spaces shall be provided before both the window and the board for a total of 10, including the vehicle being serviced.
- D. Stacking lanes shall be a minimum of 10 feet wide and each space shown shall be 20 feet long.
- E. Stacking lanes shall be separate from internal aisles which allow traffic to circulate through the site without entering the drive through facility.
- F. Stacking lanes shall provide one additional storage space after each station for exiting vehicles; said space shall be separate from other circulation aisles and shall be at least 50 feet from the curb line of the street to which it will exit.
- G. Stacking lanes shall be designed and located so as to minimize traffic congestion and to promote pedestrian safety through the use of pavement markings, signs, and designated walkways.

7.1-37 Community Residential Counseling Facility (New Eff: 7/1/93)

Community residential counseling facilities are permitted uses in the CA, CB and DDD districts subject to the following conditions, and are permitted in the RMF and OMF districts subject to approval of a special permit and the following conditions:

- A. There shall be a minimum lot area of 20,000 square feet.
- B. The lot shall contain 1,500 square feet for each resident of the facility.
- C. Notwithstanding the provisions of Section 7.2 of the regulations, the minimum number of off-street parking spaces provided shall be one space for each staff member plus one space for each three adult residents. Additional parking spaces may be required by the Planning Commission at site plan stage based upon the nature of the specific facility.

- D. A facility may provide counseling services to non-residents as well as residents in the CA, CB, DDD and OMF districts provided that the facility includes a separate waiting area and separate meeting room for such non-resident services. Parking for non-resident counseling services shall be provided in accordance with requirements of Section 7.2.
- E. Residents and their dependents shall be housed in rooms and/or apartments. Each room or apartment shall have its own kitchen facilities unless the community residential counseling facility contains a common kitchen adequate to prepare and serve meals for all residents.
- F. A staff member shall be on site at the residential facility at all times.
- G. No more than twenty (20) residents shall be permitted in any facility.
- H. No facility shall be operated without obtaining all licenses and permits otherwise required by state or federal law.

7.1-38 Historic/Institutional Reuse (New Eff: 6/1/95)

The purpose of this provision is to provide reuse opportunities for existing buildings that have historic, architectural, or aesthetic significance. These structures constitute a significant element in the visual historic character of the community and therefore priority is put on their preservation and restoration.

In order to utilize this provision, facilities need to be located on lots two acres or more in size; have historically provided educational and/or other institutional uses to the community and/or neighborhood; and which have been most recently owned by the town and/or other institutional users.

Reuse options for these facilities may be in addition to those permitted by underlying zoning classification only when it is determined by the Zoning Commission, through its special permit process, to be necessary to accomplish the objectives and intent of this section. Proposed reuse options include residential, educational,

cultural, community and/or other similar uses deemed appropriate by the Zoning Commission. The Zoning Commission may employ bulk and density standards that are appropriate to the building and site conditions. Notwithstanding anything to the contrary, the bulk and density standards contained in Section 5.2 of these regulations shall be applied for one-family, two-family, and multi-family dwellings based upon the zoning district in which the facility is located.

In evaluating the appropriateness of the proposed new use, the Zoning Commission, in addition to the special permit criteria, shall consider the following items among others: the historic use of the site during its institutional use; the character of the surrounding area; the topography of the area; the bulk of the buildings existing on the site; and the extent of the benefit to the welfare of the community to be derived by preserving the existing aesthetic appearance of the site.

7.1-39 Self-Service Storage Facilities (Eff: 2/1/97)

Self-service storage facilities are permitted in the CA, CB, IA, IPA, IPB and IPC zones subject to the following conditions:

- A. The minimum lot area on which a self-service storage facility is located shall be 2 acres.
- B. Parking for single story facilities shall be at the rate of 1 space for every 100 storage cubicles or fraction thereof, located in the vicinity of the leasing office. A minimum of 4 such spaces shall be provided. Parking for multi-storied facilities shall be at the rate of 2 spaces for every 100 storage cubicles or fraction thereof and adequate loading spaces shall be provided in the vicinity of elevators and other points of access into the facility.
- C. Interior drives in and around buildings shall be a minimum of 24 feet in width.
- D. Building setbacks for the underlying zone as required in Section 5.2 shall apply; however as part of site plan review the Planning Commission may require a minimum setback of 30 feet from public roads, and from residentially zoned and/or residentially used property.

- E. A barrier shall be provided around the rear and sides of the developed portion of the site. Said barrier shall be located within the property line and may consist of either the solid facades of the storage structures or a fence. If the barrier used is a fence, it shall be a minimum of 6 feet in height and shall be constructed of opaque materials such as brick, stone, architectural tile, masonry units, wood, or similar materials, but expressly prohibiting woven wire. The appearance of the barrier should be in harmony with the existing uses and structures within the vicinity of the site.
- F. All areas outside of the barrier required in Condition E. shall be landscaped to provide appropriate visual screening from adjacent properties. Buffer areas required per Section 7.4-4 shall apply.
- G. All outdoor lights shall be shielded to direct light and glare away from all adjoining property.
- H. These facilities are limited to dead storage use only. No activities other than rental of storage units and pick-up and deposit of dead storage shall be allowed on the premises. No hazardous materials shall be stored on site.
- I. No outdoor storage is permitted other than the parking of recreational vehicles which shall have designated parking shown on the approved site plan.

7.1-40 Freestanding, Large-Scale Restaurants (New Eff: 2/1/97)

The purpose of this provision is to allow freestanding, large-scale restaurants to be located in the IPA zone. This regulation expressly precludes the existence of fast-food restaurants, take-out restaurants, and restaurants with drive-through facilities.

Standard restaurants, as defined in these regulations, are permitted in the IPA zone subject to approval of a special permit and the following conditions:

- A. The site shall be served by public water and sewer.
- B. The restaurant shall have a seating capacity of at least 250 patrons.
- C. There shall be no drive-through facility.

D. There shall be a minimum lot area of 4 acres.

7.1-41 Telecommunication Towers, Antennae, and Facilities (New Eff: 4/15/97)

The purpose of this regulation is to regulate the location and number of telecommunication towers and antennae; minimizing their adverse visual effect through careful design, siting, and vegetative screening; and to encourage the shared or joint use of towers and facilities. These regulations are consistent with the Federal Telecommunications Act of 1996 in that they do not discriminate among providers of functionally equivalent services, prohibit or act to prohibit the provision of personal wireless services, or regulate the placement and construction of personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC regulations regarding such emissions.

Telecommunication towers are permitted in the RU, RMF, and all commercial and industrial zoning districts subject to approval of a special permit and the following conditions, and telecommunication antennae and facilities are permitted in all zoning districts subject to the following conditions:

- A. To discourage the proliferation of telecommunication towers, shared use of tower structures is both permitted and encouraged. Placement of more than one tower on a lot may be permitted if all setbacks, design, and landscape requirements are met for each tower. Applications for new towers shall be accompanied by documentation that no existing or planned tower or other structure can accommodate the applicant's antenna or transmitter. The application shall include documentation regarding the availability of any existing or approved telecommunication towers or other structures within the transmission area that meets the needs of the applicant.

It is a condition of any special permit issued under this regulation that the permit holder shall exercise good faith in allowing other providers to share space or co-locate on the site, provided that such shared use does not impair the technical level or quality of service. In the event that a dispute arises as

to whether the permit holder has exercised good faith in accommodating other users, the Town may require a third party technical study at the expense of either or both the permit holder and the applicant.

- B. Applications involving the co-location of antennae on existing telecommunication towers or on other existing structures are exempt from the need for a special permit and shall only be subject to site plan approval from the Planning Commission.
- C. Telecommunication towers are prohibited within existing town and National Register Historic Districts, along designated scenic roads, and as determined by the Zoning Commission to be within and to degrade scenic view areas as identified on a map in the Town Plan of Development.
- D. The lot on which a new telecommunication tower is constructed shall meet the minimum lot area requirements for the underlying zone.
- E. The tower and/or antenna shall be erected to the minimum height necessary to satisfy the technical requirements of the telecommunication facility. Documentation of the minimum height needed, prepared by a professional telecommunication systems engineer, shall accompany the application for special permit. Such documentation may include propagation modeling and/or test results.
- F. All new structures shall meet the setback requirements of the respective zone or be set back from all property lines a distance equal to the height of the structure, whichever is greater. Guy anchors shall meet the setback requirements of the respective zone.
- G. Towers and antennae shall be a subdued, non-reflective color which shall blend in with its surroundings.
- H. In addition to the applicable buffer area requirement of Section 7.4-4, landscape buffers shall be required around the perimeter of all structures, including guy anchors. Such landscape buffers shall include evergreen trees of sufficient height and planted at a sufficient distance to provide visual screening as determined during the site plan approval process.

- I. Signal lights or illumination shall not be permitted unless required by the Federal Communications Commission or the Federal Aviation Administration.
- J. No advertising or signage, other than warning signs, is permitted on any tower.
- K. All unused telecommunication towers shall be removed within 12 months of cessation of use. In the event that an unused tower is not removed within 12 months of cessation of use, the tower and associated facilities may be removed by the Town and the cost of removal assessed against the property. As a condition of site plan approval, the Planning Commission may require a bond to insure removal of abandoned towers where the cost of the removal of the tower may equal or exceed the value of the lot on which it is located.
- L. No new or existing telecommunications service shall interfere with public safety telecommunications or with any existing television or radio signal. All applications for facilities under this regulation shall be accompanied by a study which provides a technical evaluation of existing and proposed transmissions and indicates all potential interference problems.
- M. Satellite dishes under 10 feet in diameter are exempt from this regulation when ground mounted or located on an existing building.
- N. Notwithstanding the provision of Section 4.11 of the Zoning Regulations, new towers may be placed on lots in RU zoning districts which already contain a principal building, provided that all other conditions of this section are met.

7.1-42 Large-Scale Conference/Entertainment Facilities (New Eff: 10/1/97)

The purpose of this regulation is to regulate conference and entertainment facilities that are large in scale and attract visitors from beyond the Town's and even the region's boundaries. Such facilities may be business or entertainment oriented and may provide

ancillary services that are customarily associated with the principal use.

Large-scale conference/entertainment facilities are permitted in CA, CB, DDD, NMDD, IA, IPA, IPB and IPC zoning districts subject to approval of a special permit and the following conditions:

- A. The minimum lot area shall be 5 acres for large-scale conference facilities and 15 acres for large-scale entertainment facilities.
- B. The site shall be served by public water and sewer.
- C. All structures and outdoor activities associated with a large-scale entertainment facility shall be located a minimum of 100 feet from any property line; all structures associated with a large-scale conference facility shall conform with the setbacks in the underlying zoning district. (Eff: 12/1/98)
- D. Maximum building coverage shall comply with the requirements of the underlying zone.
- E. The maximum height of any structure shall not exceed that allowed in the underlying zone, except where for each additional foot of setback from all property lines an additional foot of height may be achieved to a maximum of 100 feet, except as noted hereafter. Any structure proposed over 100 feet in height must be so noted in the special permit application which shall be accompanied by a visual impact analysis to determine whether or not the proposed structure would be widely seen and a negative impact on Groton's landscape. Structures judged to have a negative impact will not be approved by the Zoning Commission.
- F. The minimum lot width and depth for a large-scale entertainment facility shall be 400 feet; a large-scale conference center facility shall meet the requirements of the underlying zoning district. (Eff: 12/1/98)
- G. Because of the large number of visitors that might be attracted, these facilities shall be located where primary access to and from the site is via arterial streets or State highways. The special permit application shall be accompanied by a detailed traffic study which projects how much traffic will be

generated on both a daily and peak hour basis and probable routes of travel to the site. Where the existing road network is deemed substandard to accept the projected traffic, the Zoning Commission may condition the issuance of the special permit on upgrade/improvements to the road system, the details of which shall be approved by the Planning Commission at the time of site plan approval. Provision shall be made to accommodate the use of mass transit and other modes of travel to the site.

- H. In approving the site plan, the Planning Commission may approve of waivers from the requirements of Section 7.2 Off Street Parking and Loading, in terms of the number of spaces required, the location of spaces, and the surface of the spaces depending upon the type and scale of the proposed use. In general, these facilities will be required to provide parking at the rate of one off street space for every three seats in the facility or for every three persons attending the facility during peak hours.
- I. In considering the application for special permit, the Zoning Commission shall make a determination that the proposed use will not produce noise that will negatively impact existing residential neighborhoods. This includes noise produced by the use or activity itself, from the participants or visitors to the site, from loudspeakers, or any other source at or associated with the facility. The Zoning Commission may require a noise projection study to be performed. In general, no use shall emit noise beyond the boundaries of the subject property which will be received by residentially used or zoned property that exceeds 70dBA during the day or 50dBA after 10:00 p.m. and before 7:00 a.m. The Zoning Commission may limit the hours of operation of a use in the interest of minimizing/eliminating nighttime noise.
- J. Outdoor lighting at the proposed facility shall not spill over beyond the site's property lines and shall be the minimum intensity necessary to adequately and safely light the facility and its parking lot and access drives.
- K. The maximum size of freestanding signs shall not exceed 300 square feet. All other requirements of Section 7.3-7 Sign

Requirements for Signs in Non-Residential Districts, shall be applied as stated for the underlying zone.

- L. A landscaped buffer area of 75 feet in width shall be provided along all property lines for a large-scale entertainment facility; the Planning Commission may require an increased buffer at site plan application stage based upon the size, intensity, and location of the proposed use. (Eff: 12/1/98)

7.1-43 Auto Rental in Downtown Development District (New Eff: 10/1/98)

Auto rental (passenger vehicles only) is permitted in the DDD zone subject to the following conditions:

- A. There shall be a minimum lot size area of 10 acres.
- B. No rental automobiles shall be permitted to park or display within 75 feet of a front property line along Route 1.
- C. The parking used for storage of rental automobiles shall be separate and distinct from the parking required for other uses on the same site.
- D. Security fencing is not permitted in conjunction with this use in the DDD.

7.1-44 Drug Store Pick-Up Windows/Facilities (New Eff: 2/1/03)

Drug store pick-up facilities are permitted accessory uses to the principal use of Drug Stores/Pharmacies in the CA, CB, and DDD zones, subject to the following conditions:

- A. Drug store pick up facilities, including required stacking lanes, shall be located in the rear or side yards only, with the window and station located at the pharmacy, proper.
- B. A minimum of three stacking spaces shall be provided on site for each drive through station, including the vehicle being serviced.
- C. Stacking lanes shall be a minimum of 10 feet wide and each space shown shall be 20 feet long.

- D. Stacking lanes shall be separate from internal aisles, which allow traffic to circulate through the site without entering the drive through facility.

- E. Stacking lanes shall be designed and located so as to minimize traffic congestion and to promote pedestrian safety through the use of pavement markings, signs, and designated walkways.

7.1-45 Active Senior Housing (New Eff: 3/1/05)

Purpose: The purpose of this section is to provide for the construction of diverse alternative housing types to meet the needs of those active seniors age 55 and older while providing for a balance and variety of housing types and styles, offering a wide choice to prospective residents and accommodating the needs of various income levels, at the same time

recognizing the unique and special needs of the senior population and the need to protect existing neighborhood character in the Town of Groton. The regulations shall also encourage "empty nester" housing as identified in the Plan of Conservation and Development.

No provisions in this regulation shall be applied, enforced or implemented in a manner that is inconsistent with or prohibited by the Fair Housing laws of the United States (42USCA Section 3607) and the State of Connecticut (46a-64b).

Active Senior Housing Communities are permitted uses in the RS, R, RMF, RU-20, OMF, IP80 and CA-12 districts subject to approval of a special permit and the following conditions:

- A. The site and the primary access thereto shall be located on a collector road or higher classification in the Town's system as shown in the Plan of Conservation and Development.
- B. The minimum lot area shall be 15 acres in the RS-20 and RU-20 zones.
- C. The minimum lot width shall be 250 feet.
- D. The minimum lot area and square footage per dwelling unit shall be in accordance with the permissible density standards of the underlying zone.
- E. In order to maintain consistency of project scale with its neighboring surroundings, the following respective product types shall be allowed:

RS Zone:	Product Type = Single Family Detached, Duplex and Town House (maximum 3 units attached)
R Zone:	Product Type = Single Family Detached, Duplex and Townhouse (maximum 4 units attached)
RU Zone:	Product Type = Single Family Detached, Duplex and Townhouse (maximum 4 units attached)
RMF Zone:	Product Type = Single Family Detached, Duplex, Townhouse, Multi-Family Unit.
OMF	Product Type = Townhouse, Multi-Family Unit
CA-12	Product Type = Townhouse, Multi-Family Unit
IP-80C:	Product Type = Townhouse, Multi-Family Unit

- F. No building containing a dwelling unit or related facilities shall be located within 75 feet of any property line or within 150 feet of any existing residential structure in an R, RU or RS zone, except in the case of individual, single family detached units or duplex units when the setback may be reduced by the Zoning Commission if the Commission finds that it will enhance the project and not adversely affect neighboring properties. In no event shall the setback from a property line be reduced to less than the required setback for the underlying zone. This section shall not supercede other, more restrictive requirements and standards of the Zoning Regulations.
- G. The maximum coverage of all buildings on the lot shall not exceed 20%.
- H. Active Senior Housing Communities are intended for senior citizens and shall be restricted to persons 55 years of age and older subject to the following exceptions:

If a couple resides in one unit, one member of the couple must meet this age requirement. At any time, the total number of dwelling units occupied by persons under 55 years of age cannot exceed 20% of the total number of units. The community or facility is responsible for submitting verification of this requirement annually to the Town of Groton Zoning Official.

Active Senior Housing shall meet all requirements of the United States Federal Fair Housing Act, as amended. The Active Senior Housing facility or community shall be responsible for compliance with the Fair Housing Act and must publish and adhere to policies and procedures that demonstrate intent to comply with the requirement of the Fair Housing Act and shall so state in the appropriate legal documents for the community or facility.

The Town shall have the right, but not the obligation, to review continuing compliance with the criteria of the Federal Fair Housing Act.

- I. Building height shall be regulated by the height requirements of the zone in which the facility is to be located, in accordance with Section 5 2 of these regulations.

- J. The provisions of Section 6.7-6 shall apply to all Active Senior Housing Communities with the following exceptions:
1. For Item 6.7-6 E. The minimum distance between single family detached buildings on the same site shall be 20 feet.
 2. For Item 6.7-6 F. In lieu of item F, information for duplex, townhome and multi-family structures is to be submitted to the Planning Commission during site plan review noting that the exterior walls of the proposed structure must provide for variation with respect to surface treatment and/or variation in the plane of the exterior walls so as to provide visual relief. Compliance with the standard for visual relief shall require that the design, arrangement, size, mass and bulk, and location of buildings or other created or natural elements are sufficiently consistent in scale, character, and siting with its surroundings, so as to avoid abrupt or severe differences in scale.
 3. Active Senior Communities may obtain reductions or waivers from the other requirements of Section 6.7-6 in accordance with the provisions of Section 6.7-6L.
- K. The community shall be designed to promote mobility and socialization of residents with each other and throughout the community, provide appropriate facilities and amenities, as noted herein, for the intended community, and provide for a variety of common and shared spaces. The development shall encourage open space development patterns to preserve meaningful open space.
- L. A community building or indoor community space shall be provided at a minimum ratio of 20 square feet per unit. Said community building or community space may be included in the 7% recreation requirement under Section 6.7-6. Other outdoor areas required under Section 6.7-6G. shall be designed for socialization, including sitting areas, game and recreation areas. In no case shall the community building or indoor community space area be less than 2000 square feet in size.
- M. Active Senior Housing, shall at a minimum, meet the following residential unit development standards:

1. The required percentage of residential units and all common spaces shall conform to requirements for accessibility in accordance with the Connecticut Building Code.
2. All units shall be designed to be able to easily be converted to provide for handicapped accessibility to the individual unit if needed in the future, such as easily converted to allow for a ramp or level access to the units.
3. Universal Design Features shall be incorporated into the site and building design except as modified below:
 - a) A minimum of one residential bathroom/unit shall be designed to be easily equipped with grab bars at toilets and showers.
 - b) A minimum of one bath or shower shall be designed to be easily equipped with a seat or walk in access to shower.
 - c) A minimum of one bath shall meet the Connecticut Building Code requirements for accessibility.
 - d) Non-slip flooring with level thresholds, security wiring, personal alarm systems shall not be required.

The applicant for special permit shall provide, and have approved by the Zoning Commission, a list of said universal design features and other amenities for active senior housing that will be incorporated into the project with the site plan application.

- N. Parking shall be provided in accordance with Section 7.2-3A and/or B as the case may be. Spaces shall be located within 200' of the dwelling units and shall not exceed 5% in grade unless otherwise approved by the Planning Commission.

7.2 Off-Street Parking and Loading

7.2-1 Applicability

Off-street parking and loading shall be provided in accordance with this section for any building or use hereafter erected, established, enlarged, increased, or exchanged. The number of parking and loading spaces required shall be based on construction or development activity after the effective date of these regulations. Parking and loading space shall be maintained and shall not be encroached upon so long as said principal building or use remains, unless an equivalent number of such spaces is provided elsewhere in conformance with these regulations.

7.2-2 Obligation

The requirement for off-street parking space and off-street loading space shall be a continuing obligation of the owner of the property on which any such building or use is located as long as the building or use is in existence and its use requiring vehicle parking facilities continues unless a change in use also changes the parking requirements. It shall be unlawful for an owner of any building or use affected by this section to discontinue, change, or dispense with, or to cause the discontinuance of any vehicle parking or loading space. It shall be unlawful for any firm or corporation to occupy a building without providing parking and loading spaces which meet with the requirements of and are in compliance with these regulations.

7.2-3 Parking Spaces

The number of off-street parking spaces provided shall be in accordance with the following schedule of requirements:

- A. One and Two Family Dwellings - 2 spaces for each family unit; driveways may be included as required space. (Eff: 6/1/91)
- B. Multi-Family Dwellings and Accessory Apartments - 1½ spaces for each efficiency or 1 bedroom unit and 2 spaces for each unit of 2 bedrooms or more; 1.1 spaces for each efficiency or 1 bedroom unit and 1.6 spaces for each unit of 2 bedrooms or more in multi-family complexes in excess of 300 dwelling units. (Eff: 6/1/91; 8/1/02)
- C. Office Buildings - 1 space per 300 sq. ft. of floor area. (Eff: 11/1/92)
- D. Financial Institutions - 1 space per 250 sq. ft. of floor area. (Eff: 11/1/92)
- E. Medical/Dental Offices - 1 space per 200 sq. ft. of floor area. (New Eff: 11/1/92)
- F. Retail Store, Personal, and Commercial Services - 1 space per 200 sq. ft. of floor area for commercial buildings under 20,000 sq. ft. in size; 1 space per 250 sq. ft. of floor area for commercial buildings of 20,000 sq. ft. or more. (Eff: 11/1/92)

- G. Convenience Stores - 1 space per 150 sq. ft. of floor area.
(New Eff: 11/1/92)
- H. Furniture, Appliance, Carpet, and Hardware Stores - 1 space
for each 400 sq. ft. of floor area.
- I. Nightclubs, Bars, and Lounges - 1 space for each 30 sq. ft. of
public floor area.
- J. Restaurant, Fast-Food - 4 spaces for every 100 sq. ft. of seating
area with a minimum of 5 spaces. (New Eff: 12/16/88)
- Restaurant, Standard - 3 spaces for every 100 sq. ft. of seating
area with a minimum of 5 spaces. (New Eff: 12/16/88)
- Restaurant, Take-Out Only - 3 spaces for every 100 sq. ft. of
gross floor area associated with the restaurant use with a
minimum of 5 spaces. (New Eff: 12/16/88)
- K. Automobile, Truck, Trailer, Boat, Mobile Home, Machinery,
and Heavy Equipment Sales, and Other Similar Uses of an
Outdoor Nature - 1 space for each 400 sq. ft. of floor area or 1
space for each 1,000 sq. ft. of lot area, whichever is greater.
- L. Churches, Theaters, Halls, Stadiums, or Other Places of Public
Assembly - 1 space for every 3 seats with a minimum of 30
spaces.
- M. Libraries, Museums, and Non-Commercial Art Galleries - 1
space for each 750 sq. ft. of floor area.
- N. Hotels, Motels, Lodging, or Boarding Houses - 1 space for
each room.
- O. Hospitals - 1 space for each bed plus 1 space for each 2
employees.
- P. Nursing Homes - 1 space for each 3 beds plus one space for
each 2 employees.

- Q. Funeral Homes - 1 space for each 50 sq. ft. of public floor area, in addition to the spaces required for any dwelling unit on the premises.
- R. Marinas - 1 space for each boat slip or rental boat with additional and separate areas provided for the parking of boat trailers.
- S. Manufacturing and Industrial Plants - 1 space for each 800 sq. ft. of floor area, or one space for each 3 persons normally employed, whichever is greater.
- T. Warehousing and Other Enclosed Storage Uses - 1 space for each 1200 sq. ft. of floor area
- U. Outdoor Commercial Recreational Uses - .75 space for each competitor participating in any competitive activity.
- V. Adult Day Care Facility, Group Day Care Home, Child Day Care Center - 1 space for each employee or staff member, plus 1 parking space for every 6 adults/children to be cared for, during peak operation. (Eff: 8/1/92)
- W. Home Occupations - 1 space in addition to those required for the principal dwelling unit where the home occupation employs a non-resident of the dwelling. (New Eff: 6/1/91)
- X. Assisted Living Facility - 1 space for each 3 dwelling units plus 1 space for each employee during the largest shift of the day. (New Eff: 5/31/97)
- Y. Congregate Living Facility - 1 space for each multifamily dwelling unit plus 1 space for each employee during largest shift of the day. In the case of individual detached housing units or duplex units, 2 spaces for each dwelling unit shall be provided. (New Eff: 5/31/97; 12/10/2004)

7.2-4 Interpretation of Required Parking Spaces

- A. The parking required herein is in addition to space for storage of trucks or other vehicles used in connection with a business, commercial, or industrial use.
- B. Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.
- C. The parking space requirements for a use not specifically listed in this section shall be determined by the Commission based on parking demand generation for a listed use of similar characteristics.
- D. In the case of mixed uses, uses with different parking requirements occupying the same building or premises, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

7.2-5 Location of Required and/or Additional Parking Facilities
(Eff: 5/1/99)

Required and/or additional parking facilities shall be located on the same lot as the building or other use which they serve except as follows:

- A. Because the WDD is important to the Town's economy, provides a local service and employment base, and because its physical integrity and historic and architectural character must be protected, and further because it is desirable to utilize existing buildings as fully and as effectively as possible, and because land area for parking within the WDD zone is very limited, required parking for uses within the WDD zone may be provided on sites other than the sites which they serve provided that:
 - 1. Said spaces are within 500 feet walking distance of the lot or use which they serve and are within the WDD.
 - 2. Such spaces shall preferably be in same ownership as the use which they serve. However, evidence of a lease of such spaces and a minimum term of 10 years shall be

acceptable. Such lease shall be recorded in the Land Records of the Town prior to the filing of the site plan in the Land Records. Further, the obligation to maintain the required number of spaces as set forth in Section 7.2-2 is not diminished by the leasing option permitted under this section.

- B. In the IP Zone District, certain types of users may need more parking than is required by the Zoning Regulations. Since the IP Zone District is important to the Town's economy because it provides tax base, services and employment, and further because it is desirable to use existing and proposed buildings as fully and effectively as possible, it may be desirable to permit additional off-site parking to serve these special users. This parking may be provided on sites other than the sites which they serve provided that:
1. The off-site parking shall comprise those parking spaces in excess of the required number of spaces installed on the site for the principal and allowed uses to meet zoning regulations.
 2. The off-site parking may be freestanding but it shall meet all the intent and requirements of Section 7.2, except as modified herein. Use of this provision is solely up to the discretion of the Planning Commission upon demonstration by the applicant that said additional parking is justified.
 3. The parking spaces shall be within 500 feet walking distance of the lot or use which they serve and must be located within the IP Zone District.
 4. Pedestrian access connections between off-site parking areas and the site of the principal use shall be provided for, and shuttle service between sites shall be encouraged.

7.2-6 Shared Parking

- A. The Planning Commission may reduce the parking requirements of Section 7.2-3 of these regulations to allow for

shared parking. Use of this provision is solely up to the discretion of the Planning Commission subject to the requirements stated hereafter. This provision may be applied in any of the following instances:

1. Where in a mixed-use development, there are two or more land uses which have differences in their principal operating hours, thereby allowing utilization of the same parking spaces;
2. Where uses in a mixed-use development, although not having similar operating hours, will in fact be geared to the same users thus reducing the demand for parking spaces; or
3. Where a use is located near another use such as a church or other public place of assembly that is not in operation during the same hours or days as the first use, and where such church or public place of assembly is willing to make its parking available to the first use.

B. The Commission may reduce the parking requirement for the use(s) requiring the least amount of parking under the requirements of Section 7.2-3 of these regulations, but in no case shall the parking be reduced to less than the parking required for the use requiring the most parking under Section 7.2-3. The application of this provision is subject to the following conditions:

1. Joint off-street parking facilities provided by another building or use shall be within 500 feet of the applicant's building or use.
2. The applicant shall demonstrate that there will be no substantial conflict in the demand for the shared parking; shall provide documentation that the application of this provision is applicable to the use proposed; and shall show that parking on the street and other unauthorized areas will not increase significantly.
3. The Planning Commission may revoke the application of this shared parking provision where it determines that the actual experience of the uses involved or a

change in use will result in the demand for more parking than what is supplied. Where additional parking cannot be supplied, the Commission may require the reduction/elimination of uses based on the provision of parking required in Section 7.2-3.

7.2-7 Minimum Area

For the purpose of this regulation, an off-street parking space is an all-weather surfaced area having a width of not less than 9 feet and a length of not less than 18 feet. In those instances where the parking space abuts a landscaped area or a pedestrian sidewalk of not less than 6 feet in width, the parking space can be reduced to 16 feet in length. The length required shall be measured on an axis parallel with the vehicle after it is parked. The required area is to be exclusive of driveways and shall be permanently reserved for the temporary parking of one automobile and shall be connected with a street or public right-of-way by an all-weather surfaced driveway. In the case of single-family and two-family dwellings, all-weather surfaces shall not be required.

7.2-8 Parking for the Physically Handicapped

Parking shall be provided for the physically handicapped in accordance with Article 21 of the Basic Building Code of the State of Connecticut.

7.2-9 Pedestrian Safety

Off-street parking spaces shall be separated from the building served by a 6-foot wide concrete walk with a 6-inch high concrete safety curb. In lots of 100 spaces or more, parking is prohibited adjacent to the front of the building unless a minimum 20-foot landscaped area is provided in addition to the 6-foot wide concrete walk. (Eff: 11/13/98)

7.2-10 Interior Drives

Interior drives shall be of adequate width to serve a particular design arrangement of parking spaces, the following being the minimum width permitted. 90° parking shall be used unless there is positive control of traffic directions.

90° parking - 24 feet
45° parking - 13 feet
60° parking - 18 feet
30° parking - 11 feet

7.2-11 Entrance and Exit Driveways

- A. Residence driveways shall not be less than 9 feet wide at the right-of-way line nor less than 13 feet at the curb line for lots for one or two-family dwellings.
- B. In multi-family residential and all non-residential districts, the design of driveway aprons between the right-of-way line and the curb line shall be as required by the Town of Groton Road and Drainage Standards, or by the State Department of Transportation. Each parcel within these districts shall be entitled to a driveway where the property has 200 feet of frontage or less, and additional driveways when permitted and approved by the Planning Commission on the site plan. No driveway shall be permitted within 50 feet of a street intersection or within 25 feet of another driveway.

7.2-12 Marking

All required parking spaces, except for single-family or two-family residences, shall be marked by painted lines, curbs, or other means to indicate individual spaces.

7.2-13 Surfacing and Drainage

Adequate storm water drainage shall be provided for all off-street parking areas. The minimum required number of parking and truck loading facilities for all uses other than single or two-family dwellings shall have an all-weather surface of bituminous or concrete paving maintained in good condition and capable of allowing free and safe movement of all vehicles using the facility. The perimeter of all parking areas shall have a machine-formed curbing at least 5 inches high or precast concrete bumpers, safety curbs, or other protective devices. Where the Planning Commission finds that the general public will not be utilizing a parking area on a regular basis or where it is determined that development may result in significant impacts to surface and/or groundwater resources the Commission may

authorize or require the use of an acceptable alternative parking surface. (Eff: 5/1/03)

7.2-14 Lighting

Adequate lighting shall be provided in lots of more than 10 spaces if off-street parking spaces are to be used at night. The lighting shall be arranged and installed to minimize glare beyond the property line.

7.2-15 Truck Loading Space

In the case of hospitals, institutions, hotels, retail, wholesale, and industrial buildings, space shall be provided for loading and unloading of trucks at the rate of 1 space not less than 400 square feet in area for each 15,000 square feet of floor area or fraction thereof up to a total of 30,000 square feet, and 400 square feet for each additional 30,000 square feet. Such truck area shall be adjacent to the loading area or doors.

7.2-16 Phased Parking Development

The Planning Commission may, depending on the specific parking needs of a particular use, approve a phased development of the off-street parking area for a proposed or an existing development, in accordance with the following conditions:

- A. The total number of spaces required to be shown on the site plan shall be determined in accordance with the standards for that particular use, as specified in Section 7.2-3 of these regulations.
- B. The construction of the parking area and the installation of the spaces may be phased according to short term requirements as designated on the plan, except that no less than 50% of the total spaces required shall be constructed as part of the short term requirement.
- C. The balance of the spaces not constructed shall be designated as "reserve spaces" on the site plan and laid out as an integral part of the overall parking layout, and must be located on land suitable for parking area development and either left in its natural state of suitably landscaped.

- D. Under any circumstances, the owner may construct the total number of parking spaces required as per Section 7.2-3 of these regulations; or if the Zoning Official determines that additional spaces identified as reserve spaces on the site plan may be required, he shall notify the owner of the property concerning his findings and the owner shall construct the required spaces within six months of such notification.

7.2-17 Reduced Parking Standards (Deleted: 11/1/92)

7.3 Sign Regulations

7.3-1 Purpose and Declaration (Eff: 3/1/93)

The purpose of this regulation is to promote and protect the public health, welfare and safety by regulating location, number, and size of all signs in all zoning districts. It is intended to protect property values, create an attractive economic and business climate, and to enhance and protect the physical appearance and historic character of the Town. It is further intended to prevent signs or advertising forms which present a public safety hazard due to their unsafe location or their potential distraction to motorists.

No sign, except as provided in Sections 7.3-5 and 7.3-6 hereof, shall be erected, structurally altered, or otherwise changed, unless a Zoning Permit has been approved by the Zoning Official. Signs located inside the interior of a building are exempt from these regulations.

7.3-2 General Requirements

A. Construction

Signs shall be constructed in accordance with the structural and safety specifications of the Building Code. The installation, alteration, repairing, maintenance, and inspection of electric signs shall conform to requirements of local codes and ordinances.

B. Illumination

External lighting fixtures shall be permitted on indirectly illuminated signs, provided such fixtures do not extend more than 6 feet beyond the sign structure and are so attached that such illumination is directed upon the face of the sign and does not reflect directly into adjoining property or public streets. No lighting from illuminated signs shall cause glare to be reflected off the premises in which the sign is located. Neon lighting may be used on permitted signs in non-residential districts only, but is not permitted to outline buildings or structures or ornamental features by use of exposed neon tubing, strings of lights, or otherwise.

C. Maintenance

The owner of the premises on which a sign is erected shall be directly responsible for keeping all signs, together with their supports, braces, guys, and anchors, in good repair and in safe condition.

7.3-3 Sign Prohibitions

The following prohibitions shall apply to all signs in all zoning districts.

- A. No sign shall be attached to any tree, fence, or utility pole, or be permitted to be painted directly upon the wall or roof of any building.
- B. No sign shall project beyond any property line.
- C. No signs shall have blinking, flashing, fluttering, oscillating, rotating, or pulsating lights or other illuminating devices which have a changing light intensity or color. Emergency lights are excluded.
- D. Signs containing, or that are an imitation of, and official sign or signal, or containing the words "stop", "go slow", "caution", "danger", "warning", or similar words are prohibited.
- E. Signs which may in any way be confused with or be construed as a traffic control device or which conceal from view any traffic or street sign or signal are prohibited.
- F. Movable or portable signs, such as those used in conjunction with gasoline filling station operations and automobile dealers and garage activities, including any sign displayed on a vehicle when such vehicle is used primarily for the purpose of such display, are prohibited.

7.3-4 Non-Conforming Signs

Existing signs of a size or type not permitted in the district in which they are situated, or which do not conform to all the provisions of

these regulations, will be considered non-conforming structures under this section. Any increase in size shall be deemed to be an enlargement or extension producing an increase in non-conformity. Non-conforming signs shall not be relocated to any other location, unless such relocation results in eliminating the non-conformity.

A. Prohibited Signs

All signs identified in Section 7.3-3 existing at the time of enactment of this regulation shall be removed within 6 months of said enactment. Upon failure to comply with the time specified, the Zoning Official is hereby authorized to order removal of such sign within 30 days of written notification. If said order is not complied with within 30 days, the owner shall be billed for the expense incurred in removal.

B. Accessory Signs

All non-accessory signs currently existing in all RS, R, RU, WF, WDD, and IP zones shall be removed or relocated in accordance with these regulations by August 1, 1980. Upon failure to comply with the time specified, the Zoning Official is hereby authorized to order removal of such sign, within 30 days of written notification. If not complied with within 30 days, the owner shall be billed for the expense incurred in removal.

C. Bona Fide Advertisement

Any sign now or hereafter existing which no longer advertises a bona fide business conducted, product sold, or activity or campaign being conducted, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure, or lot upon which sign may be found within 30 days of such cessation. Upon failure to comply within the time specified, the Zoning Official is hereby authorized to order removal of such sign, within 30 days of written notification, and expenses incident thereto shall be paid by the owner of the building, structure, or lot to which such sign is attached.

7.3-5 Signs Permitted in All Districts

The following signs are permitted in all districts without approval of a Zoning Permit, subject to the requirements of Sections 7.3-2 and 7.3-3 and the following conditions:

A. Temporary Signs

The following temporary signs shall be set back at least 10 feet from any property line:

1. Construction

Signs which identify the architects, engineers, contractors, and other individuals or firms involved with the construction, but not including any advertisement, of any product, and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, to a maximum area of 16 sq. ft. for each firm or 32 sq. ft., whichever is less. The signs shall be confined to the site of the construction, and shall be removed within 14 days of the beginning of the intended use.

2. Real Estate

Signs advertising the sale, rental, or lease of the premises or part of the premises on which the signs are displayed. Such signs shall be removed no later than 14 days of the sale, rental, or lease. Maximum total area for RS, R, and RU districts shall be 6 sq. ft.; LA and IP districts shall be 48 sq. ft.

3. Political Campaign

Signs announcing candidates seeking public political office and other data pertinent thereto, up to an area of 16 sq. ft. for each premise. These signs shall be confined within private property, erected not earlier than 60 days before, and removed within 14 days after the election for which they were made.

4. Public Entertainment or Event

Such street banners or temporary signs advertising a public entertainment or advertising a charitable, religious, or educational event, as may be specifically approved in location designated by the Zoning Official for 14 days prior to and 7 days after the public entertainment or event.

B. Public Signs

Signs of a non-commercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of his public duty, such as safety signs, memorial plaques, signs of historical interest and the like.

C. Integral

Names of non-commercial buildings, dates of erection, monumental citations, commemorative tablets, and the like, when carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.

D. Private Traffic Direction

Signs directing traffic movement onto a premise or within a premise, not exceeding 3 sq. ft. in area for each sign. Illumination of these signs shall be permitted in accordance with the section on illumination. Horizontal directional signs on and flush with paved areas are exempt from these standards.

7.3-6 Signs Permitted in Residential Districts

The following signs are permitted in all residential districts subject to Sections 7.3-2 and 7.3-3 and the following requirements:

A. One and Two-Family Dwellings

One freestanding or wall sign not to exceed 2 sq. ft. in area per dwelling unit, nor 6 feet in height, identifying the name and address of the occupant(s), is permitted without approval of a Zoning Permit. Permitted home occupations may also state the occupation or profession on the sign.

B. Other Uses

One freestanding or wall sign is permitted for any other permitted use in residential districts subject to the same approvals required for the principal use and provided the sign does not exceed an area of 24 sq. ft. and a height of 8 feet above ground level, and is set back a minimum of 10 feet from any property line.

7.3-7 Signs Permitted in Non-Residential Districts

Signs are permitted in the WF, WDD, OMF, CA, CB, DDD, IA, and IP districts subject to the same approvals required for the principal use and the requirements in the Regulations for Signs in Non-Residential Districts Table.

Signs directing traffic movement down a street may be erected/installed within the public road right-of-way in the WF, WDD, OMF, CA, CB and DDD districts subject to the approval of the Director of Public Works. Such signs are for the sole purpose of directing automobile or pedestrian traffic and may not be used to provide additional commercial advertising containing the name of a specific place of business. The maximum size of these signs may not exceed the size of a standard Town of Groton street sign and only one sign may be erected per street corner. (Eff: 2/1/96)

7.3-7 REQUIREMENTS FOR SIGNS IN NON-RESIDENTIAL DISTRICTS

<u>TYPE</u>	<u>REQUIREMENTS</u>	<u>WF, WDD</u>	OMF, CA, CB, <u>DDD</u> , <u>NMDD</u>	<u>IA</u>	<u>IP</u>
<u>BANNER</u>	Permitted Number Size Determination Maximum Size (sq. ft.) Number of Days Permitted Annually	----- 1 per business ----- ----- 1 sq. ft. per linear foot of business frontage ----- ----- 100 ----- ----- 90 -----		N/A N/A N/A N/A	N/A N/A N/A N/A
<u>BULLETIN/MENU</u>	Permitted Number Maximum Size (sq. ft.) Maximum Extension from Wall (inches)	----- 1 per business ----- ----- 6 ----- ----- 9 -----		N/A N/A N/A	N/A N/A N/A
<u>FLAG</u>	Permitted Number Maximum Size (sq. ft.) Lowest Portion of Flag Height Above Walkway/Travelway (feet)	----- 1 per business ----- ----- 15 ----- ----- 8 -----		N/A N/A N/A	N/A N/A N/A
<u>FREESTANDING</u>	Permitted Number Size Determination Maximum Size (sq. ft.) Maximum Height Above Ground (feet) Setback From Property Line	----- 1 per street frontage ----- N/A 1 1/2 sq. ft. per linear foot of building frontage ⁽¹⁾ 32 100 20 20 10 10			300 20 10
<u>WALL</u>	Permitted Number Size Determination of total sign area Maximum Size of each sign (sq. ft.) Maximum Height Above Roof (feet) Maximum Extension From Wall (inches) Maximum Height (feet)	----- 2 per business ^(2B) ⁽⁶⁾ ⁽⁸⁾ ----- ----- 1 sq. ft. per linear foot of building frontage ⁽¹⁾ ⁽⁸⁾ ----- 50 200 ⁽⁸⁾ 200 200 ⁽⁸⁾ N/A 6 6 N/A 15 15 15 15 2 ⁽³⁾ N/A N/A N/A			
<u>PROJECTING</u>	Permitted Number Maximum Size (sq. ft.) Maximum Projection From Wall (inches)	----- 1 per business ^(2A) ----- 12 12 12 12 See Building Code 48 48 48			
<u>NON-ACCESSORY</u>	Permitted Number Maximum Size (sq. ft.) Maximum Height Above Ground (feet) Setback From Property Line (feet) Minimum Distance From RS, R, and RU Zones (feet) Minimum Separation Between Each (feet)	N/A ----- 1 per lot ----- N/A 300 300 N/A 24 24 N/A 50 ⁽⁵⁾ 50 ⁽⁵⁾ N/A 200 200 N/A 500 500			N/A ⁽⁴⁾ N/A ⁽⁴⁾ N/A ⁽⁴⁾ N/A ⁽⁴⁾ N/A ⁽⁴⁾ N/A ⁽⁴⁾
<u>CANOPY OVER FUEL PUMP</u>	Permitted Number Size Determination Maximum Size Per Canopy (sq. ft.) Maximum Height Above Roof (feet) Maximum Extension From Wall (inches) Maximum Height (feet)	----- 2 per canopy face ⁽⁷⁾ ----- ----- 0.5 sq. ft. per linear foot of canopy perimeter ----- N/A 60 60 60 N/A N/A N/A N/A N/A 15 15 15 N/A N/A N/A N/A			
<u>TOPPER</u>	Permitted Number Maximum Size (sq. ft.)	N/A ----- 1 per gasoline pump ----- N/A 3 3			N/A N/A

See following page for notations.

Notations for 7.3-7 Requirements for Signs in Non-Residential Districts

- (1) Building frontage for each business establishment.
- (2A) If a business has building frontage on two streets, two signs will be permitted, one per street. See also Section 7.3-9.
- (2B) If a business has building frontage on two streets, four signs will be permitted, two per street.
- (3) For buildings having a frontage greater than 50 linear feet, 1 additional foot of wall sign height is allowed for every additional 10 feet of frontage over 50 feet, the sign not to exceed 10 feet in height. (New Eff: 4/11/88)
- (4) See Section 7.3-8.
- (5) Setback may be revised at the discretion of the Zoning Commission.
- (6) In the IA and IP zones, businesses with more than one building on a single lot, may display one additional sign on each additional non-accessory building beyond the first building, and each such additional sign shall not exceed 125 square feet in size. (New Eff: 10/31/89)
- (7) Canopy type signs shall be located on the canopy face, shall not extend beyond the canopy face in any direction, and shall be an integral part of the sign design. (New Eff: 11/13/98)
- (8) See Section 7.3-10 for provisions for special large commercial tenant building signage. (New Eff: 9/10/05)

7.3-8 Special IP Zone Signage (Eff: 5/1/99)

- A. Signs which specifically promote or identify allowed park development on the property on which they are located or adjacent to are permitted in the IP zone. Prior to the construction of any sign under this section, a conceptual development plan, indicating the scope and overall configuration of the industrial park must be on file with the Planning Commission. In order to ensure that signs meet the intent of the regulation and are adequately maintained, the Planning Commission's approval for the signage will expire three years from the date of erection and will then have to be renewed or removed. These signs are to front on I-95 and will conform to the following requirements:

Permitted Number: 1 per industrial park development

Maximum Size: 200 sq. ft.
Maximum Height Above Ground: 24 feet
Set Back From Property Line: 50 feet*
Minimum Distance From RS, R and RU Zones: 200 feet
Minimum Separation Between Each Sign: 1,000 feet

*Setback may be revised at the discretion of the Zoning Commission.

- B. Signs which specifically identify an industrial park and its occupants by name or logo are permitted in the zone, provided said industrial park scope and overall configuration is so designated by the Planning Commission. At least 50 percent of the actual sign area shall be allocated to the industrial park name/logo. These signs shall be located at the park's primary entrance(s) and/or may be permitted along Interstate 95 highway frontage subject to the following conditions: 1) This provision for placement of special signage along Interstate 95 may only be exercised upon approval of a conceptual development plan for signage, submitted by the industrial park developer and approved by the Planning Commission, which specifies that no freestanding signage for individual lots shall be placed along the I-95 frontage. 2) A written binding agreement regarding the exercise of this option shall be entered into by the developer and the Planning Commission and be recorded in Land Records.

The sign lighting and design shall be approved by the Planning Commission. These signs shall conform to the following requirements:

Permitted Number: 1 per street frontage (with a maximum of 2 signs)

Maximum Size: 200 sq. ft.
Maximum Height Above Ground: 24 feet
Set Back From Property Line: 50 feet*
Minimum Distance From RS, R and RU Zones: 200 feet*
Minimum Separating Distance Between Each Sign: 500 feet

*Setbacks and distances from RS, R and RU Zones may be revised at the discretion of the Zoning Commission.

7.3-9 Waterfront Wall Signs in WF Zones (New Eff: 9/1/88)

Wall signs are permitted in WF zones on the sides of water-related commercial businesses facing the water. These signs will conform to the following requirements:

Permitted Number: 1 per business

Size Determination: 1 sq. ft per linear foot of building (waterside) frontage

Maximum Size: 50 sq. ft.

Maximum Height Above Roof: N/A

Maximum Extension from Wall: 15 inches

Maximum Height: N/A

7.3-10 Special Large Commercial Building Signage Provisions (New 9/10/05)

The purpose of this section is to: allow additional wall signs for large commercial businesses offering multiple services to encourage the effective use of signs to convey specific information to the public; and to enable the use of wall signs to break up large expanses of horizontal and vertical building façades.

A. Building Requirements

Additional wall signage may be approved for large anchor businesses on lots zoned CA, CB, DDD, IPA, OMF and NMDD under the following conditions:

1. Business must occupy in excess of 50,000 square feet of building space; and
2. Portion of the building that the business occupies must have 250 feet or more of continuous, linear building frontage.

B. Wall Sign Requirements

If the requirements of subsection A of this section are met, signage for these businesses shall be subject to the following conditions:

1. Sign Area

- a) The maximum total sign area shall not exceed 1.5 square feet per linear foot of building frontage supporting such signs.

2. Sign Size

- a) The maximum of any one sign shall not exceed 400 square feet.
- b) Signs that are 25 to 400 square feet shall be considered primary wall signs.
- c) Signs that are less than 25 square feet shall be considered secondary wall signs.

3. Primary Building Frontage

- a) A business shall be allowed a maximum of eight (8) wall signs on its primary building frontage, which shall be that frontage with the longer building frontage.
- b) The primary building frontage shall be allowed a maximum of two (2) primary wall signs the combined square feet of which shall not exceed 400 square feet. All other wall signs shall be secondary signs.

4. Secondary Building Frontage

- a) If a business has building frontage on two streets, the secondary building frontage shall be allowed a maximum of two (2) wall signs on this frontage.
- b) The Secondary building frontage shall be allowed a maximum of one (1) primary wall sign not to exceed 200 square feet. All other wall signs shall be secondary signs.

5. All other provisions of 7.3-7, Requirements For Signs in Non-Residential Districts Table apply.

C. Sign Plan

Prior to the approval of additional signage under this section, and as part of the review for Site Plan applications or modifications to Site Plan applications, the Commission shall review and approve a sign plan presented by the applicant. Revisions to the sign plans for already developed sites may be made through the Administrative Site Plan application process if the conditions of Section 8.4-1B and C are met. The sign proposal shall include a conformance table outlining all calculations supporting the request for additional signage under this section including: the number of proposed wall signs, the size of each, the total sign area allowed under this section and the total sign area proposed. In order to ensure consistency with the regulations, the sign concept may contain such other information at the request of the Director of Planning and Development or designee or the Planning Commission, as the case may be.

7.4 Landscaping, Screening, and Buffer Areas

7.4-1 Purpose

The following standards are intended to enhance the appearance and natural beauty of the Town and to protect property values through preservation of existing vegetation and planting of new screening and landscaping material. Specifically, these standards are intended to reduce excessive heat, glare and accumulation of dust, to provide privacy from noise and visual intrusion, and to prevent the erosion of the soil, excessive run-off of drainage water, and the consequent depletion of the ground water table and the pollution of water bodies.

7.4-2 General Requirements

The following provisions shall apply to any use in all zoning districts:

- A. Any portion of a developed lot or property which is not used for the location of buildings, structures, accessory uses, off-street parking and loading areas, sidewalks, or similar purposes, shall be landscaped and maintained in such manner as to minimize storm water runoff.
- B. Landscaping, trees, and plants required by these regulations shall be planted in a growing condition according to accepted horticultural practices and they shall be maintained in a healthy growing condition. Any landscaping, trees, and plants which are in a condition that does not fulfill the intent of these regulations shall be replaced by the property owner during the next planting season for the particular plant material.
- C. A screening fence or wall required by these regulations shall be maintained by the property owner in good condition throughout the period of the use on the lot.
- D. All landscaping, trees, and planting material adjacent to parking areas, loading areas, or driveways shall be properly protected by barriers, curbs, or other means from damage by vehicles.

- E. To the extent possible, existing trees, vegetation, and unique site features such as stone walls shall be retained and protected. Existing healthy, mature trees, if properly located, shall be fully credited against the requirements of these regulations.
- F. Where lot size and shape or existing structures make it infeasible to comply with the requirements for a front landscaped area or landscaped parking area, the Planning Commission may substitute planters, plant boxes or pots containing trees, shrubs, and/or flowers to comply with the intent of these regulations.
- G. In cases where the edge of the pavement or sidewalk within a public right-of-way does not coincide with the front lot line, the property owner shall landscape the area between the front lot line and the edge of the street, pavement, or sidewalk.

7.4-3 Front Landscaped Area

A front landscaped area shall be required for all uses in all zoning districts. The required landscaped area shall be covered with grass or other ground cover and shall include appropriate trees and shrubs. At a minimum, one street shade tree having a caliper of 2 inches and a height of 6 feet shall be planted for each 50 feet or fraction thereof of lot frontage. The purpose of the landscaping is to enhance the appearance of the use on the lot but not to screen the use from view.

A. Residential Districts

In all residential districts, the required front yard, except for the driveway, shall be landscaped, but in no case shall it be required to exceed 30 feet from the front lot line.

B. Commercial and Industrial Districts

In all non-residential districts, a strip of 10 feet wide along and contiguous to the front lot line shall be landscaped except in the DD and IP districts, which shall be required to provide a strip 20 feet wide along the front lot line. Furthermore, in all non-residential districts a landscaped area 5 feet wide shall abut the front of the building.

7.4-4 Buffer Area

The purpose of the buffer area is to provide privacy from noise, headlight glare, and visual intrusion to residential dwellings. A buffer area shall be required along and within all boundaries of a lot abutting or directly across a local street from any lot in a residential district. Such buffer area shall comply with at least the following minimum standards.

A. The minimum width of buffer areas shall be as follows:

Conditional uses in or abutting any residential district -
25 feet

All commercial districts - 15 feet

Industrial districts - 30 feet

Industrial park districts - 50 feet

Where lot size and shape or existing structures make it infeasible to comply with the minimum widths required above, the Planning Commission may modify the width requirements provided the buffer area meets the intent of these regulations.

B. The buffer area shall be of evergreen planting of such type, height, spacing and arrangement as, in the judgment of the Planning Commission, will effectively screen the activity on the lot from the neighboring residential area. At a minimum, the planting shall consist of trees 6 feet in height planted at intervals of 10 feet on center. Non-evergreen planting may be included to supplement evergreen planting, but not to take its place.

C. An earthen berm, wall, or fence of location, height, design, and materials approved by the Planning Commission may be substituted for any portion of the required planting and/or buffer area strip.

D. Where the existing topography and/or landscaping provide adequate screening, the Planning Commission may modify the planting and/or buffer area requirements.

7.4-5 Landscaped Parking Area

In addition to the front landscaped area and buffer area requirements, parking areas shall comply with the following minimum standards:

- A. All uses required to provide 20 or more off-street parking spaces shall have at least 10 sq. ft. of interior landscaping within the paved portion of the parking area for each parking space. Islands shall be required to indicate and assure safe and efficient channelization of both pedestrian and vehicular traffic and to separate the major accessways through the parking area from parking aisles. Each separate landscaped area shall contain a minimum of 100 sq. ft., shall have a minimum dimension of at least 8 feet, shall be planted with grass or shrubs, and shall include at least one deciduous tree of not less than 2 inch caliper, at least 6 feet in height.
- B. A landscaped area shall be provided along the perimeter of any parking area except where the parking area is functionally integrated with an adjoining parking area on an abutting lot. The landscaped area shall have a minimum dimension of 5 feet, shall be planted with grass or shrubs, and shall include at least one deciduous tree of not less than 2 inch caliper, at least 6 feet in height for every 50 feet along the perimeter of the parking area.