

ZONING REGULATIONS

Town of Groton, Connecticut

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

AMENDMENTS

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

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

February 1, 1993	Economic Development Regulations: New Sec. 6.12-6 Expansion of Non-Permitted Uses (WRPD)
March 1, 1993	Sec. 2 Definitions and Sec. 7.3 Sign Regulations
July 1, 1993	Sec. 2 Definitions, New Sec. 7.1-37 Community Residential Counseling Facility, and Related Regulations
September 4, 1993	Sec. 2 Definition of Family; Sec. 8.4-3 D. Recording of Plans; Expiration
December 1, 1993	Sec. 6.12-3, new 6.12-3 I. and Sec. 6.12-5 B. 2. Water Resource Protection District; Sec. 8.5-10 Hearings and Sec. 8.5-11 Decision of the Board
January 3, 1994	Sec. 5.1-3 Table of Permitted Uses (Churches and Other Places of Religious Worship in IP Zones)
April 1, 1994	Sec. 5.1-3 Table of Permitted Uses and Sec. 7.1-33 Waste Handling/Reduction Facilities
June 1, 1994	Sec. 5.1-3 Table of Permitted Uses and Sec. 6.12-3 G. Water Resource Protection District; Sec. 6.12-3 I. Water Resource Protection District
October 1, 1994	Sec. 6.10-3 Nautilus Memorial Design District
December 16, 1994	Sec. 4.4 Height Limitation; New Sec. 6.12-7 Relocation of Non-Permitted Uses (WRPD)
February 1, 1995	Sec. 5.2 Lot, Yard and Building Requirements
February 10, 1995	Sec. 2 Definitions and Sec. 6.6 Flood Protection Regulations
June 1, 1995	New Sec. 7.1-38 Historic/Institutional Reuse
October 1, 1995	Sec. 5.1-3 Table of Permitted Uses (Laundry and Dry Cleaning (self-service or pick up only))
February 1, 1996	Sec. 7.3-7 Signs Permitted in Non-Residential Districts

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

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

May 1, 2003	Sec. 5.2 Lot, Yard and Building Requirements; Sec. 6.11 Erosion and Sediment Control Plan; 6.12 Water Resource Protection District regulations; 7.2-13 Surface and Drainage, 8.4 Site Plan Review and Approval; 8.5-8B Variances
December 1, 2003	Sec. 5.2 Notations for Lot, Yard and Building Requirements (Building Height in the IP-80C zone increased to 40 feet)
June 1, 2004	Sec. 5.2 Lot, Yard and Building Requirements; Sec. 7.1-20 One and Two Family Dwellings and boarding or Rooming Houses
December 10, 2004	Sec. 2 Definition Universal Design Features, Assisted Living Facility, Congregate Living Facility and Residential Life Care Community in Sec. 5.1-3 Table of Permitted Uses; Sec. 7.1-1 Residential Life Care Communities; Sec. 7.2-3 Congregate Living Facilities.
March 1, 2005	Sec. 2 Definitions; Sec. 5.1-3 Table of Permitted Uses; Sec. 6.7-6 Building and Site Requirements; 7.1-20 One and Two Family Dwellings, Boarding or Rooming Houses and Active Senior Housing; New Sec. 7.1-45 Active Senior Housing.
September 10, 2005	Sec. 7.3-7 Requirements for Signs in Non-Residential Districts; New Sec. 7.3-10 Special Large Commercial Building Signage Provisions.
February 4, 2006	Sec 5.1-3 Table of Permitted Uses; Sec 7.1-8 Elementary and Secondary School, College and University.
December 1, 2007	New Zoning Regulation 6.13 (Mixed Use Zones); add “MX” to Section 3.1 (Classes of Districts), add footnote to Section 5.1-3 (Table of Permitted Uses); and add footnote to Section 5.2 (Lot, Yard, and Building Requirements Table).
March 1, 2010	Section 7.3-6A and Table 5.1-3 “Table of Permitted Uses” to allow temporary off-site (non-accessory) “directional” signs in the R, RU & RS (residential) zoning districts

April 1, 2011	Sec. 2 Definitions; Sec. 6.11 Erosion and Sediment Control Plan; Section 7.2-13 Surfacing and Drainage; Section 7.4 Landscaping, Screening and Buffer Areas; New Section 6.14 Stormwater Management Plan
July 1, 2011	Sec. 2 Definitions; Section 6.6 Flood Protection Regulations
November 1, 2011	Sec. 5.1-3 Table of Permitted Uses to allow “florist”; Sec. 6.1-1.C; Sec. 6.1-3. A, B, C & D; Sec. 6.1-4. A; New Section 7.1-46
July 1, 2013	Sec. 6.6 Flood Protection Regulations
September 1, 2013	Sec. 8.5-8 B Variances
October 1, 2013	Sec. 1.1 Purpose & Authority; Sec. 8.3 Special Permit Procedure; Sec. 8.4-5 Site Plan Objectives
August 1, 2014	Sec. 5.1-3 Table of Permitted Uses to allow “Keeping of Hens”; New Sec. 7.1-47
May 1, 2015	Sec. 6.3-3 Waterfront Design District; Section 5.2 Lot, Yard and Building Requirements by Zoning District; Sec. 6.4 Open Space Subdivisions; Sec. 6.6 Flood Protection Regulations; Sec. 6.10 Nautilus Memorial Design District; Sec. 6.11 Erosion and Sediment Control Plan
April 1, 2016	Sec. 5.2 Lot, Yard and Building Requirements; Sec. 5.2 Notations for Lot, Yard and Building Requirements (Building height in the WF-20 zone increased to 45-feet for sheds used for construction, repair, and storage of boats limited to a single floor with mezzanines as allowed by the Connecticut State Building Code)
May 16, 2016	Sec. 6.2 Downtown Development District; Sec. 6.3 Waterfront Design District; Sec. 7.1-36 Drive Through Facilities; Sec. 7.2-5 Off-Street Parking and Loading; Sec. 7.4-4 Buffer Areas and Sec. 7.5 Sidewalks

TABLE OF CONTENTS

<u>SECTION</u>		<u>PAGE</u>
1	PURPOSE AND AUTHORITY	1-1
2	DEFINITIONS	2-1
3	ESTABLISHMENT OF ZONING DISTRICTS AND MAP	3-1
4	GENERAL REGULATIONS	4-1
5	DISTRICT REGULATIONS	5-1
	5.1 Permitted Uses	5-1
	5.2 Lot, Yard and Building Requirements	5-17
6	SPECIAL DISTRICTS AND REGULATIONS	6-1
	6.1 Office-Multi Family Districts	6-1
	6.2 Downtown Development District	6-5
	6.3 Waterfront Design District	6-9
	6.4 Open Space Subdivisions	6-13
	6.5 Residential Performance Standards	6-17
	6.6 Flood Protection Regulations	6-19
	6.7 Residential Multi-Family	6-31
	6.8 Coastal Resource Setback	6-35
	6.10 Nautilus Memorial Design District	6-36
	6.11 Erosion and Sediment (E&S) Control Plan	6-40
	6.12 Water Resource Protection District	6-44
	6.13 Mixed Use Zones	6-54
	6.14 Stormwater Management Plan	6-55
7	SUPPLEMENTARY REGULATIONS	7-1
	7.1 Conditional Uses	7-1
	7.2 Off-Street Parking and Loading	7-49
	7.3 Sign Regulations	7-60
	7.4 Landscaping, Screening and Buffer Areas	7-74
	7.5 Sidewalks	7-79

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

INDEX

SECTION 1

PURPOSE AND AUTHORITY

1.1 Purpose and Authority

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

Promoting the health, safety, and general welfare of the community; lessening congestion in the streets; securing safety from fire, panic and other dangers; providing adequate light and air; preventing the overcrowding of land and avoiding undue concentration of population; facilitating adequate provision for transportation, water, sewerage, schools, parks, and other public requirements; conserving the value of buildings, and encouraging the most appropriate use of land throughout the Town; providing for the public health, comfort, and general welfare in living and working conditions; regulating and restricting the location of trades and industries and the location of buildings designed for specific uses; regulating and limiting the height and bulk of buildings hereafter erected; regulating and determining the area of yards, courts and other open spaces for buildings hereafter erected; and exercising reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound. (Rev. Eff. 10/1/13)

SECTION 2

DEFINITIONS

With the exception of terms used in the administration of the flood protection regulations under Section 6.6 and defined therein, for the purpose of these regulations, certain terms or words shall be defined as below. Words in the present tense include the future; the singular number includes the plural, and vice versa. The word "lot" includes the word "plot". The word "building" includes the word "structure". The word "shall" is mandatory, and not directory. The word "used" shall be deemed also to include "designed, intended or arranged to be used". Unless otherwise specified, all distances shall be measured horizontally.

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

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

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

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

ASSISTED LIVING FACILITY: Housing designed for more fragile seniors, including such facilities licensed and designed to meet the needs of seniors with Alzheimer or

other dementia-related illnesses, that provides nursing services, communal dining facilities and meal services, and/or assistance with personal care activities of daily living to clients living within a managed residential community having supportive services that encourage clients, aged 55 or older, to maintain a maximum level of independence. (New Eff: 5/31/97; 12/10/2004)

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

BEST MANAGEMENT PRACTICES (BMPs): Schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage. (New Eff: 4/1/2011)

BOARD: The Zoning Board of Appeals of the Town of Groton. (New Eff: 4/1/2011)

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

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

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

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

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

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

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

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

CANOPY TREE: A large deciduous tree having a minimum height of twenty five (25) feet at maturity, typically used as a means of providing shade within and adjacent to parking areas, play areas or other such open spaces, as a means of reducing excessive heat, reducing stormwater temperatures from pavement areas and for other like beneficial purposes. (New Eff: 4/1/2011)

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

CERTIFIED EROSION CONTROL SPECIALIST: An individual who has knowledge of soil properties, erosive stormwater runoff, erosion rates, vegetative establishment, sediment capture, sediment detention and sediment control products and is a recognized specialist in soil erosion and sediment control evidenced by successfully completing the Certified Erosion Control Specialist program. (New Eff: 4/1/2011)

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

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

COMMISSION: Unless otherwise specified, shall mean the Zoning Commission of the Town of Groton. (Eff: 4/1/2011)

COMMUNITY RESIDENTIAL COUNSELING FACILITY: A residential building or group of buildings in which counselors and staff members provide counseling, rehabilitation, evaluation and other supportive services to detoxified resident persons or their dependents seeking to arrest, reverse, or ameliorate the compulsive use of alcohol or drugs pursuant to an organized and structured program. This definition shall not include community correction programs under the jurisdiction of the Department of Correction pursuant to Section 18-100 of the Connecticut General Statutes or court ordered treatment programs under Section 17a-653 to 17a-656 of the Connecticut General Statutes. (New Eff: 7/1/93)

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

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

CRITICAL ROOT ZONE: A circular area measured outward from a tree trunk, representing the essential area of the roots that must be maintained for the tree's survival and typically associated with the "drip line" or otherwise one foot of radial distance for every inch of tree diameter at breast height (i.e. 4 ½ feet above grade), but in no case less than an eight foot radius. (New Eff: 4/1/2011)

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

DEVELOPMENT: Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling,

grading, paving, excavation, drilling operations or storage of equipment or materials.
(Eff: 2/10/95)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

GREEN ROOF: A roof that is purposely designed and built to accommodate natural plantings as a means of treating stormwater, reducing stormwater runoff, reducing energy use, providing habitat and/or forage and for other like purposes generally associated with more sustainable building practices. (New Eff: 4/1/2011)

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

HAZARDOUS MATERIAL: Any substance, virgin or waste, which is hazardous under any federal law or regulation including Section 9002 of the RCRA, CERCLA, CFR 40 (Section 116.4), Federal Hazardous Substances Act, Toxic Substance Control Act, EPA Priority Pollutants List, State statute or regulation, and any material which has flammable, corrosive, reactive, toxic, or other physical, chemical,

or infectious characteristics which poses an actual or potential hazard to water quality, human health, or environment if discharged.

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

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

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

INVASIVE PLANTS: A group of harmful non-native plants that, once introduced, can proliferate in the environment, crowding out or destroying indigenous plants. A complete list of such invasive plants can be found at the State of Connecticut DEP and includes such plants as barberry, euonymous, bittersweet, and purple loostrife. (New Eff: 4/1/2011)

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

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

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

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

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

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

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

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

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

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

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

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

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

LOW IMPACT DEVELOPMENT (LID): A range of development practices and operational methods, all having the objective of reducing or mitigating environmental impacts. LID may include use of stormwater infiltration, clustering of buildings to reduce land clearing and grading, use of overland (sheet) flow and grass swales, use of

pervious pavement or other pervious materials, shared or deferred parking, “rain gardens” and other similar techniques. (New Eff: 4/1/2011)

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

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

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES): A body of federal law regulating discharges to waters of the United States and administered in part by the State of Connecticut Department of Environmental Protection. (New Eff: 4/1/2011)

NATIVE PLANTS: Plants having their natural origin in the region which, taken together with other plants, land forms, soils, and other natural conditions, create a healthy and self-sustaining eco-system, capable of supporting a diverse range of species, and requiring little if any special maintenance (irrigation, pesticides, fertilizers, etc.). (New Eff: 4/1/2011)

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

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

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

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

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

PREMISES: A lot as defined in this section.

PROFESSIONAL OFFICE: The office of a member of a recognized profession including doctors or physicians, dentists, optometrists, ministers, architects, engineers, lawyers, and other recognized professional occupations. The issuance of a state or local license for regulation of any gainful occupation need not be deemed indicative of professional standing.

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

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

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

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

RESTAURANT, TAKE-OUT ONLY: Any establishment whose business involves the sale of foods, confections or beverages to the customer in a ready-to-consume state, and whose method of operation is such that customers normally order the product at a central location and take the product off the site for consumption elsewhere. This

definition includes convenience stores which sell prepared food for off-site consumption. (New Eff: 12/16/88)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

XERISCAPE: An approach to landscaping that uses drought-tolerant plants, stone and other like materials in naturalized settings, as a means of reducing water use and maintenance costs. (New Eff: 4/1/2011)

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

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

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

SECTION 3

ESTABLISHMENT OF ZONING DISTRICTS AND MAP

3.1 Classes of Districts

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

Residential Districts

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

Commercial Districts

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

Industrial Districts

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

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

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

3.3 Extent of Districts

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

3.4 District Boundaries

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

3.4-1 Where district boundaries are within the right-of-way of a street, highway, railroad, brook, stream, or easement, the center lines of such rights-of-way shall be construed to be such district boundaries.

3.4-2 Where district boundaries are so indicated that they are approximately parallel to the right-of-way lines of streets, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map.

3.4-3 Where district boundaries are so indicated that they are approximately perpendicular to the center line or right-of-way lines of streets, such lines shall be construed as being perpendicular thereto.

3.4-4 Where district boundaries are indicated as approximately following lot lines of record at the time of adoption of these regulations, such lot lines shall be construed to be such boundaries. Where a question arises and no dimensions or official lot lines of record are shown, then the district boundaries shall be determined by the Zoning Official. An appeal may be taken to the Zoning Board of Appeals.

3.4-5 Where district boundaries are dimensioned on the zoning map, they shall be measured from the street or right-of-way line.

3.5 Lot Lying in More Than One District

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

SECTION 4

GENERAL REGULATIONS

4.1 Application of Regulations

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

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

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

4.3 Open Spaces Required for Each Building

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

4.4 Height Limitation

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

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

4.5 Projection Into Open Space

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

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

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

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

4.7 Lots Adjacent to a Railroad

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

4.8 Existing Lots

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

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

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

4.10 Accessory Buildings

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

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

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

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

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

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

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

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

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

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

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

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

4.14 Party Wall Agreement

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

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

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

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

SECTION 5

DISTRICT REGULATIONS

5.1 Permitted Uses

5.1-1 General

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

X - the use is permitted as a matter of right, subject to applicable district regulations.

C - the use is permitted in the designated district but subject to both applicable district regulations and the special conditions set forth in Section 7.1.

A - the use is permitted only as an accessory use in the designated district.

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

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

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

5.1-2 Interpretation

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

function, character, and effect as to be substantially similar to said listed use.

5.1-3 Table of Permitted Uses

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

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

5.1-3 TABLE OF PERMITTED USES														Sheet 8
PERMITTED USES	RESIDENTIAL DISTRICTS				COMMERCIAL DISTRICTS				INDUSTRIAL DISTRICTS				SECTION	
	RS	R	RMF	RU	OMF	CA	CB	DD	WF	IA	IPA	IPB		IPC
WHOLESALE TRADE														
Assembly and Packaging of Medical Products								X				X	X	7.1-13
Junk, Salvage, or Scrap Yard														
Screen Printing/Embroidery of Clothing								X				X	X	
Warehousing								X				X	X	
Wholesale with Indoor Storage Only								X				X	X	
Wholesale with Outdoor Storage								X				X		
TRANSPORTATION, COMMUNICATIONS, AND UTILITIES														
Airport														
Automobile Parking	A	A	A	A	A	A	A	A	A	A	A	A	A	
Bus Garage and Maintenance								X						
Bus Passenger Station								X	X					
Commercial Broadcasting Antennae				X						X		X	X	
Electric Transformer Substation	C	C	C	C	X	X	X	X	X	X	X	X	X	7.1-22
Motor Freight Terminal								X						
Moving and Storage Uses								X				X	X	
Radio and Television Broadcasting Studios				X	X	X	X	X	X	X	X	X	X	
Railroad Freight Station										X	X	X	X	
Railroad Passenger Station	X	X	X	X	X	X	X	X	X	X	X	X	X	
Solid Waste Disposal Facility - Town				X									X	
Telecommunication Towers			C	C	C	C	C	C	C	C	C	C	C	7.1-41
Telecommunication Antennae and Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	7.1-41
Telephone Exchange Station	C	C	C	C	X	X	X	X	X	X	X	X	X	7.1-22
Waste Handling/Reduction Facilities										C		C		7.1-33
Water Storage Tanks	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water and Sewer Pumping Stations	X	X	X	X	X	X	X	X	X	X	X	X	X	
Water and Sewer Treatment Plants	X	X	X	X	X	X	X	X	X	X	X	X	X	

5.1-3 TABLE OF PERMITTED USES

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

5.1-4 Industrial Notations

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

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

Sheet 9: (A) Food & Kindred Products - Excluding the milling of grains; the rendering, reduction, or refining of animal or marine fats and oils; the distillation of bones; the manufacture or sauerkraut, vinegar, and yeast; and the slaughtering of animals.

Sheet 9: (B) Textile Mill Products - Excluding the manufacture of artificial leather, oil cloth, and the coating or impregnating of fabrics.

Sheet 9: (C) Apparel & Other Fabricated Textile Products - Made from fabrics, leather, and similar materials and excluding leather tanning and finishing.

Sheet 10: (D) Chemicals, Drugs, Plastics & Allied Products - Excluding the rendering, reduction, or refining of animal or marine fats and oils; the distillation of bones; the manufacture of corrosive, poisonous, or malodorous acids and chemicals; the refining of petroleum; and the manufacture of glue, gelatin, printing ink, carbon black, and explosives other than small arms ammunition.

Sheet 11: (E) Fabricated Metal Products - Excluding the use of drop hammers and punch presses of over 10 tons rated capacity.

5.1-5 Industrial Uses - General Provisions

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

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

5.2 LOT, YARD AND BUILDING REQUIREMENTS BY ZONING DISTRICT *									
Zoning Districts	Minimum Lot			Minimum Yards ⁽⁵⁾			Maximum Building		
	Area (Sq. Ft.)	Width (Feet)	Area Per Dwelling Unit (Sq. Ft.)	Front (Feet)	Side (Each) (Feet)	Rear (Feet)	Coverage (%) ⁽¹¹⁾	Height (Feet)	
Residential									
RS-20	20,000	100	20,000	30	20	30	15	30	
RS-12	12,000	80	12,000	30	12	30	20	30	
RS-8	8,000	60	8,000	25	6	25	25	30	
R-20	20,000	100	15,000	30	20	30	15	30	
R-12	12,000	80	7,500	30	12	30	20	30	
RMF-16	120,000	200	2,700	50	20	30	20	3 stories/40 ⁽¹⁾	
RMF-12	80,000	200	3,600	50	20	30	20	3 stories/40 ⁽¹⁾	
RMF-8	40,000	150	5,500	40	20	30	20	3 stories/40 ⁽¹⁾	
RU-80	80,000	200	60,000	50	25	30	10 ⁽¹⁰⁾	30	
RU-40	40,000	150	30,000	50	25	30	15	30	
RU-20	20,000	100	15,000	30	20	30	15	30	
Commercial									
OMF ⁽⁶⁾	20,000	100	4,000/6,500	50	20	30	20	30/40	
CA-40	40,000	200	30,000	75	30 ⁽⁴⁾	30	15	6 stories/75 ⁽⁹⁾	
CA-12	12,000	80	7,500	30	12 ⁽⁴⁾	30	25	6 stories/75 ⁽⁹⁾	
CB-40	40,000	200	30,000	75	30 ⁽⁴⁾	30	15	6 stories/75 ⁽⁹⁾	
CB-15	15,000	100	10,000	50	30 ⁽⁴⁾	30	30	6 stories/75 ⁽⁹⁾	
DDD ⁽⁷⁾	40,000	N/A	N/A	20/75	30	30	N/A	N/A	
WF-20	20,000	100	15,000	40	20	30	65	30/45 ⁽¹²⁾	
WDD ⁽⁸⁾	8,000	60	4,000	10	10	10	65	25/40	
Industrial									
IA-40	40,000	150	N/A	40	30	30	40	40	
IP-80A	80,000	200	N/A	50	30	30	40	110	
IP ⁽²⁾	80,000	200	N/A	50	30	30	40	85 ⁽³⁾	

See following page for notations. * For MX zoning district standards, see Section 6.13-6

Notations for Lot, Yard and Building Requirements Table (Rev. Eff: 5/1/15)

- (1) Option - Building height can be increased to 65 feet, provided the minimum lot area is 120,000 square feet. Any building exceeding 40 feet in height shall be set back from its front, side and rear lot lines an additional two feet for each foot in height over 40 feet.
- (2) Includes IP-80B and IP-80C districts. (Eff: 11/1/01)
- (3) 40 feet in IP-80C district; the building shall be setback from its front, side and rear lot lines one additional foot for each foot in height over 30 feet. In the IP-80B district, the building shall be set back from the lot lines that abut a residential zone one additional foot for each foot in height over 40 feet. (Eff: 9/1/99; Eff: 12/1/03)
- (4) Refer to Section 4.14.
- (5) Refer to Section 6.8.
- (6) Refer to Section 6.1.
- (7) Refer to Section 6.2.
- (8) Refer to Section 6.3.
- (9) Whichever is less. The building shall be set back from its front, side and rear lot line one additional foot for each foot in height over 40 feet.
- (10) Coverage may be increased to 20% for permitted and specially permitted non-residential uses on lots of 5 acres or more. (New Eff: 2/1/95)
- (11) Maximum building coverage for any lot approved pursuant to the Manufactured Home Subdivision regulation (former Section 6.9 repealed on April 3, 1991) or the Open Space Subdivisions regulation (Section 6.4) shall be 25%. (Rev. Eff. 5/1/15)
- (12) A maximum height of 45-feet allowed for sheds used for construction, repair, and storage of boats limited to a single floor with mezzanines as allowed by the Connecticut State Building Code. (New Eff: 4/1/16)

SECTION 6

SPECIAL DISTRICTS AND REGULATIONS

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

6.1 Office-Multi Family Districts

6.1-1 Purpose

- A. The Office-Multi Family (OMF) district is intended to provide an orderly transition between single-family residential areas and more intensive commercial development along arterial roads.
- B. The OMF district is intended to preserve the existing character of the area from the standpoint of intensity of use and physical appearance while protecting property values.
- C. The permitted office, multi-family and other noted uses are intended to minimize traffic generation and to protect low density residential areas from intensive retail and other commercial infringement. (Eff: 2/1/92) (Rev. 11/1/11)

6.1-2 Design Objectives

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

6.1-3 Permitted Uses (Rev. 11/1/11)

- A. Uses permitted in Office-Multi Family districts shall be in accordance with Section 5 of these regulations. One and two family dwellings shall conform to the requirements of the R-12 district.
- B. Small-scale personal retail uses, as listed in Section 6.1-3, may be permitted as a conditional use in accordance with Section 7.1-46 and 8.4.
- C. Residential uses may be permitted in existing buildings on lots of less than 20,000 sq. ft. and 100 foot width in existence at the time of the original adoption of this section (12/15/79).
- D. Office and similar uses having a lot area less than 20,000 sq. ft. and 100 foot width may be permitted in existing buildings as a conditional use in accordance with Sections 7.1-24 and 8.4.

6.1-4 Minimum Lot Requirements

- A. For all office and similar uses, and small-scale personal retail, the lot shall have a minimum area of 20,000 sq. ft., a minimum lot width of 100 feet, and front on an arterial road. The above uses may be permitted on a lot with an area of less than 20,000 sq. ft. and 100 foot width in accordance with Section 6.1-3.
- B. For multi-family dwellings, the lot shall have a minimum area of 40,000 sq. ft. and a minimum lot width of 150 feet. Except as provided in Section 6.1-8, the minimum lot area per dwelling unit shall be 6,500 sq. ft.
- C. Any lot created in an OMF zone shall contain a minimum of 20,000 sq. ft. and a minimum lot width of 100 feet.

6.1-5 Minimum Yard Requirements

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

6.1-6 Maximum Building Requirements

- A. The maximum coverage of all buildings on the lot shall not exceed 20%.
- B. No building shall exceed a height of 2 stories or 30 feet, whichever is less, except when the proposed building is more than 150 feet from a residential structure in an R, RU or RS zone. In these instances, the proposed building shall not exceed a height of 3 stories or 40 feet, whichever is less.

6.1-7 Additional Requirements for Multi-Family Dwellings

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

6.1-8 Multi-Family Options

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

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

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

6.2 Downtown Development District (Rev. Eff: 5/16/2016)

6.2-1 Purpose

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

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

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

6.2-2 Permitted Uses

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

6.2-3 Minimum Lot Area and Width

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

6.2-4 Minimum Front Yards

Each lot in the DDD shall have a front yard of at least 20 feet in depth. (Rev. Eff: 5/16/2016)

6.2-5 Minimum Side and Rear Yards

Each lot in the DDD shall have a rear yard of at least 30 feet in depth.

Each lot in the DDD shall have a side yard of at least 10 feet in width unless a party wall agreement has been properly executed and recorded which may allow for a side yard from 0 to 10 feet. (Rev. Eff. 5/16/2016)

6.2-6 Building Height

There is no height restriction on buildings in the DDD.

6.2-7 Building Coverage

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

6.2-8 Parking Standards

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

6.2-9 Downtown Flexibility Standards

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

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

6.2-10 Utilities

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

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

Automobile related uses are permitted in the DDD as identified in Section 5.1-3 Table of Permitted Uses. If possible, automobile access into buildings shall be positioned so as not to be visible from the public way. Evergreen screening, decorative fencing and/or a combination thereof shall be provided around the perimeter of the

site so as to minimize any objectionable impacts from this type of use. No outdoor storage of automobiles, equipment, supplies, parts, etc. is allowed.

6.3 Waterfront Design District (Rev. Eff: 5/16/2016)

6.3-1 Purpose

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

6.3-2 Design Objectives

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

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

priority to pedestrian movement and bicycle travel, should be provided.

- I. The Mystic River is the most vital element within the WDD and as such must be given primary consideration in any proposed development. To this end, special consideration must be given to the area of the water and land interface; the preservation and creation of views from public and other areas to the water, and the preservation and integrity of the existing river bank. Pedestrian access to the river's edge should be encouraged from Main Street south to the railroad bridge.

6.3-3 Permitted Uses (Rev. Eff: 5/1/2015)

Any residential, office, or commercial use or mix of same which is consistent with the purpose and objectives of the WDD and which is not detrimental to the unique character of the area is permitted in the WDD. Any use to be located in a new structure or any use located in an existing structure that is an intensification of the use of that structure or site shall be subject to the approval of a special permit. Intensification of use shall be defined as any of the following:

- additional residential units,
- change in use to a restaurant with over 100 square feet of seating area,
- any expansion or change of use or structure that requires over five additional parking spaces than originally required prior to this application for a special permit,
- greater than 8 seats for outdoor dining or any outdoor seating in the State or Local rights-of-way,
- outdoor music, or
- any change or addition in the serving of alcohol.

Site plan approval by the Planning Commission or administrative site plan approval, whichever is appropriate, shall be required in accordance with Section 8.4 of these regulations.

6.3-4 Building and Development Standards

- A. The maximum height of any structure within the WDD shall not exceed 25 feet except for every 10% reduction of allowed coverage, an additional 5 feet of height will be permitted up to a maximum of 40 feet.

- B. In no case shall new construction at the foundation line be located less than 25 feet from the Mystic River at mean water level elevation.
- C. In no case shall new construction be located within 10 feet of any property line unless a party line agreement has been properly executed and recorded.
- D. In no case shall building coverage exceed 65% of the lot area.
- E. Multi-family residential units shall be limited to efficiency and one or two bedrooms, and density of new multi-family housing shall be one unit per 4,000 sq. ft. of land area.
- F. A Certificate of Appropriateness shall be obtained as required by the Historic District Commission regulations prior to the start of construction and issuance of a building permit.
- G. Where the Planning Commission deems it feasible, it may approve a site plan for a use which does not have direct access from a Town approved road, provided that adequate and safe pedestrian access is provided.
- H. Parking (Rev. Eff: 5/16/2016)
 - 1. Parking space requirements for a use in the WDD shall be 50% of the requirements for that use under Section 7.2-3.
 - 2. A commercial use may substitute the continuous participation in a parking validation program for 100% of the parking space requirements provided:
 - (a) The commercial use provides signage at all times that clearly demonstrates participation in the parking validation program in the front window or entrance, on all menus for a restaurant, at all registers, and at all outdoor seating areas.
 - (b) Annual proof of participation in the validation program shall be provided to the Office of

Planning and Development each January for the previous year.

3. Parking may be provided offsite in accordance with Section 7.2-5.

There shall be an ongoing obligation for a use to maintain the required number of spaces or participation in a validation program, as set forth in this Section. Any diminishment of the number of parking spaces or not participating in a parking validation program shall require review and appropriate action, including revocation or termination of the permit, by the Office of Planning and Development Services and/or the appropriate commission.

- I. Any lot created in a Waterfront Design District zone after the effective date of this paragraph shall conform to the requirements of an RS-8 zone as listed in Section 5.2 except as noted above.
- J. Any applicant for a special permit shall demonstrate how the proposed site plan achieves the objective of provision of pedestrian access to the riverfront and preserves visual access where feasible and appropriate.

6.4 Open Space Subdivisions (Eff: 6/1/91; Rev. Eff: 5/1/15)

6.4-1 Purpose

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

6.4-2 Land Area

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

6.4-3 Permitted Dwelling Units

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

6.4-4 Permitted Uses

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

6.4-5 Minimum Lot Area

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

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

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

6.4-6 Dimensional and Building Requirements (Rev. Eff. 5/1/15)

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

6.4-7 Open Space Lands

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

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

6.4-8 Utilities

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

6.4-9 Design Requirements

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

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

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

6.5 Residential Performance Standards

6.5-1 Purpose

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

6.5-2 Exceptions

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

6.5-3 Developed Parcels

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

6.5-4 Minimum Lot Area

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

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

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

6.5-5 Unfavorable Site Conditions

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

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

6.6 Flood Protection Regulations (Eff. 2/10/95, Rev. Eff: 7/1/11, 7/1/13, 5/1/15)

6.6-1 Purpose, Conflicts and Limitations

The purpose of this section is to apply special regulations to land identified as being prone to flooding by the Federal Emergency Management Agency (FEMA) and in order to permit the Town of Groton to participate in the National Flood Insurance Program (NFIP). These special regulations are designed to: a) prevent or minimize loss of life, injuries, property damage, and other losses, both private and public; b) to promote the health, public safety and general welfare of the people; and c) to help control and minimize the extent of floods and reduce the depth and violence of flooding. The provisions of this section shall apply in any zoning district which is located within a flood hazard area, floodway, or coastal high hazard zone. Permitted uses are allowed, provided they meet the following additional requirements, and/or those of the Connecticut State Building Code dealing with construction in floodplains and coastal high hazard areas, whichever is more restrictive.

This regulation is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this regulation and another ordinance, regulation, easement, covenant or deed restriction conflict or overlap, the more stringent shall prevail.

The degree of flood protection required by this regulation is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasion. Flood heights may be increased by man-made or natural causes. This regulation does not imply or guarantee that land outside the special flood hazard area or uses permitted in such areas will be free from flooding or flood damages. This regulation shall not create liability on the part of the Town of Groton or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made there under. The Town of Groton, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of Groton.

6.6-2 Identification of Areas

Flood Hazard Areas include all special flood hazard areas (SFHA) identified by the Federal Emergency Management Agency (FEMA)

in its flood insurance study (FIS) for New London County, Connecticut, dated August 5, 2013, and accompanying Flood Insurance Rate Maps (FIRM), dated August 5, 2013 (Panels 09011C0363J, 09011C0364J, 09011C0388J, 09011C0389J, 09011C0502J, 09011C0504J, 09011C0506J, 09011C0507J, 09011C0508J, 09011C0509J, 09011C0516J, 09011C0517J, 09011C0526J, 09011C0527J, 09011C0528J, 09011C0536J) and July 18, 2011 (Panels 09011C0368G, 09011C0369G), and other supporting data applicable to the Town of Groton, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive, until such time as a map amendment or map revision is obtained from FEMA. The SFHA includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a coastal high hazard area. Also designated on a FIRM is a Coastal AE Zone and defined as the Limit of Moderate Wave Action (LiMWA). Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a flood insurance rate map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIRM and FIS are on file with the Town Clerk, Planning Office and Building Office.

6.6-3 Flood Hazard Areas

In all special flood hazard areas the following provisions shall apply.

- A. Permit applications will be reviewed to determine whether proposed building sites will be reasonably safe from flooding. Proposed development shall be reviewed to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1344.
- B. In addition to meeting any other applicable requirements, the land use permit application for any development subject to these flood protection regulations shall provide base flood elevation data.
- C. Permits shall be required for all new construction, substantial improvements (including the placement of manufactured homes), and other development and shall 1) be designed (or

modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure; 2) be constructed with materials and utility equipment resistant to flood damage; and 3) be constructed by methods and practices that minimize flood damage.

- D. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system; and
- E. 1) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters; and 2) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- F. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- G. Within the A and AE zones, new construction or substantial improvements that include fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - 1. a minimum of two openings having a total area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
 - 2. the bottom of all openings shall be no higher than one foot above grade;
 - 3. openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- H. Equal conveyance. Within the floodplain, except those areas which are tidally influenced, as designated on the Flood

Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered Professional Engineer demonstrating, with supporting hydrologic and hydraulic analysis performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (Base Flood Elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

- I. Compensatory storage. The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

6.6-4 Flood Hazard Areas - A Zones

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

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

basement) elevated or floodproofed to or above the base flood elevation.

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

- B. For the purpose of the determination of applicable flood insurance risk premium rates, 1) the applicant shall provide the as built elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures and whether or not such structures contain a basement; 2) the applicant shall obtain, if the structure has been floodproofed, the as built elevation (in relation to mean sea level) to which the structure was floodproofed; and 3) a record of all such information shall be maintained with the Building Official.
- C. In riverine situations, the applicant shall notify adjacent communities and the State Coordinating Office (Department of Environmental Protection, Inland Water Resources Division) prior to any alteration or relocation of a watercourse and submit copies of such notification to the Federal Emergency Management Agency.
- D. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- E. All manufactured homes to be newly placed or undergoing a substantial improvement shall be elevated so that the bottom of the lowest floor is at or above the base flood elevation. That manufactured home must also meet all the construction standards per Section 6.6-3. This includes manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion of an existing manufactured home park or subdivision, or on a site in an existing manufactured home park in which a manufactured home has incurred substantial damage as a result of a flood. All manufactured homes shall be

placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement and hydrostatic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors. All manufactured homes shall be installed using methods and practices that minimize flood damage. Adequate access and drainage should be provided. Elevated construction standards include piling foundations placed no more than ten (10) feet apart, and reinforcement provided for piers more than six (6) feet above ground level. Recreational vehicles placed on sites shall either be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or meet all the general standards of Section 6.6-3 and the elevation and anchoring requirement listed above for a manufactured home. A recreation vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

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

6.6-5 Flood Hazard Areas – AE or Coastal AE

In all special flood hazard areas designated as Zone AE or Coastal AE, the following additionally shall apply:

- A. All new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated to or above the base flood elevation in AE Zone and to or above the base flood elevation plus 1-foot in Coastal AE Zone.
- B. All new construction and substantial improvements of non-residential structures 1) have the lowest floor (including basement) elevated to or above the base flood elevation; or 2) in lieu of being elevated, dry flood-proofed to or above the base flood elevation provided that, together with attendant utility and sanitary facilities, the area of the structure below base flood level elevation is water-tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

- C. Where floodproofing is utilized for a particular structure in accordance with this section, a Connecticut registered professional engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the base flood, and a record of such certificate indicating the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the Building Official.

- D. New manufactured home parks and manufactured home subdivisions, or expansions to existing manufactured home parks and manufactured home subdivisions, or existing manufactured home parks and manufactured home subdivisions where the repair, reconstruction, or improvement of the street, utilities, and pads equals or exceeds 50% of the value of the streets, utilities, and pads before the repair, reconstruction or improvement has commenced, and for manufactured home placement not in existing manufactured home parks and subdivisions, then 1) stands or lots shall be elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be at or above the base flood level; 2) adequate surface drainage and access for a hauler shall be provided; and 3) in the instance of elevation on pilings, lots shall be large enough to permit steps, piling foundations shall be placed in stable soil no more than 10 feet apart, and reinforcement shall be provided for pilings more than 6 feet above the ground level.

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

- E. When base flood elevations have been determined within Zone AE on the community's Flood Insurance Rate map but a regulatory floodway has not been designated, no new construction, substantial improvements or other development, including fill, shall be permitted which will increase the water surface elevation of the base flood more than one (1.0) foot at

any point within the community when all existing and anticipated development is considered cumulatively with the proposed development.

6.6-6 Floodway

In the designated floodway, the following shall additionally apply:

- A. No encroachments, including fill, new construction, substantial improvements, and other developments shall be permitted unless certification, with supporting technical data, by a Connecticut registered Professional Engineer is provided demonstrating, through hydrologic and hydraulic analysis performed in accordance with standard engineering practice, that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge published by FEMA. Fences in the floodway must be aligned with the flow and be of an open design.
- B. The placement of any manufactured home shall be prohibited.

6.6-7 Coastal High Hazard Zones

In the coastal high hazard zone VE, the following provisions shall additionally apply:

- A. The applicant shall provide the elevation, in relation to mean sea level, of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures, regardless of whether such structures contain a basement. A record of all such information shall be maintained with the Zoning Official.
- B. All new construction shall be located landward of the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359, as amended by Public Act 12-101.
- C. 1) All new construction and substantial improvements shall be elevated on adequately anchored pilings or columns, and securely anchored to such piles or columns so that the lowest portion of the structural members of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood elevation plus 1-foot, 2) a registered professional engineer or architect shall certify that the structure is securely anchored to adequately anchored pilings or columns in order

to withstand velocity waters and hurricane wave wash, and 3) the space beneath the lowest floor shall be free of obstruction, or be constructed with a non-supporting breakaway wall, lattice work or mesh screening provided it is not part of the structural support of the building and is designed so as to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building on which it is to be used and provided the following design specifications are met:

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

- D. No use of fill for structural support of buildings shall be permitted.
- E. The placement of manufactured homes, except in existing manufactured home parks and manufactured home subdivisions, is prohibited. Placement of manufactured homes in existing manufactured home parks and manufactured home subdivisions shall meet the standards in Section 6.6-7 of these regulations. Recreational vehicles shall either be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or shall meet all the standards of Section 6.6-3 and the VE zone construction requirements of Section 6.6-7. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
- F. Man-made alteration of sand dunes which would increase potential flood damage is prohibited.

6.6-8 Specific Situation Variances

- A. Buildings on an Historic Register - Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places provided the proposed reconstruction, rehabilitation or restoration will not result in the structure losing its historical character.

- B. Functionally Dependent Uses - Variances may be issued for new construction and substantial improvement and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, create no additional threat to public safety, and meet the following requirements:
 - 1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and design of the building.

 - 2. Variances shall only be issued upon 1) a showing of good and sufficient cause, 2) a determination that failure to grant the variance would result in exceptional hardship, and 3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

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

Emergency Management Agency upon request in its biennial report.

6.6-9 DEFINITIONS

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

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

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

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

COASTAL AE ZONE: An area defined as the Limit of Moderate Wave Action (LiMWA), or a boundary of the landward limit of waves of 1.5 feet in height, on a Flood Insurance Rate Map (FIRM). (New Eff: 5/1/15)

COASTAL HIGH HAZARD AREA: An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are designated as zone VE on a Flood Insurance Rate Map (FIRM).

COST: As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at

the same time; contractor's overhead; contractor's profit; and grand total.

Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds and gazebos.

DEVELOPMENT: Any man-made change to improved or unimproved real estate including, but not limited to, the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair, or removal of public or private sewage disposal systems or water supply facilities.

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

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

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

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA): The federal agency that administers the National Flood Insurance Program (NFIP).

FINISHED LIVING SPACE: As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but not limited to, heated and/or cooled, contains finished floors (tiles, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

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

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

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

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

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

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

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base

flood without cumulatively increasing the water surface elevation more than one foot.

FLOOR (LOWEST): The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such an area meets the design requirements specified in Section 6.6-3G of this regulation.

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

FUNCTIONALLY DEPENDENT USE: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

HISTORIC STRUCTURE: Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) by an approved state program as determined by the Secretary of the Interior or (2) directly by the Secretary of the Interior in states without approved programs.

LIMIT OF MODERATE WAVE ACTION (LiMWA): The inland limit of the area affected by waves greater than 1.5-feet. The area between this inland limit and the VE zone boundary is known as the Coastal AE Zone on a Flood Insurance Rate Map (FIRM). (New Eff: 5/1/15)

MANUFACTURED (MOBILE) HOME: A transportable single family dwelling unit in one or more sections which is suitable for year round habitation, and equipped with a means to connect to water, sanitary and electric facilities. A manufactured home shall include prefabricated, modular and/or unitized dwellings placed on permanent foundations and mobile homes which are dwelling units built on chassis.

For the purpose of flood management regulations, the term also includes park trailers and recreational vehicles placed on a site for 180 consecutive days or longer and intended to be improved property. This definition shall not include recreational vehicles placed on sites for fewer than 180 consecutive days and which are fully licensed and ready for highway use; a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions (Eff: 2/10/95)

MANUFACTURED HOME PARK OR SUBDIVISION (EXISTING): A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before April 15, 1977, the effective date of the floodplain management regulations adopted by the community.

MANUFACTURED HOME PARK OR SUBDIVISION (EXPANSION): The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

MANUFACTURED HOME PARK OR SUBDIVISION (NEW): A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after April 15, 1977, the effective date of the floodplain management regulation adopted by the community.

MARKET VALUE: As related to substantial improvement and substantial damage, the market value of the structure shall be determined by the appraised value of the structure using the cost approach to value method prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

MEAN SEA LEVEL: Means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988, or other datum to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

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

SAND DUNES: Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

SPECIAL FLOOD HAZARD AREA (SFHA): The land in the floodplain within a community subject to a one (1) percent or greater change of flooding in any given year. SFHA's are determined utilizing the base flood elevations (BFE) provided on the flood profile in the flood insurance study (FIS) for a community. BFE's provided on Flood Insurance Rate Maps (FIRM) are only approximate (rounded up or down) and should be verified with the BFE's published in the FIS for a specific location. SFHA's include, but are not necessarily limited to, the land shown as Zones A, AE, AO, AH, and the coastal high hazard areas shown as Zone VE on a FIRM. The SFHA is also called the area of special flood hazard.

START OF CONSTRUCTION: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent

construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, regardless of whether such alteration affects the external dimensions of such building. (Eff: 2/10/95)

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

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: Any combination of repairs, reconstruction, alteration or improvements to a structure taking place over a one (1) year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure using the cost approach to value method, prior to the start of the initial repair or improvements, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purpose of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure". (Eff: 2/10/95, Revised Eff: 7/1/13)

VARIANCE: A grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

VIOLATION: A failure of a structure or other development to be fully compliant with the community's floodplain management ordinance. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION: The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

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

6.7-1 Purpose and Definition

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

6.7-2 Design Objectives

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

6.7-3 Permitted Uses

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

6.7-4 Minimum Lot Requirements

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

6.7-5 Minimum Yard Requirements

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

6.7-6 Building and Site Requirements

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

- A. Multi-family dwellings without individual basements will be provided with individual dead storage areas of at least 100 square feet per dwelling unit, and indoor laundry facilities, both of which will be accessible from within the building without the need to go outdoors.
- B. All dwelling units shall have at least one balcony or patio, which shall afford relative privacy by architectural articulation or in the case of patios, by fencing and planting. The minimum size of these areas is 30 square feet.
- C. No exterior wall shall extend more than 100 feet on the same architectural plane. Articulation of entry ways, balconies, roofs, window areas and exterior walls, architectural forms, materials and textures are encouraged. In the case of townhouse units, this architectural plane should not extend more than 50 feet and articulation of individual units is encouraged.
- D. Required front, side and rear yard shall be applied to a residential building or group of residential buildings. On newly created roads for internal traffic circulation, all residential buildings shall be set back at least 20 feet from the edge of pavement. All accessory structures, attached or detached, i.e., sheds, carports, garages, patios, fences and pools, shall be set back at least 10 feet from the edge of pavement.
- E. The minimum distance between residential buildings on the same site shall be at least 35 feet. The minimum distance between any attached or detached accessory structures shall be at least 10 feet. The minimum distance between any residential building and any detached accessory structure shall be at least 10 feet. For buildings over 40 feet in height, these distances shall be increased one foot for each foot of additional building height.
- F. No building footprint (including overhang) shall exceed the bounds of an imaginary circle with a radius of 110 feet.

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

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

6.8 Coastal Resource Setback

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

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

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

6.10 Nautilus Memorial Design District (Rev. Eff: 5/1/15)

6.10-1 Purpose

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

6.10-2 Design Objectives

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

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

to, from and throughout the NMDD and to limit possible access to the properties from Crystal Lake Road only.

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

6.10-3 Permitted Uses

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

Examples of the types of uses that could be considered in the district for tourist commercial include hotel/motels, restaurants, convention/meeting facilities, photo services, etc. Uses that could be considered to serve the Navy base and personnel include

banking/credit services, library, associations, personal services, day care facilities, etc. The examples listed above should not be construed to mean that said uses will be allowed in the district as a matter of right nor should it be interpreted that uses not listed could not be considered in a special permit or a site plan application. (Rev. Eff: 5/1/15)

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

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

6.10-4 Building and Development Standards (Rev. Eff: 5/1/15)

- A. Access to existing and future parcels of land shall be from Crystal Lake Road only. Access to Military Highway, Route 12, North Pleasant Valley Road and the residential areas of Bailey Hill will not be allowed unless they are the only access points possible and/or the Planning Commission determines that such access is needed for safety reasons.
- B. Access points between various properties and/or uses shall be provided so as to allow vehicle and/or pedestrian circulation. Common access points shall be provided so as to limit the number of curb cuts.
- C. The lot, yard and building requirements of new lots created in the NMDD shall be as follows:

Lot area - 200,000 sq. ft.

Lot width - 300 feet

Minimum front yard - 50 feet*

Minimum side yard - 30 feet each*
Minimum rear yard - 30 feet
Maximum building coverage - 40%
Maximum building height - 40 feet

* The front yard and side yard may be reduced to no less than 10 feet from any property line (or easement line if more restrictive), if the Zoning Commission (if a Special Permit is required) or the Planning Commission (if no Special Permit is required) determines that a lesser dimension can best carry out the objectives of the NMDD.

- D. The Planning Commission may approve the development of any lot with less area or dimensions as noted above which existed in separate ownership at the effective date of this section and continuously thereafter provided the Commission finds that the proposed development and its site plan are compatible with the purposes of the NMDD and conform to the following requirements where possible:

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

* The front yard and side yard may be reduced to no less than 10 feet from any property line (or easement line if more restrictive), if the Zoning Commission (if a Special Permit is required) or the Planning Commission (if no Special Permit is required) determines that a lesser dimension can best carry out the objectives of the NMDD.

6.11 Erosion and Sediment (E&S) Control Plan (Eff: 4/1/11; Rev. Eff: 5/1/15)

Whenever plans for the proposed development show that it will result in the disturbance of more than one-half acre of land, the applicant will submit with the site plan an Erosion and Sediment Control Plan (E&S Plan) that presents, in mapped and narrative form, the measures to be taken to control erosion and sedimentation both during and after construction. The E&S Plan shall be developed using the principles, methods, and practices outlined in the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended. The E&S Plan shall result in a development that minimizes erosion and sedimentation.

Alternative methods and practices may be used with approval of the Commission, based on recommendation of the Environmental Planner or Town Engineer. Any such proposed alternative shall be certified by the applicant's professional engineer.

A single-family dwelling that is not a part of a subdivision of land shall be exempt from this regulation.

6.11-1 The Erosion and Sediment Control Plan shall include the following:

A. Narrative

The narrative shall be specific to the project and shall include, but not be limited to:

1. A description of the development
2. A schedule for grading and construction activities for each phase which includes at a minimum:
 - (a) start and completion dates
 - (b) sequence of grading and construction activities including the sequence for initial clearing and grading of the site for access and for utility construction
 - (c) sequence for installation and or application of soil erosion and sediment control measures
 - (d) the sequence for final stabilization of the project site
 - (e) name and contact information of person responsible for implementation of the E&S plan
3. The design criteria for proposed E&S control measures and storm water management facilities

4. The installation and/or application procedures for proposed E&S control measures and storm water management facilities
5. The operation and maintenance program for proposed E&S control measures and storm water management facilities.

B. Plan

The Plan shall be at a scale sufficient to identify existing and proposed site drainage patterns and conditions, and shall include, but not be limited to, the following:

1. The location of the proposed development and adjacent properties
2. The existing and proposed topography shown at contour intervals no greater than two feet, unless approved by the Director of Planning and Development Services, as well as the location of wetlands, watercourses, flood zones, floodways, exposed ledge and other natural and man-made features
3. The proposed alterations including cleared, excavated, filled or graded areas, proposed structures, utilities, roads, driveways, parking areas, and storm water facilities.
4. The location of and design details for all proposed E&S control measures and storm water management facilities
5. The sequence of grading and construction activities and temporary stabilization measures
6. The sequence for installation of E&S control measures
7. The construction details for proposed E&S control measures and storm water management facilities
8. An erosion control plan for initial clearing and grading that includes material processing area, stockpile area, clearing limit lines, temporary sediment control measures, and deposition of excess material, boulders and stumps
9. The sequence for final stabilization of all areas of the site
10. For projects where proposed development will directly impact any of the following:
 - (a) soils having severe or very severe erosion hazard;

- (b) sensitive coastal resources;
- (c) slopes over twenty percent;
- (d) lands located within a public water supply watershed; or
- (e) a cumulative area of greater than five acres regardless of the land's attributes, a more complex erosion control plan may be required by the Planning Commission. This plan may include, but not be limited to, the requirement to phase the development, limitations on the amount of soil exposed at any given time, seasonal limitations for construction or certification of the E&S plan by a Certified Erosion Control Professional.

6.11-2 After review of the E&S Plan by the Planning Commission or its designee, the Planning Commission shall certify that the plan is in compliance with these regulations or deny certification where a plan fails to comply with the methods or practices contained in the State DEP's 2002 guideline, as amended, with the exception of any alternatives that might be approved pursuant to Section 6.11 of these regulations. Any decision to deny certification shall consider written recommendations from the Town's Environmental Planner and Town Engineer and any other relevant information. Certification shall be included in the Planning Commission's vote to approve a site plan or to approve a site plan with modifications. Site development shall not begin unless the E&S Plan is certified and those control measures in the plan scheduled for installation prior to site development are installed, functional and have been inspected by Office of Planning and Development staff. This certification shall be accomplished by the Zoning Commission only in the case of applications for a special permit to fill or remove earth products in accordance with Section 7.1-10, inclusive. (Rev. Eff: 5/1/15)

6.11-3 The Planning or Zoning Commission, as applicable, through its members, agents or consultants shall periodically inspect construction projects for which site plans have been approved to verify that E&S control devices are properly installed and maintained. The Commission may require the developer to verify through progress reports that E&S control measures have been

installed according to the certified plan and are being properly operated and maintained.

- 6.11-4 The Planning or Zoning Commission, as applicable, may require that a bond be posted in a form acceptable to the Commission in an amount adequate to ensure the installation and maintenance of erosion and sediment control devices as shown on the certified E&S plan.

6.12 Water Resource Protection District

6.12-1 Statement of Intent

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- A. Total lot coverage, which shall include all impervious surfaces, shall not exceed 70% of total lot area. Within this overall requirement, the total minimum parking area required by any provisions of Section 7.2 shall determine the maximum amount of impervious parking area allowed. Excess parking beyond the minimum requirement established shall be constructed of a pervious material, deemed acceptable by the Planning Commission/Planning Department, subject to underlying soil permeability, level of ground water, lot slope, and maintenance needs of the project (e.g. sweeping and washing). In no case shall the parking requirement permit the impervious coverage calculation to exceed the 70% maximum. (Eff: 5/1/03)

- B. A minimum of 20% of total lot area shall be retained in its natural state with no more than minor removal of existing trees and vegetation. Areas within this 20% minimum that should not be disturbed include 100-year flood plains and slopes in excess of 25 percent. Existing natural vegetation may be required to be retained to satisfy landscaping and lot buffer requirements of Section 7.4 and meet the intent of the Water Resource Protection District. This 20% minimum lot area requirement may be excluded, if in the subdivision approval process, the 20% was included in addition to the 10% reserved open space or conservation area. On those sites where previous land disturbance has occurred, this 20% shall be restored and revegetated in keeping with the intent of this regulation. (Eff: 5/1/03)

- C. A minimum 50 foot buffer shall be maintained between watercourses and directly adjacent streambelt wetlands and the developed land area. In those areas where extreme irregularity exists along these resource boundaries, the buffer may be varied within the intent of the regulation subject to Planning Commission approval. This buffer is not required for lot access where alternative access is not feasible.

If it is determined that the proposed use may pose a threat to water quality, this buffer may be expanded to achieve the intent of these regulations. This expansion may be based on the subject site's soil type and permeability, topography, depth to groundwater, proposed waste water disposal method or other physical characteristics of the site. (Eff: 4/1/98, 5/1/03)

6.12-5 Other Requirements and Restrictions

The following requirements and restrictions shall apply:

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

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

rate of runoff over pre-developed conditions for the 1, 2, 5, 10, and 25-year storms. (Eff: 5/1/03)

6. Grease, oil and other floating liquid/solid separators may be required when deemed necessary by the Commission to mitigate impacts to surface and/or groundwater resources. (Eff: 5/1/03)
 7. Structures or treatment measures to settle suspended materials and evaporate volatile materials including swales, basins, and structures designed to trap oil and sediments. (Eff: 5/1/03)
 8. The drainage design shall maximize overland flow of stormwater prior to discharge to stormwater basins, wetlands or watercourses. This may be accomplished by the elimination of curbing, provision of leak-offs, the use of grassed swales and/or use of other best management practices to promote stormwater renovation, reduce point discharges, and to reduce the discharge of heavy metals and nutrients.(New Eff: 5/1/03)
 9. Stormwater discharges to wetlands or watercourses shall be treated first by a detention pond, grassed swale or other best management practice designed to remove 80% of total suspended solids. (New Eff: 5/1/03)
 10. Restriction of salt (NaCl) application.
 11. Where it is determined that development may result in significant water quality effects from development runoff, it shall be referred to the Department of Environmental Protection for a determination if a discharge permit is required. The Planning Commission may request the Department of Environmental Protection to consider a discharge permit for specific reasons.
- D. Where a use poses a significant threat to water quality due to total structure loss because of fire, fire protection measures

shall be required including: public water, sprinklers, chemical extinguishers, and similar measures.

- E. Where potential exists for public sewers to be used for wastes other than domestic sewerage, or where the sewerline passes through or adjacent to a sensitive resource area including a watercourse, wetland or stratified drift aquifer, the sewerline shall be constructed to a higher class standard to prevent pollution from sewerline failure. Standards shall be determined by the Public Works Department.
- F. Unless otherwise acceptable, all treatment and protection structures, facilities, and measures shall be Department of Environmental Protection approved, or in compliance with Best Management Practices (BMP) and Best Available Technology (BAT) guidelines.
- G. If any proposed treatment, measure or practice is in question, it may be referred to the Department of Environmental Protection, Department of Health Services, or other agency for review and comment. Evidence of required permits or approvals may be required.
- H. Where required, an emergency spill contingency plan shall be provided, filed, and updated with appropriate officials.
- I. Uses are subject to the site plan requirements of Section 8.4.

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

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

- A. The proposed expansion shall not exceed an increase of more than 50% of the area previously dedicated to the prohibited use.
- B. The applicant shall demonstrate to the Commission's satisfaction that the proposed expansion shall not in any way

pose more of a threat to the existing or future water supply source than does the existing prohibited use.

- C. The expansion plan shall include best management practices, designed to prevent, minimize, or control spills, leaks or other releases that pose a threat to the water supply source. Such best management practices shall include but not be limited to those contained in the Department of Environmental Protection's "A Guide to Groundwater Protection for Local Officials" and "A Guide for Drafting Local Aquifer Protection Regulations".
- D. All other requirements contained in Section 6.12-4 and 6.12-5 of these regulations must be met by the proposed expansion applied for under this provision.

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

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

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

Officials," and "A Guide for Drafting Local Aquifer Protection Regulations."

- D. All other requirements contained in Sections 6.12-4 and 6.12-5 of these regulations must be met by the proposed relocation applied for under this provision.
- E. Once the non-permitted use is relocated, prior to the issuance of a Certificate of Occupancy at the new site, the non-permitted use at the old site shall cease. In no way shall this regulation result in the establishment of or the continued maintenance of a non-permitted use at the old site.
- F. After grant of special permit and prior to approval of the site plan by the Planning Commission, soils at the old site shall be tested by a state certified laboratory and test results reported to the Town and Department of Environmental Protection.
- G. The old site shall be cleaned of any soil contamination found, debris and other old underground tanks be removed, prior to the issuance of a Certificate of Occupancy at the new site. If the removal operation is under way but not completed at the time the use is ready to open for business at the new site, a bond may be posted for the remaining cleanup effort prior to issuance of a Certificate of Occupancy subject to Planning Commission approval.
- H. Upon recording of the special permit in Land Records, a statement shall be recorded in Land Records, indexed by the address of the old site, stating that during the time the WRPD overlays the site, the old site cannot be converted back to a non-permitted use.
- I. The application shall include a statement from the owner of the property where the old use is located noting his understanding that once the use is relocated to the new site, the old site cannot be converted back to a non-permitted use while overlain by the WRPD.

6.13 MIXED USE (“MX”) ZONES (Effective date: December 1, 2007)

6.13-1 General Description and Purpose

The MX Zone provisions create a mechanism through which the Groton Planning Commission and Zoning Commission can achieve objectives contained in the Community Structure Plan (“CSP”) of the 2002 Groton Plan of Conservation and Development (“POCD”) regarding nodes in the 2006 Strategic Economic Development Plan (“SEDP”) and in the Town’s adopted Capital Improvement Plan (“CIP”), as applicable.

The MX Zone is a special zone tailored to the unique characteristics of its area or its neighborhood and is intended to encourage design innovation and a mix of residential, commercial, and office uses appropriate for the site. The intent of the MX zone is to achieve the community character, land use, infrastructure, environmental and other policy objectives related to a given “Node” depicted in the CSP. Depending upon the specific node, projects will vary in scale, uses and other attributes. In general, however, the MX zone is intended to create compact, mixed use environments, which are pedestrian in scale, and well-integrated with surrounding uses. These projects could generally be considered an “infill” form of development or redevelopment.

The zone only exists within the text of these Regulations and is not placed on the Groton Zoning Map until approval of an application to create a particular MX zone and to affix that MX zone to a specific property. The creation of an MX zone can only be accomplished by approval of a zoning map change and a concurrent and related project master plan and special permit. Subsequent to the approval of the zoning map change, project master plan and special permit, a detailed site plan must be approved before site development may begin. Such detailed site plan must comply in all respects with the approved project master plan, special permit and any other applicable provisions of these Regulations.

6.13-2 Policy Objectives

It is the express intent of the Commission to utilize the MX zone provisions to achieve the following policy objectives. These objectives are meant to provide prospective applicants, the general public,

Town officials and others with guidance in designing, evaluating and acting upon necessary permit applications.

- A. The mix and density of uses shall take into consideration the historic development of the neighborhood in which the MX zone is proposed and the capacity of that neighborhood for additional commercial, office, and residential development;
- B. Any development within the zone shall be pedestrian-oriented, providing adequate circulation and parking for vehicles, but employing strategies which facilitate pedestrian and bicycle movement.
- C. New commercial development in the MX Zone shall not occur in strips along thoroughfares, but rather shall be integrated within residential areas.

Commercial development shall be generally compatible with and complementary to surrounding residential development;

- D. Building designs shall complement and enhance the architectural qualities of the existing neighborhood;
- E. At a minimum, all development shall provide open space and recreational opportunities for the residents and the employees of the businesses involved, trying to achieve a “live, work and play” environment;
- F. All development should employ low impact design practices and other methods by which environmental sustainability may be promoted;
- G. Development should occur reasonably proximate to bus routes and other mass transit opportunities;
- H. The mix of residential and commercial uses will be arranged in such a way as to harmonize with and enhance one another and shall be arranged in a way that they are compatible with surrounding uses in the neighborhood;
- I. Development shall be in accord with the POCD and its CSP; and

- J. Location and availability of roads and other identified public infrastructure shall be in accord with the most current Groton CIP and Facilities Plan.

6.13-3 Applicability of MX Zones

MX zones may only be established in the following locations, subject to review and approval of the applications noted in Section 6.13.1 above. In addition, the proposed zone must encompass a parcel or parcels meeting all of the criteria listed below. For reference, please see the 2002 POCD, as well as the illustrations provided in attached Exhibits A and B.

- A. The proposed zone must be located within an area depicted as a Node in the CSP. In the Commission's sole discretion, minor sections of the subject tract(s) may extend outside of the circular generalized locations depicted on the CSP. In such circumstances, the applicant must prove to the Commission that including such limited lands in the MX zone will substantially advance all of the policy objectives listed in Section 6.13-2 above. MX Zones are not permitted in the following nodes: the Mystic, Noank, and City of Groton Nodes, as well as the Institutional Node along Route 215 and U. S. Route 1.

The initial extent of the receiving nodes addressed at the inception of the new MX special district shall include those parcels touched by nodal circles as depicted in the 2002 POCD Land Use Plan. Future development and modifications of said nodes under the provisions of the MX Zone Regulations shall achieve all the goals and objectives of these regulations along with the following key spatial components:

Protection and preservation of existing residential neighborhoods within or abutting the node;

Continued development of the core of the node in a manner that results in its concentric infill or non-linear expansion through approval of a master plan that links the project to the nodal core; and

MX Zone adoptions shall create logical and orderly development patterns and land use transitions among uses of varying intensity and compatibility.

The applicant shall include information with the map amendment and master plan application sufficient to establish that the parcels proposed to be included at the inception of the new MX Special District were, on the effective date of this MX regulation, wholly or partially located within one of the nodal circles referenced in Subsection 6.13-3 A below, and depicted in the 2002 POCD.

- B. The proposed zone and project must be served by public potable water and public sewer systems.
- C. The proposed zone must comprise at least 5 acres of contiguous land, with the exception of the downtown node where the standard shall be 3 acres. For said purposes, an acre is defined as 43,560 square feet.
- D. The proposed zone and project shall have frontage on and be capable of providing approved vehicular access to a designated arterial or collector road.

6.13-4 Permitted Uses

One of the primary objectives of these regulations is to promote the creation of mixed use environments; accordingly, subject to the other standards, criteria and requirements of this and any other applicable provisions of these MX regulations, a project in an MX Zone may contain combinations of any of the following uses, but shall in all cases contain an appropriate mix of residential and non-residential uses. While the physical relationship, design, phasing and other attributes of proposed project uses shall be guided by the project's market analysis, they shall also incorporate to the maximum extent feasible, the ability to help the community achieve relevant public policy objectives.

In those cases where an MX Zone is proposed for property located in Groton's Water Resource Protection District ("WRPD"), any use prohibited in the WRPD is prohibited in the MX Zone, notwithstanding the inclusion of that use on the following list of uses otherwise permitted in an MX Zone; in addition, an MX Zone proposed for property located in the WRPD shall comply with the requirements set forth in Section 6.12.

- A. Residential
 - 1. One-family dwellings
 - 2. Multi-family dwellings

3. Townhouse dwellings
 4. Accessory Apartment
- B. Neighborhood Commercial
1. Cultural, Entertainment, and Recreation
 - (a) Art Gallery
 - (b) Carnival or Fair
 - (c) Club, Lodge or Association
 - (d) Legitimate Theater
 - (e) Library
 - (f) Motion Picture Theater
 - (g) Museum
 2. Financial, Business and Government Services
 - (a) Advertising Services
 - (b) Banking and Credit Services
 - (c) Collection Services
 - (d) Consulting Service
 - (e) Duplicating and Mailing Services
 - (f) Employment Services
 - (g) General Offices
 - (h) Insurance Services
 - (i) Investment Services
 - (j) Real Estate Services
 - (k) Secretarial and Stenographic Services
 3. Personal, Repair and Construction Services
 - (a) Beauty and Barber Services
 - (b) Day Spa
 - (c) Home Occupation
 - (d) Laundering and Dry Cleaning (Self Service or Pick-Up only; on-premises Dry Cleaning is prohibited)
 - (e) Photographic Services
 - (f) Shoe and Leather Goods Repair
 - (g) Tailoring, Dressmaking, and Apparel Repair
 4. Professional, Educational, and Other Institutional Services
 - (a) Business, Secretarial, Music, Dance, and Art Schools or Studios
 - (b) Charitable and Philanthropic Institutions
 - (c) Churches and Other Places of Religious Worship
 - (d) Family Day Care Home
 - (e) Group Day Care Home
 - (f) Medical-Dental Labs and Outpatient Clinics

(g) Professional Offices

5. Retail Trade – Personal

- (a) Apparel and Accessories
- (b) Art and Hobby Supplies
- (c) Bakery
- (d) Books and Stationary
- (e) Confectionary
- (f) Dairy Products
- (g) Drug Store
- (h) Florist
- (i) Fruits, Vegetables, and Other Farm Products
- (j) Grocery Store or Delicatessen
- (k) Jewelry
- (l) Liquor Store
- (m) Meat, Fish and Poultry
- (n) Music and Musical Instruments
- (o) Newspapers and Magazines
- (p) Restaurant
- (q) Toys, Sporting Goods and Bicycles

6. Retail Trade – Household and Building

- (a) Antiques
- (b) Dry Goods
- (c) Electrical Supplies
- (d) Farm and Garden Supplies
- (e) Furniture Stores
- (f) General Merchandise and Department Stores
- (g) Hardware
- (h) Home Furnishings
- (i) Household Appliances
- (j) Notions and Household Supplies
- (k) Office Equipment and Supplies
- (l) Paint, Glass and Wallpaper
- (m) Radio, Television, and Phonographic Equipment

6.13-5 Procedures for Establishing MX Zones

Establishing an MX zone requires approval by the Zoning Commission of a zoning map change application accompanied by the MX district Master Plan, in accordance with the General Statutes of the State of Connecticut for a zone change and public hearing. The MX Master Plan, implemented upon approval of a special permit, shall establish all of the development criteria applicable to the project, e.g., without limitation, the proposed layout of the structures, the infrastructure and

roadways within the zone, the mix of uses within the zone, and all design standards. The Master Plan shall be consistent with the building and development standards set forth below and in the Plan of Conservation and Development. The Master Plan will establish the dimensional characteristics of the MX zone and its uses. Because each MX zone will be, to some extent, unique, each will be separately numbered, such as MX-1, MX-2, etc.

A. Preapplication Review. Pursuant to General Statutes Section 7-159b, an applicant for an MX zone is strongly encouraged to request a preapplication review with the Zoning Commission, Planning Commission, or any of their authorized agents prior to the submission of an application. This preapplication review may be held through a joint meeting between the Planning Commission and the Zoning Commission, at the discretion of the Commissions. Any results or information obtained from the preapplication review may not be appealed and shall not be binding on the applicant or the Commissions. The documents to be provided for preapplication review include, at a minimum:

1. Preliminary node/site study (generally addressing the topics described in Section 6.13-5(e)(1), (4) and (5), as applicable);
2. Preliminary market analysis (generally addressing the topics described in Section 6.13-5(e)(8));
3. Concept plan, indicating: location of wetlands and other environmental constraints; layout of structures, streets, parking areas, and open space; use distribution; and density calculations.

B. General Application Requirements.

1. Application Forms/Fee

(a) Forms. The following forms shall be submitted as part of any of the respective applications:

- (i) Zoning Map Change Application
- (ii) Special Permit Application
- (iii) MX Project Master Plan Application
- (iv) Site Plan Application (when applicable)

- (b) Consultant Fee/Escrow. All MX Zone applications shall be considered “Complex Applications” pursuant to Groton Town Ordinance No. 267.
- (c) Grant of Application Review Extension. Given the anticipated complexity of such applications, applicants shall provide a written consent with any application hereunder, including zone map changes, special permit applications, and site plan applications, to any and all available extensions of applicable Statutory time periods, including but not limited to the date of hearing commencement, hearing completion and final action. For these purposes, the Master Plan shall not be construed as a “site plan” but as a component of the zoning map change and special permit applications.
- (d) Deeds. Complete copies of deeds for all properties involved in the application.
- (e) Project Team Credentials. A list and brief description of all principal project team members (legal, design, development, etc.) shall be provided. Where team members have taken a primary role in similar projects, the description shall include an overview of any such projects.

C. The Zoning Map Change application shall be prepared by appropriate certified professionals and shall consist of all of the materials as required by Groton Zoning Regulations Section 8.2-2(A) and the Town of Groton Land Use Application – Zoning Map Change (as the same may be amended from time to time), with the following additions. The initial submittal shall include one “original” and nine copies of all required documents. Ten full size (24” by 36”) bound plan sets shall be provided. Any materials submitted subsequent to the initial application date shall be dated and clearly marked “supplemental” or “revised.” Notwithstanding any provisions of Section 8.2-2 (A) of the oning Regulations to the contrary, all MX master plan applications shall include a complete A-2 boundary survey for all parcels being included in the proposed project, based upon their configuration at the time of application submittal, as well as an A-2 boundary survey for the project perimeter as it will exist subsequent to the project approval.

D. No later than the date of receipt of the application, the Zoning Commission shall refer the application and the MX Master Plan to the Planning Commission for a report. The Planning Commission shall provide the applicant with notice of the meeting at which it will review the application. The Planning Commission's report on the application shall be entered into the Zoning Commission's public hearing record. A proposal disapproved by the Planning Commission may be adopted by the Zoning Commission by a vote of not less than two-thirds of its membership.

E. The MX Master Plan application shall consist of all of the following materials, prepared by appropriate certified professionals. Required documents shall be bound, 8 1/2" by 11" minimum. The initial submittal shall include one "original" and nine copies of all required documents. Ten full size (24" by 36") bound plan sets shall be provided. Any materials submitted subsequent to the initial application date shall be dated and clearly marked "supplemental" or "revised."

I. A study of the site and the node in which the property is located, which shall include the following:

(a) A description of:

(i) the unique character of the surrounding area and/or the neighborhood and its capacity for future development;

(ii) the residential, commercial, and office uses in the area and how they could be enhanced and affected by a mixed-use development;

(iii) open space and recreational opportunities in the area, including biking and walking paths; and

(iv) a recommendation of appropriate mix of uses for the development area.

(b) In both narrative and graphic form, an evaluation of the existing conditions of the site and its environs. Every reasonable attempt shall be made to utilize the most recent available data. The purpose of this analysis is not to address technical issues discussed in other project submittals, but rather to identify the physical, environmental,

fiscal and other opportunities and constraints associated with the site and its environs.

- (c) A map or maps depicting the project boundary and the following features located within ½ mile of the project boundary, based on information maintained by the Town or the State of Connecticut in the normal course of business (e.g. Town files, maps and GIS databases, DEP data and similar information): parcels, existing streets, structures, underground and overhead utilities, topography, land cover, inland wetlands and watercourses, 100 year flood plain, land uses, current zoning districts and boundaries, the presumed location of any threatened or endangered species (NDDDB or other valid data), known historical, cultural or archaeological assets and/or districts, fire service district(s), or stone walls.
- (d) Planned uses or facilities such as public utilities, roads, open spaces, parks or protected areas, recreational trails, schools, public safety buildings, wellfields, traffic safety improvements and stormwater systems. With respect to “planned” facilities or uses, the analysis shall utilize the most current formally adopted public plans such as the POCD, the Groton Capital Improvement Plan, State Plan of C&D, Regional Land Use Plan, Regional and State Transportation Improvement Plans, and other such formal documents. Notwithstanding the above, the Zoning Commission may, at its discretion, choose to consider “plans” promulgated by local, regional or national public, private or non-profit groups if deemed necessary to achieve the goals of this regulation or other public health, safety or welfare objectives.

2. A traffic impact study of the proposed project, including at least the following items, as applicable:

- (a) Existing and projected background traffic counts on major streets located in and adjacent to the area to be rezoned;

- (b) Analysis of anticipated traffic to be generated by the land uses proposed for the area to be rezoned, including projected levels of service and queuing at key intersections, as well as parking demand analysis; and
 - (c) Description of traffic improvements, including pedestrian and public transit improvements, to mitigate traffic impacts, and, if applicable, the anticipated phasing of such improvements.
3. A Phase I environmental report and a wetlands report, indicating potential environmental constraints for development.
 4. Analysis of the location, availability, and capacity of public utilities capable of serving the proposed project.
 5. A narrative report of the history of the site and any structures thereon, indicating any area which should be preserved or structures which should be re-used.
 6. A Plan at a scale of 1" = 100' or larger, showing the following elements:
 - (a) Narrative indicating the amount of square footage intended for each type of proposed use, number of proposed units, including their size and character, and the specific types of proposed residential uses (i.e., multi-family, townhouses, single-family developments, elderly housing, etc.) and the intended ownership of residential units and commercial spaces;
 - (b) Documentation of the proposed use and size of buildings;
 - (c) Building footprints;
 - (d) Bulk and locational controls;
 - (e) Proposed roadways, sidewalks, and paths;
 - (f) Amount and location of on- and off-street parking;
 - (g) Offsite improvements;
 - (h) Underground utilities;
 - (i) Recreational space;
 - (j) Stormwater management;
 - (k) Grading/clearing;
 - (l) Lighting concept;
 - (m) Landscape/hardscape concept; and

- (n) Phasing, including construction phasing of the project as well as identifiable building-specific vertical use phasing.
7. A Design Manual, including descriptions of the following elements:
- (a) Dimensional requirements, including building heights and setbacks;
 - (b) Schematic cross sections of building mass and height along streets;
 - (c) Public and private roadway and sidewalk cross-sections and design;
 - (d) A graphic representation of the proposed design character, using the applicable Design Factors set forth in Section 6.13-7;
 - (e) Location and type of walkways, including paths and trails, if any;
 - (f) Preliminary building elevations, including a rendering of architectural elements, and sample floor plans;
 - (g) Nature and color of building materials for facades and roofs;
 - (h) Design format for signage;
 - (i) Nature and materials of lighting fixtures;
 - (j) Landscape features for public spaces such as street frontages and parks, including planting details, buffers, hardscapes and accessory fixtures such as benches and trash receptacles; and
 - (k) Waste disposal facilities such as dumpster areas and treatment of service areas, loading and delivery areas and aboveground utilities such as transformer boxes.
8. Market Analysis of the local economy with an emphasis on commercial and residential housing structure and trends, an examination of the supply of real estate in appropriate sub-market categories, and an evaluation of the economic gaps to which the proposed development would apply.
9. Fiscal Impact Analysis estimating the public costs versus public revenues of development, which yields an estimate of financial impact.

10. Stormwater Management Plan based upon the most recent State of Connecticut Department of Environmental Protection model.
11. Covenants, Restrictions or other relevant and/or applicable legal documents proposed to govern, among other things, ownership, management and operations of the development, including, but not necessarily limited to, measures to assure sufficient long-term maintenance of any areas required within the project for public use.
12. Section 8.3-8 Special Permit Objectives Compliance Narrative

F. Master Plan Modification. Applications for Master Plan amendments or modifications that are necessitated by site conditions or which are deemed to be in the public interest shall be made in the same manner as the original Applications. Non-substantive changes to the Master Plan as determined by the Zoning Commission may be authorized after Commission approval only, in lieu of another public hearing.

G. Site Plan. After establishment of the MX zone and Master Plan and after approval of a special permit by the Zoning Commission, an application for Site Plan approval must be submitted for approval by the Planning Commission in accordance with Section 8.4 of these regulations and those regulations established by the Master Plan. The Site Plan shall include a sign plan, indicating the position, content, and size of all signs visible from the public right-of-way. Said Site Plan shall comply in all material respects with the approved Master Plan and Special Permit. For the purpose of these MX regulations, “compliance in all material respects” means that some variation or deviation from specific provisions is acceptable, provided that the intent of the provision is achieved with respect to health, safety, environmental and other land use considerations.

6.13-6 Development Standards

All MX zone development shall be in accordance with the following standards:

- A. The maximum building heights shall be as follows:
 1. Naval Base Node: 45 feet or, if the Commission finds that the topography requires, 4 stories.

2. Center Groton Node: 45 feet.
 3. Groton Downtown Node: 45 feet.
 4. Route 1/Route 12 Node: 45 feet.
- B. Specific yard requirements for an MX zone shall be established in the Master Plan and shall be dependent upon the impact of the development on the surrounding area. Generally, extension of buildings with commercial uses to the sidewalk will be encouraged. The perimeter of the development shall include side yards of at least 20 feet and front and back yards of at least 30 feet, except where adjacent uses are compatible and the creation of such yards will negatively affect the character of the neighborhood as deemed appropriate by the Commission. The Zoning Commission may require landscaped buffers, larger setbacks and/or lower building heights, where necessary, to provide an appropriate transition that protects adjacent land uses from potential negative effects.
- C. Specific coverage requirements for the MX zone shall be established in the Master Plan and shall be dependent upon the character of the existing neighborhood and the desired density for the new development. Coverage may vary within the zone.
- D. Specific distribution of uses for an MX zone shall be established in the Master Plan and shall be dependent upon the appropriateness of the distribution as determined by the totality of the application materials, as deemed appropriate by the Commission.
- E. To promote flexibility and design innovation, housing unit density shall generally be in accordance with that established for similar housing types in the Zoning Regulations. These units can be combined in the same building as non-residential uses, but this mixing of uses will not diminish the allowable residential density. In the Commission's sole discretion, and subject to compliance with all other provisions of this MX regulation, the Commission may permit an increase in the base density if an applicant establishes one or more of the following:

1. The additional units are necessary to support interrelated commercial uses;
2. The additional units promote affordable housing objectives;
3. Open and recreational space is provided beyond that which is required;
4. Civic uses are provided; or
5. Green Building, LEED or other sustainable development techniques are provided.

Notwithstanding the above, unit yields that exceed base density will be permitted only where such increases help achieve the purposes of the regulation, do not undermine or otherwise conflict with MX design criteria and/or standards, and satisfy all relevant special permit standards.

- F. Benches and bike racks shall be encouraged. When feasible, sidewalks shall be connected with existing bike trails, walking trails, and open spaces.

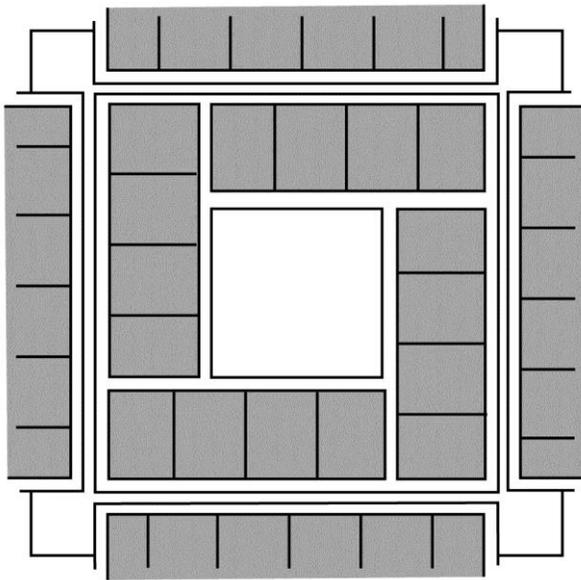
6.13-7 Design Factors

An MX Master Plan shall demonstrate that the proposed development is responsive to the established design character of the node, using the following list of factors as a guide. In those nodes where design character is not already established, the design character of the proposal shall use the following list of factors to set the standard of design quality for future development. The design character is generally achieved through techniques such as the use of proportion in building mass and the spaces between buildings, variety of roof lines, relationship of buildings to street and to each other, and proportion of facade elements to the street and to each other.

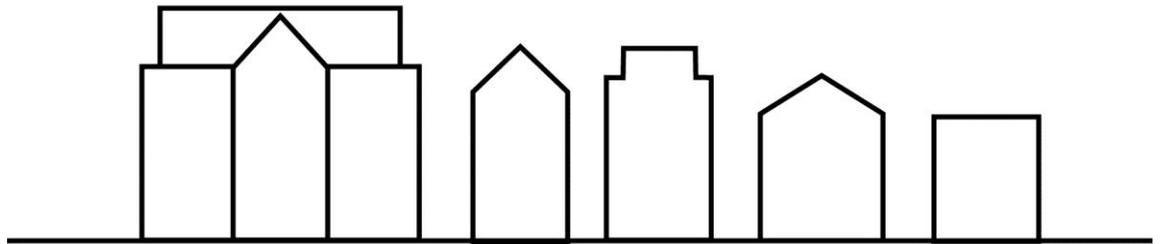
In reviewing the design elements of the Master Plan, the Zoning Commission shall employ the following guidelines. To the extent that graphics are associated with these guidelines, they are to be considered illustrative and explanatory only.

- A. Block Shape, Layout and Size. Blocks should be created by a localized grid of pedestrian and vehicular travel ways, parking should be located on-street or in areas in the rear of buildings, and the fronts of buildings (where their primary

entries are located) should be established as close to the street as practicable, while allowing for pedestrian circulation.

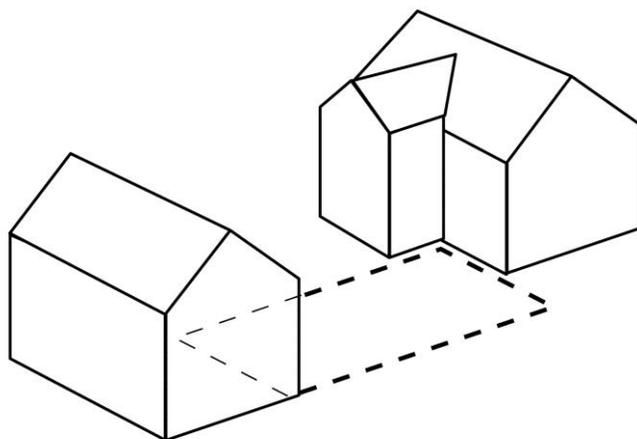
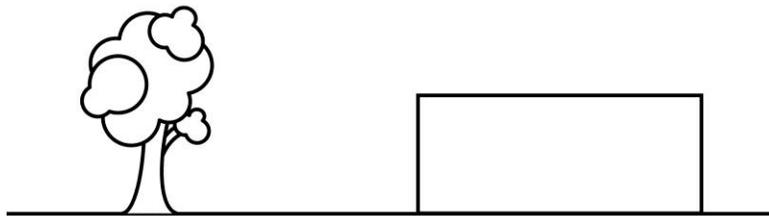
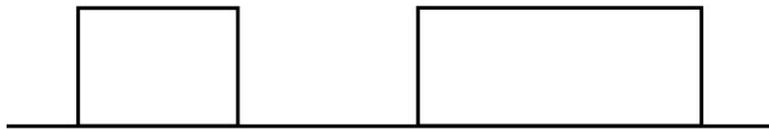


- B. Building-to-Building Relationship: The whole building, “next to” and “across from” one another, as well as its constituent parts, should be in a balanced relationship.

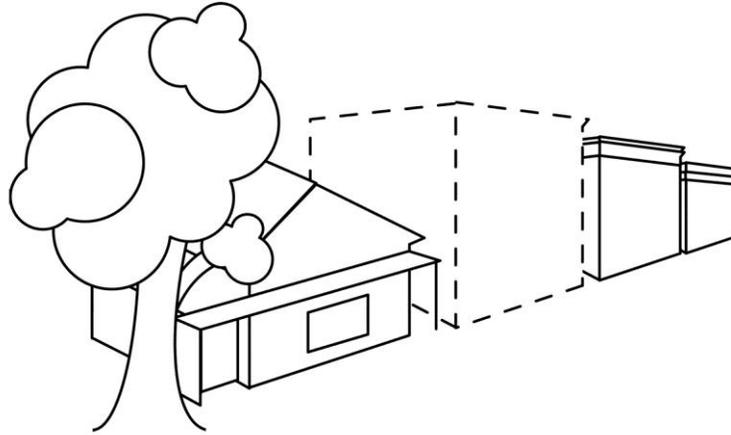


- C. Directional Expression: The elevation’s structural shape, and the placement of elements and openings on the façade, should create a vertical, horizontal or non-directional character.
- D. Enclosure: Streets, squares, parks and other elements of the public realm are to be established by a relationship between buildings and landscape elements that creates a sense

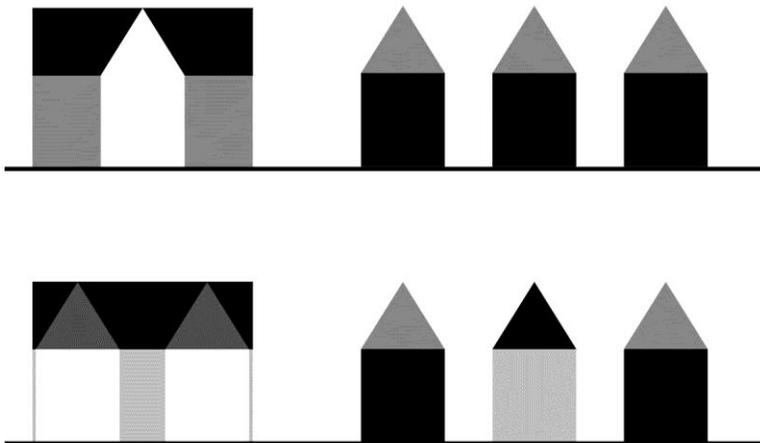
of enclosure for the pedestrian. The following graphics illustrate conditions where enclosure is not achieved; where enclosure is achieved between building faces; where enclosure is achieved between building faces and landscape elements, and where enclosure of more intimate spaces is achieved by the relationship between buildings internal to a block.



- E. Massing: The overall visual impact of a building's volume, a combination of height, width and depth, should complement the other design elements. The following graphic illustrates the various ways massing can be articulated along a street.

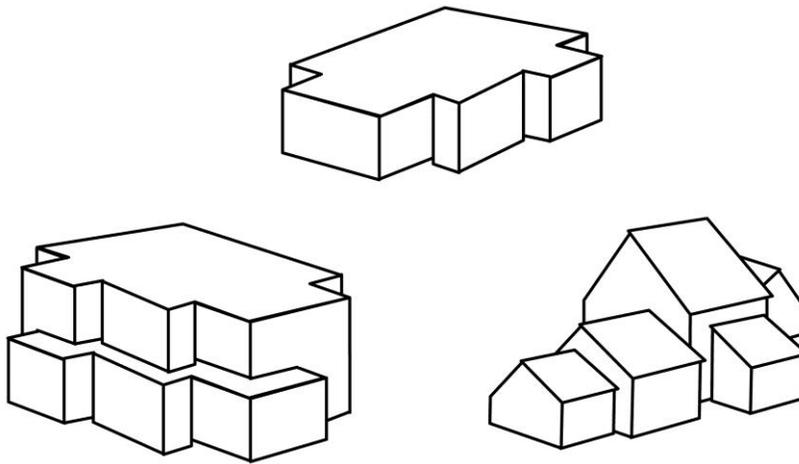


- F. Rhythm: The spacing of buildings along the street or the pattern of building masses and the spaces in between them should complement the other design elements. The following graphics show several ways rhythm can be described along a street.

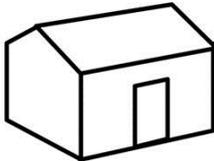


- G. Roof and Façade Articulation: A variety of roof shapes and relief in building walls should work in concert to avoid monotony and to create visual interest. The following graphics demonstrate ways in which buildings can be

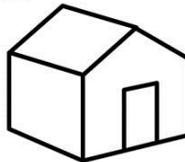
horizontally and vertically articulated, and various examples of roof types.



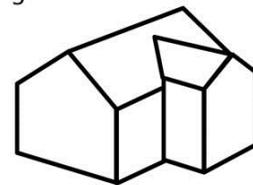
side-gabled



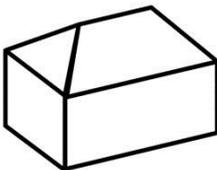
front-gabled



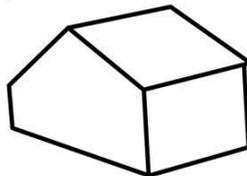
cross-gabled



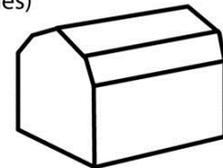
hipped



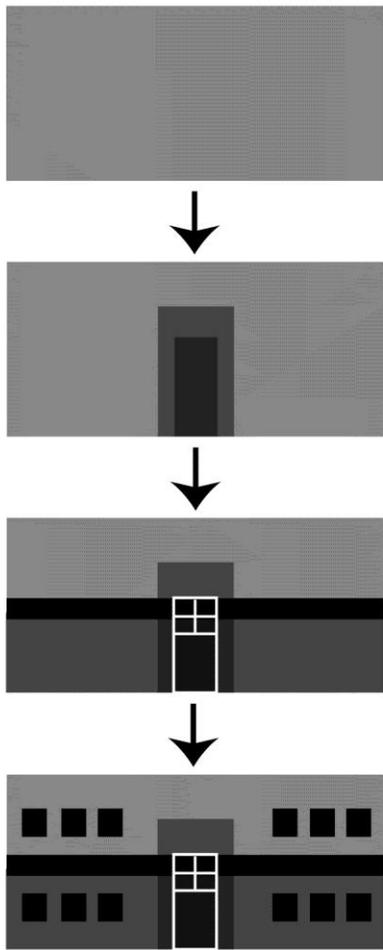
saltbox



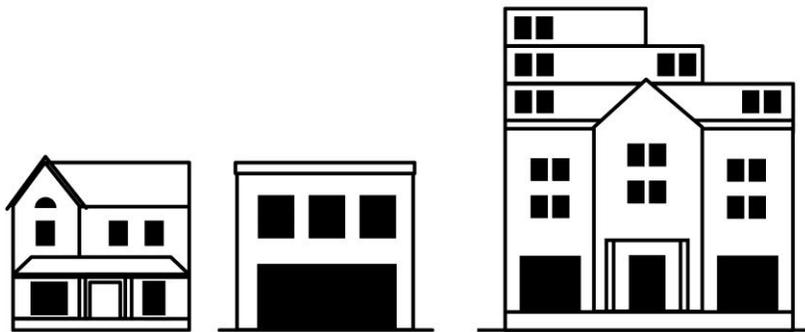
gambrel (dual-pitched gables)



- H. Scale: The size of design elements and details should relate to the human proportion. The following graphics illustrate a continuum where the human scale is introduced to a building as elements are added.



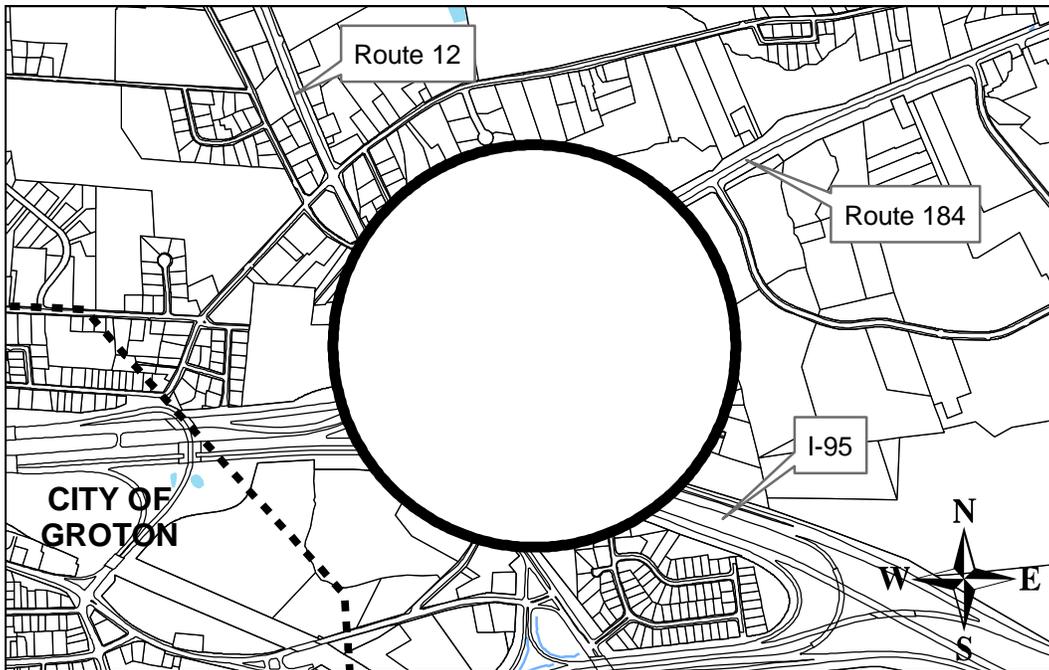
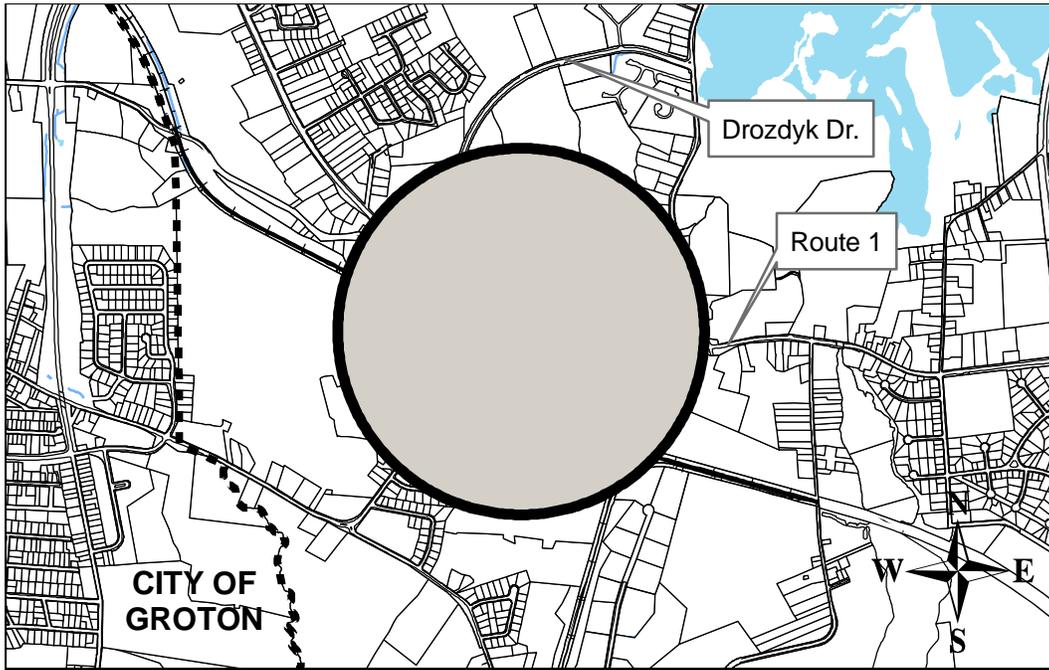
- I. Solid (wall)-to-Void (opening) Relationship: The pattern of openings in the façade should reinforce and complement the other design elements. The following graphics illustrate various methods of determining an appropriate solid-to-void ratio, depending on the size and use of the building.



6.13-8 Approval Criteria

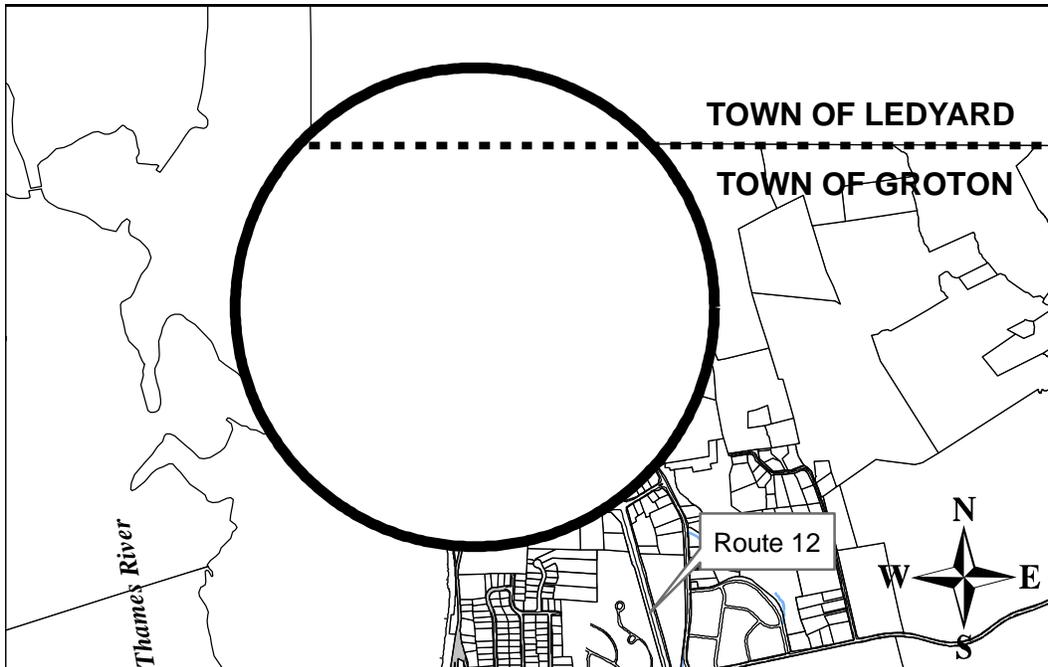
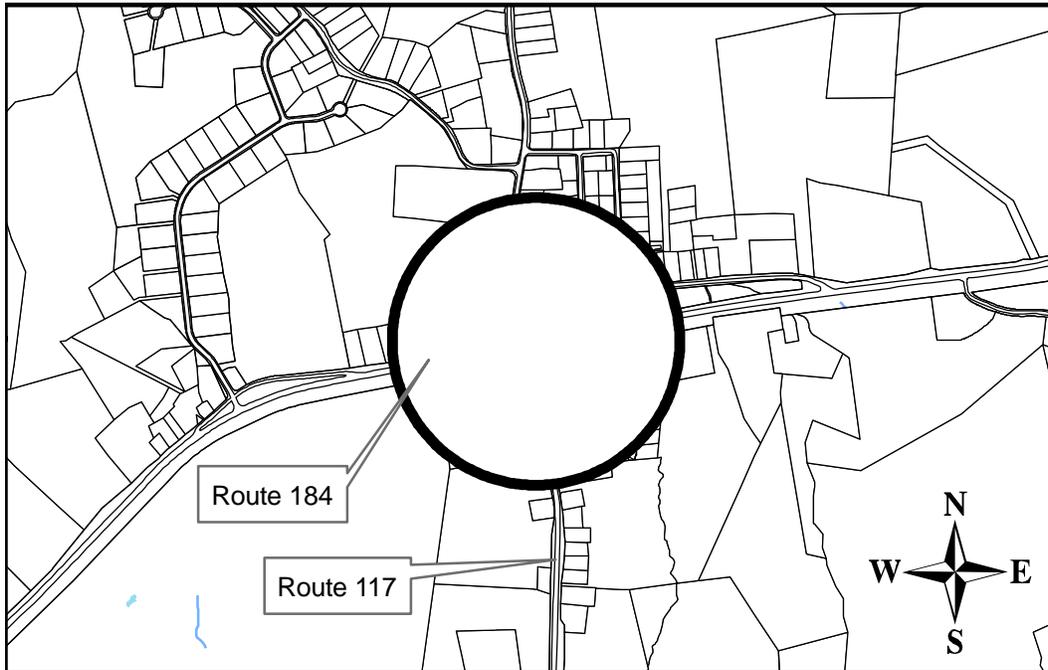
- A. Change of Zone: The Zoning Commission shall consider the extent to which the change of zone application fulfills Sections 6.13-2 and 6.13-3, as well as any and all other criteria a zoning commission is entitled to consider by law when acting on a zoning map and regulation amendment.
- B. Master Plan and Special Permit: In addition to the criteria set forth in this Section of the Regulations, the Zoning Commission shall consider the following:
1. The Special Permit Objectives set forth in Groton Zoning Regulations Section 8.3-8;
 2. That the applicant has provided, where appropriate, for the sustained maintenance of the development in general, as well as its open space components; and
 3. That utilities, drainage and recreational facilities have been so laid out as not to unduly burden the capacity of such facilities, such other facilities connected therewith, and such facilities proposed by the Groton CIP and Facilities Plan.

GROTON DOWNTOWN NODE



ROUTE 1/ROUTE 12 NODE

CENTER GROTON NODE



NAVAL BASE NODE

6.13-3 Exhibit B

6.14 Stormwater Management Plan (Eff: 4/1/2011)

6.14-1 In addition to the required erosion control plan, grading plan and other required plans and application submittals, a separate Stormwater Management Plan shall be submitted with any site plan application that will result in the cumulative disturbance of one acre or more. The Plan shall be developed using the principles outlined in the 2004 Connecticut Stormwater Quality Manual, as amended, and shall help to implement the Town of Groton's Stormwater Management Plan. The Plan shall be site specific and shall be designed to protect water quality by reducing and where feasible, eliminating stormwater pollution.

6.14-2 The Stormwater Management Plan shall include the following:

- A. Project and Stormwater Management Plan contact information
- B. Site and Activity Description including:
 - 1. Existing natural features and proposed site improvements
 - 2. Site topography, pre- and post- development drainage patterns
 - 3. Existing and proposed stormwater discharges and known sources of on-site stormwater pollutants and sediment loading
- C. State DEP water quality classification of on site and adjacent water bodies, which will receive project stormwater
- D. Identification of potential pollutant sources including:
 - 1. Description of all potential pollution sources such as erosive soils, steep slopes, vehicle fueling and maintenance, and materials storage

2. Identification of the types of anticipated stormwater (i.e. from pervious and/or impervious areas)
 3. A summary of calculated pre- and post-development peak flows, per the Town of Groton Road and Drainage Standards, unless otherwise specified in these Zoning Regulations (i.e. as to land and uses subject to the WRPD overlay zone requirements).
- E. Description of controls to reduce pollutants including:
1. Proposed stormwater system retrofits
 2. Methods to retain sediments on site
 3. Methods to control water flowing onto and from the construction site
 4. Methods to minimize disturbed areas
 5. Post-construction stormwater management measures that will be installed during the construction process to control pollutants in stormwater discharges after construction operations have been completed
- F. Calculations, plans, data and other information intended to support the design and operation of structures and other proposed methods to reduce pollutants
- G. Maintenance and inspection procedures including:
1. Inspection protocols and related requirements
 2. Repair and maintenance documentation
 3. Identification of responsible individual(s)
- H. Good Housekeeping Procedures which at a minimum will address:
1. Material Handling and Waste Management

2. Building Material Staging Area operations
3. Equipment and Vehicle Fueling and Maintenance
4. Spill Prevention Plan requirements
5. Long Term Maintenance of Stormwater Facilities

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:
 - I. 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; Rev. Eff: 5/16/2016)

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, 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. Restaurants: A minimum of 10 stacking spaces shall be provided on site for each drive through station, including the vehicle being serviced.

Banks/Financial Institutions: A minimum of 5 stacking spaces shall be provided on site for each drive through station, including the vehicle being serviced.

Drug Store Pick – Up Windows/Facilities: See Section 7.1-44

- 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 main 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 supersede 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.

7.1-46 Small-Scale Personal Retail in OMF District (Eff. 11/1/11)

Small-scale personal retail uses within the OMF zone, as listed in Section 5.1-3, are permitted in accordance with Section 6.1 and the following conditions:

A. All OMF Lots:

1. The total retail square footage for the entire lot shall not exceed 500 square feet.
2. The lot shall be located a minimum of 100' from any lot zoned RS.
3. An OMF lot located adjacent to a lot in any zone that has an existing single family residential dwelling shall provide a minimum 6-foot high wall or fence between the OMF lot and the adjacent lot. This requirement may be modified by the Planning Commission where the existing topography, landscaping, or other site features provide sufficient buffer or protection.

B. OMF Lots Less than 20,000 sq. ft. and a minimum of 100' width:

1. The use shall occupy an existing building.
2. The number of employees shall not exceed 4.
3. Two parking spaces shall be provided per employee, with a minimum of 4 spaces required.
4. At least 50% of the required spaces shall be located in the side or rear yard if the number of spaces exceeds 4. This requirement may be modified by the Planning Commission due to the existing location of the building and/or the site configuration making the parking in the rear or side yard impractical.

7.1-47 Keeping of Hens (New Eff: 8/1/14)

Purpose: This regulation provides for the limited keeping of female chickens, referred to as hens, on residentially used properties, for the health, convenience, personal enjoyment and benefits afforded by such

use, and in a manner which preserves the quality of life of the surrounding neighborhood.

The keeping of hens on properties used for residential purposes shall be subject to the following standards:

- A. No more than four (4) hens may be kept on any lot of twenty thousand (20,000) square feet or less. On lots greater than twenty thousand (20,000) square feet and up to five (5) acres, no more than ten (10) hens may be kept. In any case, the keeping of hens shall be considered a non-commercial accessory use to a residential use. Keeping of hens on lots greater than five (5) acres shall be considered a commercial farm use subject to Section 7.1-9.
- B. Hens shall be confined to a fenced enclosure located in a rear or side yard only. In lieu of the buffer requirements of Section 7.4-4, the enclosure, coop, and any storage area for food or compost waste shall be at least ten (10) feet from any property line and at least twenty (20) feet from any residential structure on adjacent properties.
- C. A coop shall be required and shall be located entirely within the fenced enclosure or the coop shall have direct access to the fenced enclosure for the hens. The coop shall be no greater than eight (8) feet in height and no more than twenty five (25) square feet for up to four (4) hens and no more than fifty (50) square feet for up to ten (10) hens. The coop and the enclosure shall be designed and constructed so hens do not have access outside of the enclosed area. All food products and waste shall be kept so as to limit offensive odors and the presence of pests and predators, including, without limitation, by keeping all food products in waterproof and sealed containers off the ground at all times. Waste may be composted.
- D. No hens shall be kept inside any structure used for residential purposes.
- E. No rooster shall be kept on any property under five (5) acres.

- F. The keeping of hens shall be conducted in a manner consistent with and in compliance with the State of Connecticut Public Health Code, including, without limitation, Section 19-13-B32(e) with regard to properties within a public water supply watershed.
- G. A Certificate of Zoning Compliance is required for the keeping of hens which must be accompanied by a plot plan showing the location and dimensions of the fenced area, coop, and any storage area for food and/or compost waste.

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; Rev. Eff: 5/16/2016)

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 1 year, with automatic annual renewals, shall be acceptable. Such lease shall be submitted to the Town prior to the filing of the site plan in the Land Records and copies of annual renewals shall also be provided to the Office of Planning and Development Services. 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. Any termination of a lease and/or diminishment of the number of parking spaces shall require review and appropriate action, including revocation or termination of the permit, by the Office of Planning and Development Services and/or the appropriate commission. (Rev. Eff: 5/1/2016)
- 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

These requirements shall be administered by the Planning Commission or its agent, acting on a site plan or administrative site plan, or by the Zoning Official with respect to the issuance of zoning permits, certificates of zoning compliance, and/or enforcement of the zoning regulations.

Adequate storm water drainage shall be provided for all off-street parking areas. All parking areas and related stormwater systems shall incorporate appropriate BMPs, low impact development features, and/or other design elements consistent with the latest official version of the State of Connecticut Department of Environmental Protection's Stormwater Quality Manual.

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. Unless otherwise permitted, 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: 4/1/2011)

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.; IA 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.

Temporary Event Signs

Up to six temporary event signs, each sign limited to six square feet, are permitted at locations other than a property having a permissible temporary event within this zoning jurisdiction. Signs must be placed on private property with the written permission of the owner. Such signs are permitted one hour before the period of the event, and must be removed immediately after the event is terminated. Regardless of the duration of the temporary event, the signs cannot be erected for a period of time to exceed six hours. Such signs shall only be permitted in the R, RS, and RU residential zoning districts and only if associated with permissible temporary events located in those zoning districts, with the exception that one sign of the six may be located in non-residential zoning districts.

For purposes of this sign regulation, a permissible temporary event shall be defined as an event on the residentially zoned property lasting less than twelve hours in duration and shall be limited to the following:

An event that is customarily associated with and incidental to the use of a single family or two family home on its own separate lot, such as real estate “open houses” sales events;

An event that is customarily associated with or incidental to the operation of a commercial farm meeting all of the requirements of Section 7.1-9 of these regulations;

Carnivals or fairs meeting all of the requirements of Section 7.1-3 of these regulations.

Notwithstanding the above, such signs shall not be permitted as customary or incidental to the use of multifamily residences, home occupations and residential daycare.

The signs are limited to “directional” signs only (i.e. no commercial advertising permitted), except as otherwise required by State or Federal Law.

No more than four such signs shall be located on any lot at any given time.

At least three business days prior to installing such signs, the person installing such signs shall provide the Town of Groton Office of Planning and Development Services (“OPDS”) with a written registration via hard copy or electronic mail, directed to the Manager of Inspection Services, and indicating the following:

- The name, business address and contact phone number and/or email address of the person installing such signs;
- The date, time (commencement and completion), location and type of permissible event;
- The street address of the location(s) where directory signs are to be located and the hours such signs will be located on the property;
- A statement that the registrant understands and agrees to comply with applicable provisions of the Town of Groton Zoning Regulations concerning such signs.

Such signs shall not block visibility at street and/or driveway intersections, shall not affect the orderly flow of traffic, shall be freestanding, shall be no more than six feet high, and shall in all respects comply with the general standards of Section 7.3-3 of these regulations.

Any one property shall be limited to a total of no more than twenty-four such signs within a twelve month period (January 1 through December 31).

Such signs may be erected for an event for any property no more than six times per calendar year, and may only be erected on weekends or legal holidays (both State of Connecticut and Federal).

Any such signs proposed to be located within a Town of Groton Historic District shall comply separately with any applicable regulations of such District, prior to the installation of such signs, and the submission of registration pursuant to these regulations shall not eliminate the obligation to comply with regulations or requirements of other authorities. (Eff: 3/1/10)

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**

(TABLE POSTED ON WEBSITE AS A SEPARATE DOCUMENT

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 Eff.: 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.

In fulfilling these requirements, with the exception of landscaping installed on single family detached home lots, all landscaping should be limited to native species of plants. The planting of invasive species, included in the State of Connecticut Invasive Plants Council's most recent officially adopted invasive plant list, shall be prohibited. (Eff. 4/1/2011)

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 (Rev. Eff: 5/16/2016)

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 in a commercial or industrial district abutting or directly across a local street from any lot in a residential district or when a conditional use is in or abutting any residential district. Such buffer area shall comply with at least one of the following minimum standards (A, B or C) and details shall be provided to support the option chosen. The Planning Commission shall make the ultimate determination on which option will be used.

A. Buffer Width and Landscape Planting: Provide both the minimum width and landscape plantings.

Width: The minimum width of buffer areas shall be as follows:

Conditional uses in or abutting any residential district - 25 feet

All commercial districts abutting a residential district - 15 feet

All Industrial districts abutting a residential district - 30 feet

Landscape Plantings: At a minimum, the planting shall consist of evergreen 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.

- B. Berm/ Fence/Wall and Landscape Planting: Provide both a berm/fence/wall and landscape plantings.

Berm/Fence/Wall: A 6 to 8 foot high earthen berm or solid and opaque wall or fence at a location, height, design, and materials deemed by the Planning Commission to be sufficient to accomplish the purposes of this Section as stated in Section 7.4-4 above.

Landscape Plantings: Landscaping, including trees and shrubs, shall be provided to enhance and soften the area of the berm, fence or wall.

- C. Natural Vegetation: This option may be used where the existing landscaping/vegetated area provides adequate buffering between the two properties and meets the following:

Natural Vegetation: The existing vegetation includes a healthy stand of trees that will be maintained and the width of the existing vegetation is a minimum of 1.5 times the required buffer width in A above.

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.

7.5 Sidewalks

7.5-1 Applicability (Eff: 6/1/92)

Sidewalks shall be provided in accordance with this section along the road frontage of all lots for any building or use hereafter erected, enlarged, or intensified and thus requiring site plan approval, in all zones, except as noted in Section 7.5-5. The Planning Commission may require that provision be made to connect the sidewalk in front of the subject site to sidewalks in the vicinity of the site or to a point where a pedestrian may continue to safely travel beyond the subject site.

7.5-2 Frontage Sidewalks (Eff: 6/1/92; Rev. Eff: 6/16/2016)

Sidewalks as required by this section shall be constructed at minimum, along the entire road frontage of a site, shall be 5 feet in width along arterial and collector roads and 4 feet in width along local roads, concrete, and provide for handicapped access at curb cuts and road intersections, unless otherwise stipulated or modified by the Planning Commission. Nothing in this section shall be deemed to restrict the Planning Commission from requiring wider sidewalks considered necessary in conjunction with development of particular sites such as schools, commercial centers, multi-family developments, institutional uses, and other, more intense, pedestrian generators. Where a road is slated for reconstruction, the Commission may allow temporary sidewalks built to a lesser standard.

The Town of Groton Department of Public Works Road and Drainage Standards shall be used to design public sidewalks along Town roads. The more stringent design standards of either the Town of Groton Department of Public Works Road and Drainage Standards or the Connecticut Department of Transportation Highway Design Manual shall be used for public sidewalks along State roads. Where a location of a public sidewalk falls outside of the road right-of-way onto private property, the applicant may exercise one of two options. The applicant may choose to deed property to the Town increasing the width of the right-of-way, or the applicant may grant an easement to the Town allowing the public to pass and repass over the portion of the sidewalk located on private

property and to allow the Town to maintain and replace this same portion of the sidewalk.

7.5-3 Extension of Sidewalks (Eff: 6/1/92)

The Planning Commission may require that sidewalks constructed under this section be extended for a reasonable distance to sidewalks existing along the road frontage on either side of the subject lot or to a point where a pedestrian may safely return to the road travelway at locations where no other sidewalks exist. In making such a determination, the Commission may require such extension under the following conditions:

- A. The existing Zoning and Subdivision Regulations, and existing developed conditions on abutting properties, make future development of sidewalks along these property frontage(s) unlikely, as determined by the Planning Commission.
- B. Physical conditions along the frontage of abutting property(s) are such that development of the sidewalk extension would not result in unreasonable development cost.
- C. Development of the subject site for the uses proposed, including but not necessarily limited to schools, commercial centers, multi-family developments, institutional uses or other, more intense, pedestrian generators, would result in a reasonable need to link the use with living areas, pedestrian systems, roads, recreational areas, educational, community or shopping facilities, or other activity centers, to promote public safety and convenience. The Commission shall further take into consideration the number of existing pedestrians and the number of new pedestrians to be generated by the proposed use.

Under no circumstances shall such extension be required to exceed 200 feet. In all cases, the ends of sidewalks not connected to an existing sidewalk system shall be returned to grade at the curb or gutter line.

7.5-4 Internal Sidewalks (Eff: 6/1/92; Rev. Eff: 5/16/2016)

The Planning Commission may require public sidewalks along a site's frontage to connect to the buildings and/or land uses on the site by a system of internal sidewalks in any of the following circumstances:

- A. On newly developed sites.
- B. On redeveloped sites that can reasonably accommodate an internal sidewalk network without major impacts to the parking lot design.
- C. On sites where there will be pedestrian activity from the frontage sidewalk based on the proposed onsite use.

This internal system of sidewalks should also function to serve people walking from on-site parking lots to the main entrances of any building or any other point of on-site pedestrian destination. In addition, the Planning Commission may require internal sidewalks to connect to adjacent properties where there is evidence that significant cross-movement of pedestrians will occur.

Internal sidewalks shall be constructed of concrete, unless otherwise approved by the Planning Commission, and shall be a minimum of 4 feet wide. In cases where parking abuts the internal sidewalk, the walk shall be 6 feet wide.

7.5-5 Options (Rev. Eff: 5/16/2016)

- A. Postponement: If in the opinion of the Planning Commission frontage sidewalks do not appear to be warranted at the time due to lack of existing/anticipated development in the area and/or resulting pedestrian traffic, the Commission may postpone the installation of the frontage sidewalk to a later date. In exercising this option, the applicant must demonstrate and the Commission must find that the postponement of installing the frontage sidewalk will not significantly endanger the health, safety and welfare of the existing or anticipated pedestrian traffic along the frontage of the property. If this option is exercised, the approved site plan shall provide all necessary information concerning

the future sidewalk including, but not limited to, location, grades, elevations, and other details necessary for the future construction of said sidewalk.

In addition, prior to filing the approved site plan on which this option is exercised, the developer and Commission shall enter into a written, binding agreement indicating that sidewalks will be installed at a later date which 1) has been determined at the time of approval, or 2) will be determined at a future date when conditions change (i.e. additional development or pedestrian activity in the area, Town-initiated sidewalk extensions, etc.). This agreement shall be filed in Land Records.

B. Substitution: The Planning Commission may allow an alternative to concrete frontage sidewalks, such as a bike path or running/walking trail. This option is intended to provide an alternative to frontage sidewalks in the following circumstances:

1. Where the existing structures, vegetation, wetlands or topography make it impractical to provide the concrete sidewalk, or
2. Where an alternative design or location will better serve the non-vehicular transportation network in the area, or
3. Where a system of internal sidewalks connecting one property to another would better serve the walking public.

Any alternative frontage sidewalk or internal sidewalk located on private property shall be maintained by the property owner.

C. Elimination: The Commission may eliminate the requirement for frontage sidewalks altogether where the applicant demonstrates and the Commission finds that 1) there will be no significant pedestrian movement to the site and/or between the site and those adjacent to it, and/or 2) topography or other physical limitations prohibit the reasonable installation of said sidewalk.

SECTION 8

ADMINISTRATION AND ENFORCEMENT

8.1 Zoning Enforcement

8.1-1 Authority

These regulations shall be enforced by the Zoning Commission, acting by and through the Zoning Official. The Zoning Official may cause any building, structure, place or premises to be inspected and examined, and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of these regulations. The owner or agent of a building or premises where a violation of any provision of such regulations has been committed or shall exist, or the lessee or tenant of any entire building or entire premises where such violation shall have been committed or shall exist, or the owner, agent, lessee, or tenant of any part of the building or premises in which such violation has been committed or exists, shall be fined in accordance with the General Statutes of the State of Connecticut.

Any official having jurisdiction in addition to other remedies may institute an action or proceeding to prevent the unlawful erection, construction, alteration, conversion, maintenance, or use of a building, or to restrain, correct, or abate such violation, or to prevent occupation of buildings, structures, or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

8.1-2 Zoning Permit

No building or structure shall be erected, added to, or structurally altered and no use shall be established until a Zoning Permit has been issued by the Zoning Official. All applications for such permits shall be in accordance with the requirements of these regulations.

A. Application

Every application for Zoning Permit shall be accompanied by such information and exhibits as are required herein or may be reasonably required by the Zoning Official in order that the

proposal of the applicant may be adequately interpreted and judged as to its conformity with the provisions set forth in these regulations. The application shall include a certification that the lot is on record by map or by deed, including the date of recording, or is in a subdivision which has been approved by the Planning Commission.

B. Plot Plan

The application shall be accompanied by two copies of a plot plan based on a survey prepared by a land surveyor registered in the State of Connecticut, drawn to scale showing the actual dimensions of the lot to be built upon, the size of the building(s) to be erected, the location of the building upon the lot, the floor area ratio, the dimensions of all open spaces, the setback lines observed by buildings, the location of driveways and curb cuts, the area and percentage of impervious cover, both existing and proposed, if subject to site plan review and approval provisions under Section 8.4 of these regulations and such other information as may be necessary. The Building Official may waive any of the plot plan requirements in cases where it is not needed to determine conformity with these regulations. (Eff: 1/1/02; 3/1/02)

8.1-3 Certificate of Zoning Compliance (Eff: 3/7/88)

No land shall be occupied or used and no building hereafter erected or altered shall be occupied or used in whole or in part for any purpose, until a Certificate of Zoning Compliance shall have been issued by the Zoning Official, stating that the premises or building complies with all the provisions of these regulations. Such a Certificate is also required for any change, extension, or alteration in a use. Applications for Certificate of Zoning Compliance shall be accompanied by a certified plot plan of the lot and buildings involved, showing the exact placement of the structures on the lot. No such Certificate of Zoning Compliance shall be issued by the Zoning Official until all zoning requirements and conditions have been met.

8.1-4 Fees

All applications for Zoning Permit and Certificate of Zoning Compliance shall be accompanied by a fee, as determined from time to time by the Zoning Commission, to cover the cost of administration. Said fee shall be paid at the time of filing the application.

8.1-5 Special Conditions

Any maps, plans, documents, statements and stipulations submitted to and approved by the Planning Commission, the Zoning Commission, the Zoning Board of Appeals, and/or the Inland Wetlands Agency in connection with Site Plan, Special Permit, Variance, Wetlands Permit, or other action of said Commission(s) as required by these regulations, and any conditions of such approval(s) attached by said Commission(s) shall be conditions for the approval of applications for and the issuance of a Zoning Permit and a Certificate of Zoning Compliance by the Zoning Official. Prior to issuance of a Zoning Permit or a Certificate of Zoning Compliance, the applicant shall obtain and submit all approvals required by any other Municipal, State, or Federal department, bureau or agency.

8.2 Zoning Amendments

8.2-1 Authority

The Zoning Commission, on its motion or on petition, may amend, change, modify, or repeal these regulations or the zoning map, after public notice and hearing, in accordance with the General Statutes of the State of Connecticut.

8.2-2 Applications

Any person, firm, or corporation desiring an amendment or change in the zoning regulations and/or map of the Town of Groton may submit an application proposing such amendment or change, to the Zoning Commission. Before the Commission shall consider any such petition, the following requirements shall be met and information submitted by the person, firm, or corporation submitting the petition.

A. Zoning Map Changes

All proceedings to change the boundaries or classification of a zoning district shall be instituted by application in writing to the Zoning Commission. Applications shall be signed by the person, firm, or corporation proposing the amendment or change or by the attorney or agent for such person, firm or corporation. The application shall give the zoning and a metes and bounds description of the land to be included in the amendment or change. Reasons for the proposed amendment or change may also be stated. The application shall also include:

1. Five copies of a map showing all existing lots, dimensions, property lines, and streets, the existing zoning, the proposed zoning, the existing contours at a contour interval not to exceed 10 feet, the north point and the name of the petitioner. (Eff: 1/1/02)
2. The map shall show the above required information for the area included in and within 500 feet of the area affected by the application.

3. The ownership of all lots within 200 feet of the area proposed to be rezoned, as indicated in the current records of the Town of Groton, shall be shown on the map.
4. The map shall be accurately drawn to a scale of 100 feet or up to 400 feet to the inch. The map may show any other information considered pertinent by the applicant.

B. Amendments to the Regulations

All proceedings to change the provisions of these regulations, including any change in punctuation or wording, shall be instituted by application in writing to the Zoning Commission in which the specific provisions to be changed and the provisions to be substituted, deleted, or added shall be precisely set forth. Ten copies of the existing and proposed text shall be submitted. Applications shall be signed by the person, firm or corporation proposing the amendment change or by the attorney or agent for such person, firm or corporation. Reasons for the proposed amendment or change may also be stated in the application.

C. Fees

All applications and appeals shall be accompanied by a fee, as determined from time to time by the Commission, to cover the cost of administration. Said fee shall be paid at the time of filing the application.

8.2-3 Public Hearing

The Commission shall hold a public hearing on all proposed amendments and changes to the zoning regulations or map and shall publish a notice of said hearing in a newspaper of general circulation in accordance with the General Statutes of the State of Connecticut.

8.2-4 Notice of Amendment to Zoning Map

Before a public hearing is held on any petition concerning an amendment to the zoning map of the Town of Groton, the petitioner shall present proof to the Commission prior to the start of the public hearing or at the start of a continued hearing, if continued for the purpose of receiving proof of the notice described

herein, that notice has been deposited at least 10 days but not more than 30 days in advance of the date of the advertised hearing in a Post Office regularly maintained by the U.S. Government, directed to each of the current owners of lots located within the area and also within 200 feet from the boundaries of the area proposed to be changed, as such owners and addresses appear on the CAMA database maintained by the Groton Assessor. (Eff: 2/16/01)

8.2-5 Affidavit of Compliance

The petitioner requesting a proposed change of the zoning map shall, on or before the date of the public hearing, file with the Zoning Commission a certificate of mailing documenting compliance with Section 8.2-4.

8.2-6 Exemptions

The provisions of Sections 8.2-2, 8.2-4, and 8.2-5 shall not apply to proposed amendments initiated by the Zoning Commission or the Planning Commission of the Town of Groton.

8.2-7 Referrals

All proposed zoning amendments or changes shall be referred to the Planning Commission for a report at least 35 days prior to the date assigned for a public hearing on such request. The failure of the Planning Commission to report prior to or at the hearing shall be taken as approval of such proposals. A statement of the vote of the Planning Commission approving, disapproving, or proposing a modification of such proposal shall be publicly read at the public hearing. The full report of the Planning Commission regarding such proposal shall include the reasons for the Commission's vote and shall be incorporated into the records of any public hearing held thereon. A proposal disapproved by the Planning Commission may be adopted by the Zoning Commission by a vote of not less than two-thirds of all the members of the Zoning Commission. The Zoning Commission shall give written notice of the regional planning agency of proposed zoning amendments when required by the General Statutes of the State of Connecticut.

8.2-8 Protest of Proposed Amendment

Where a protest is filed with the Zoning Commission at a public hearing on a proposed amendment signed by the owners of 20% or more of the area of the lots included in such proposed change, or of the lots within 500 feet in all direction of the lots included in the proposed change, such change shall not be adopted except by a vote of two-thirds of the entire membership of the Zoning Commission.

8.2-9 Pending Zoning Map Changes

Whenever there shall be pending before the Zoning Commission any proposal for an amendment to the Zoning Map, which proposed amendment shall have been initiated or promulgated upon a motion by the Zoning Commission or the Planning Commission, the Zoning Official shall have the authority to withhold approval for a period of not more than 65 days from the date of first public notice of the public hearing of any Zoning Permit for the construction or substantial alteration of any building upon any lot likely to be affected by the final determination of such motion, pending the public hearing and final decision by the Zoning Commission.

8.2-10 Effective Date of Amendments

Zoning regulations, boundaries of zoning districts, and any amendments or changes thereto shall become effective at such time as may be fixed by the Zoning Commission, provided notice shall have been published in a newspaper having substantial circulation in the Town of Groton.

8.3 Special Permit Requirements (Rev. Eff: 10/1/13)

8.3-1 Purpose and Authority

Certain classes or kinds of buildings, structures, or uses of land may only be appropriate in particular locations or districts based on how their attributes relate to specific locations. Such uses are permitted only after the grant of a special permit by the Zoning Commission pursuant to the requirements of Section 8.3 et seq. of these Regulations.

In all cases where these regulations require a special permit, no zoning permit shall be issued by the Zoning Official until said special permit has been approved by the Zoning Commission and a copy of the approved special permit is recorded on land records and is effective.

8.3-2 Applications

Applications for a special permit shall be made on a form established for that purpose and shall include:

- A. A detailed statement describing the existing and proposed use or uses and the surrounding neighborhood.
- B. A detailed statement describing how the special permit criteria in Section 8.3-8 will be satisfied.
- C. A detailed statement describing how the applicable conditions of Section 7.1 for the specific use or uses will be met.
- D. A location map in accordance with Section 8.4-4 B.
- E. Five copies of a plan in detail and accuracy sufficient to allow the Zoning Commission to determine compliance with the Zoning Regulations, and depicting at least the boundaries of the property, the location and height of all existing and proposed buildings and uses on the subject property, all structures located within 200 feet from the subject property's boundaries, the location and arrangement of parking and loading spaces, wetlands, watercourses, flood hazard areas, existing topography and proposed grading, and the location

and description of all proposed open spaces, screening and buffer areas. The Commission, if it deems necessary to

determine compliance with the Regulations, may require additional information on said plan.

- F. The application fee prescribed in Section 8.3-3.
- G. The Zoning Commission and/or the Office of Planning and Development Services staff may require the following additional reports, plans, and other information that the Commission or the Office of Planning and Development Services staff deem reasonably necessary to determine compliance with the special permit criteria of Section 8.3-8 and all other pertinent provisions of these regulations:
 - 1. Traffic Report or Additional Traffic Information
 - 2. Storm Water Management Plan or Additional Storm Water Information
 - 3. Erosion Control Plan or Additional Erosion Control Information
 - 4. An Evaluation of the Adequacy of Public Utilities
 - 5. Elevations of all Proposed Structures including Buildings, Fences, and Walls
 - 6. Additional Neighborhood Compatibility Information
 - 7. Landscape Plan
 - 8. Generalized Floor Plans
 - 9. Community Design and Service Programs
 - 10. Signage Plan
 - 11. Noise Projection Study
 - 12. Identification of Historic and Archeological Resources

All traffic reports, storm water management plans, erosion control plans, and noise projection studies shall be prepared and signed/sealed by an appropriate professional licensed in the State of Connecticut, unless this requirement is deemed unnecessary by the Zoning Commission.

For large or complex projects, applicants are encouraged to schedule a pre-application meeting with the Office of Planning and Development Services staff to identify additional information and submittals likely to be needed for the Commission to act on the application.

- H. If a special permit application involves an activity regulated pursuant to Connecticut General Statutes (CGS) Chapter 440 Sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application to the Inland Wetlands and Watercourse Agency no later than the day such application is filed with the Zoning Commission.
- I. For property encumbered by a conservation or preservation restriction, the application shall include written evidence that the applicant has made notification as required pursuant to CGS Chapter 822, Section 47-42d, or as amended.
- J. For property located within a public water supply watershed of a water company, the application shall include written evidence that the applicant has made notification, as required pursuant to CGS Chapter 124, Section 8-3i, or as amended.

8.3-3 Fees

All applications shall be accompanied by a fee prescribed by the Town of Groton Code of Ordinances Section 2-86(2)(d) and, if appropriate, Section 2-86(2)(c). In addition, if an application is determined by the Office of Planning and Development Services staff or the Zoning Commission to be complex, because, for example, it is deemed necessary to retain experts to analyze and review reports, plans, and other information submitted by the applicant or others as part of the application and/or hearing process, the applicant shall pay a complex application fee pursuant to the requirements of the Town of Groton Code of Ordinances Section 2-86(3). The initial application fees under the Town Code of Ordinances Section 2-86(2)(d) and (c) shall be paid at the time the application is filed. Any additional fees due under the Town of Code Ordinances Section 2-86(3) shall be paid in the amount and at the time prescribed by that section.

8.3-4 Public Hearing

Except for certain applications filed under Section 8.3-11, the Commission shall hold a public hearing on all applications for a special permit.

8.3-5 Notice of Public Hearing

Notification of any public hearing shall be done in accordance with CGS Chapter 124 Section 8-7d, including notifying clerks of adjoining municipalities in accordance with CGS Chapter 124 Section 8-7d(f).

In addition to the above notification requirements, all owners of property within 150 feet from the subject property's boundaries shall be given written notice by the applicant of the location and nature of the application and the date, time, and place of the public hearing. Such notice shall be sent to the property owners as they appear on the property tax map or on the last-completed grand list as of the date such notice is mailed. The notice shall be mailed at least 10 days but not more than 30 days in advance of the date of the public hearing. Proof of mailing shall be evidenced by a U.S. Postal Service Certificate of Mailing presented to the Commission prior to the start of the public hearing or at the start of a continued hearing, if continued for the purpose of receiving proof of the notice required herein.

8.3-6 Affidavit of Compliance

The applicant shall, on or before the date of the public hearing, file with the Zoning Commission or its agent, a U.S. Postal Service a Certificate of Mailing documenting compliance with Section 8.3-5. Failure to comply shall result in a continuation of the hearing until such time that the required Certificate is provided, unless insufficient time is available to comply, in which case, the application shall be denied.

8.3-7 Referrals

Upon receipt of a special permit application, the Zoning Commission shall refer the application to the Planning Commission for review

and recommendations to be submitted prior to or at the public hearing.

The Zoning Commission may also refer the application to other agencies, boards, and commissions it deems necessary for review and recommendations for determining compliance with the special permit criteria of Section 8.3-8, and the requirements of all applicable zoning regulations, including Section 7.1.

8.3-8 Special Permit Criteria

In evaluating an application for a special permit, the Zoning Commission shall consider the effect the proposed use is likely to have on the public health, safety, and welfare of the public in general, and on the immediate neighborhood in particular, and when deemed necessary by the Zoning Commission, may make modifications and impose reasonable conditions and safeguards to render the application consistent with the Zoning Regulations. In all cases, the Zoning Commission shall also consider the following criteria:

A. Location

The location and size of the site is appropriate for the orderly development of the site and the surrounding area(s), given the nature, scale, and intensity of the proposed use.

B. Buildings

The type, size, location, height and other characteristics of all buildings associated with the use or activity are appropriate for the use or activity and the proposed site, and that new buildings and structures or modifications to existing buildings and structures are in scale with other buildings in the area.

C. Neighborhood Compatibility

The design elements of the proposed development are compatible with the development in the district and the surrounding area(s) and do not hinder or discourage the orderly development and use of other properties with the area or alter the essential characteristics of the area.

D. Parking and Access

The design provides adequate and suitable parking, loading, and vehicular circulation for the use, and includes sufficient measures to assure safe and convenient use of the site. Access points, to and from the site, are in locations and sufficient in number so as not to cause any traffic congestion or safety conflicts.

E. Streets

Streets serving the proposed use are adequate in width, grade, and alignment, with sufficient visibility at intersections, and have the capacity for the additional traffic generated by the proposed use. Traffic control systems are sufficient to assure a reasonable level of service at affected intersections.

Where applicable, the design shall take into account existing and future street, trail, and pedestrian connections, based on the Town's Plan of Conservation and Development and respective policy documents.

When the Zoning Commission deems street or other improvements, including, but not limited to, new traffic control devices or modifications to existing devices, necessary in order to render a proposed use and plan consistent with these criteria and the Zoning Regulations, it may require such necessary improvements on or off-site related to the application. The Zoning Commission shall give due consideration to options that recognize, protect, or enhance community character.

F. Public Safety

The design and operation of the use utilizes the best available methods to minimize potential risks and provide for access by emergency services, based on the type of use or uses proposed, the available utilities, and other relevant factors.

G. Utilities

The water supply, sewage disposal, storm water management, and other utility systems, whether public or private, are of sufficient capacity to handle immediate and reasonably projected future needs and demands for the site, conform with

the most current generally accepted engineering criteria, and comply with the standards of the governing regulatory or public service authority.

H. Environmental Protection, Conservation, and Long Island Sound

1. The design and operation of the use incorporates appropriate features and practices which minimize potential impacts on the area's natural systems and historic resources, based upon the unique characteristics of the site and the proposed use, with due consideration to be given to relevant portions of the Town's Plan of Conservation and Development. Applicants shall demonstrate how any such relevant provisions have been addressed in the application.

2. The Commission shall consider the environmental impact on Long Island Sound for any proposal for development in accordance with CGS Chapter 124 Section 8-2(b). The site and building plans shall be designed so as to

reasonably minimize the potential environmental impact of the proposed project on Town resources and on water bodies adjacent to the Town including Long Island Sound. The requirements of this subsection in reference to Long Island Sound shall be met by complying with the specific, relevant, express requirements of these Regulations, such as, for example Sections 6.11 and 6.14.

I. Consistent with Purpose

1. The proposed use does not have any detrimental effects upon the public health, safety, and welfare.

2. The proposed use does not conflict with the purposes of these regulations.

3. The proposed use furthers the goals, objectives, and policies of the Town's Plan of Conservation and Development.

8.3-9 Commission Action

The Zoning Commission shall conduct a public hearing and act upon each application for a Special Permit as provided in CGS Chapter 124 Section 8-3c(b), as amended.

A hearing before the Zoning Commission shall commence within 65 days of official receipt of an application. The hearing shall be completed within 35 days after the date the hearing has commenced and a decision shall be made within 65 days after the completion of the public hearing unless the applicant consents to one or more extensions of time for any period specified in this section. The total extension of all such periods shall not be longer than 65 days.

The reason(s) for approval or denial of the special permit application shall be stated in the records of the Commission. A special permit approved by the Commission shall take effect upon filing a copy thereof in the Office of the Town Clerk and in the Land Records. Upon approval of a special permit, the applicant may be

required to submit a site plan or administrative site plan in accordance with Section 8.4 to the Planning Commission or Director of Planning and Development or designee, whichever is appropriate, for approval prior to applying for a Zoning Permit from the Zoning Official.

8.3-10 Revocation

Any authorized special permit shall be subject to revocation by the Commission if any conditions or safeguards imposed by the Commission upon buildings, structures, land or uses for said permit are not strictly adhered to by the applicant and/or owner.

8.3-11 Amendments or Modifications

Applications for special permit amendments or modifications which are necessitated by site conditions or which are deemed to be in the public interest shall be made in the same manner as the original application; except that amendments or modifications, which are found to be of a minor nature or which do not materially alter the special permit as determined by the Commission, may be authorized after Commission approval only, in lieu of another public hearing.

8.3-12 Time Period and Expiration

In approving a special permit, the Commission may set or impose time periods or limits on the permit or require periodic renewal of the permit without a public hearing. In the event an appeal is taken, directly or indirectly, from the Commission's approval of a special permit, then the time period shall commence on the date of final resolution or disposition of such litigation. Expired special permits shall be considered null and void and of no effect.

8.4 Site Plan Review and Approval

8.4-1 Authority (Eff: 6/1/91)

Site plan review and approval by the Planning Commission shall be required, except as noted below, before any Zoning Permit is issued for any building or use or enlargement in size or other alteration of any building or change in use of any building including accessory structures which enlargement or alteration or change of use results in a more intensive use of a property than prior to such action. More intensive use shall include additional residential units, additional employees, additional clientele or customers, additional floor space for sales or service, or additional required parking. No Certificate of Site Plan Compliance shall be given unless all construction and development conforms to the plan as approved by the Planning Commission or the Director of Planning and Development or designee. (Eff: 1/1/02)

A. Exemption

Site plan approval shall not be required for any temporary use or any detached one or two family dwellings or any uses accessory thereto, such as a private garage or storage shed incidental to residential uses.

B. Waiver

The Planning Commission may waive site plan approval requirements if the construction or alteration or change of use does not affect existing circulation, drainage, relationship of buildings to each other, landscaping, buffering, lighting and other considerations of site plan review.

C. Administrative Site Plan Approval

Site plan review and approval may be granted by the Director of Planning and Development or designee for minor land uses, incidental filling with or removal of earth products in quantities not exceeding 1,000 cubic yards, and modifications to previously approved site plans where the proposed use or modification does not significantly affect the intensity of the use, the building footprint, traffic circulation, public safety, and impact on surrounding areas. Application shall be made on a form prescribed by the Planning Department and the

amount and detail of information required for submittal shall be determined by the Director of Planning and Development or designee and be consistent with Section 8.4-4 of these regulations. All other applicable requirements of the Zoning

Regulations must be met during the administrative site plan review process. (Eff: 1/1/02)

Applicants for administrative site plan approval shall be notified in the event that the Director of Planning and Development or designee will not administratively act on submitted plans, in which case the application will be automatically submitted to the Planning Commission. The Director of Planning and Development or designee shall approve, modify and approve, or disapprove all applications for administrative site plan approval within 65 days after statutory receipt of such application and the applicant may consent to one or more extensions of such period, provided the total period of any such extension shall not exceed two further 65-day periods. Any person aggrieved by the decision of the Director of Planning and Development or designee may apply to the Planning Commission for site plan approval pursuant to Section 8.4-1 of these regulations. (Eff: 1/1/02)

8.4-2 Coastal Site Plan Review

A. Applicability

The following site plans, plans, and applications for activities or projects to be located fully or partially within the adopted coastal area boundary shall be subject to coastal site plan review and to the requirements of Chapter 444, Sections 22a-90 through 22a-113 of the Connecticut General Statutes as amended.

1. Site plans submitted to the Planning Commission.
2. Subdivision plans submitted to the Planning Commission.
3. Plans submitted to the Planning Commission for a planned unit development.
4. Applications for a special permit submitted to the Zoning Commission.

5. An application for a zoning variance submitted to the Zoning Board of Appeals.
6. A referral of a proposed municipal project to the Planning Commission.

B. Exemptions

Under the authority of Chapter 444, Section 22a-109(b) of the Connecticut General Statutes, the following uses, structures, and activities are exempt from review except that in the instance of properties regulated by Section 6.3 - Waterfront Design District, subsections 1, 2, and 3 below shall not be exempt from coastal site plan review:

1. Minor additions to or modifications of existing buildings or detached accessory buildings such as garages and utility sheds except in instances where Section 6.8 is applicable.
2. Construction of new or modification of existing structures incidental to the enjoyment and maintenance of residential property including but not limited to walks, terraces, driveways, swimming pools, tennis courts, docks, and detached accessory buildings except in instances where Section 6.8 is applicable.
3. Construction of new or modification of existing on premise fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs and such other minor structures as will not substantially alter the natural character of coastal resources or restrict access along a public beach.
4. Construction of an individual conforming single family residential structure except in or within 100 feet of the following coastal resource areas as defined by Section 22a-93(7) of the Connecticut General Statutes: tidal wetlands, coastal bluffs and escarpments, and beaches and dunes.

5. Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife, and other coastal land and water resources.
6. Gardening, grazing, and the harvesting of crops.
7. Interior modifications to buildings.
8. Minor changes in use of a building, structure, or property except those changes occurring on property adjacent or abutting coastal waters.

C. Coastal Site Plan Contents

A coastal site plan shall include a plan showing the location and spatial relationship of coastal resources on and contiguous to the site; a description of the entire project with appropriate plans indicating project location, design, timing, and methods of construction; an assessment of the capability of the resources to accommodate the proposed use; an assessment of the suitability of the project for the proposed site; an evaluation of the potential beneficial and adverse impacts of the project and a description of proposed methods to mitigate adverse effects on coastal resources.

Any persons submitting a coastal site plan as defined above shall demonstrate that the adverse impacts of the proposed activity are acceptable and shall demonstrate that such activity is consistent with the goals and policies of Section 22a-92 of the Connecticut General Statutes.

D. Coastal Site Plan Action

The board or commission reviewing the coastal site plan shall, in addition to the discretion granted in any other sections of the Connecticut General Statutes or in any special act, approve, modify, condition or deny the activity proposed in a coastal site plan on the basis of criteria listed in Chapter 444, Section 22a-106 of the Connecticut General Statutes. Further, pursuant to Connecticut General Statutes, Section 22a-106(e), the reviewing commission must find that the proposed

activity is consistent with all applicable goals and policies of Section 22a-92 and incorporates as conditions or modifications all reasonable measures which would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.

The board and commission approving, modifying, conditioning or denying a coastal site plan on the basis of criteria listed above shall state in writing the findings and reasons for its action.

8.4-3 Site Plan Procedure

A. Application

Each application for site plan approval shall be submitted to the Director of Planning and Development or designee on a form established for that purpose and shall be accompanied by nine copies of a site plan, as well as the applicable fee. (Eff: 1/1/02)

Prior to submission of a formal site plan application, the applicant may meet with the Director of Planning and Development or designee to discuss the site plan application and if the Director or designee deems it appropriate may waive the submission of specific information identified in Section 8.4-4. (Eff: 1/1/02)

B. Planning Commission Action

The Planning Commission shall approve, modify and approve, or disapprove the site plan within 65 days of the date of certification of said application, unless an extension of time is applied for by the applicant and granted by the Commission. Failure to act within such time period shall be deemed approval. The Commission's disapproval shall include written findings on any site plan element found contrary to either the provisions or intent of these regulations.

C. Surety

The Planning Commission, in approving any site plan, may require, as a condition of said approval, the applicant to post

satisfactory surety in order to assure satisfactory completion of and full compliance with all proposed improvements, not including buildings, shown on the approved site plan and other approved documents.

D. Recording of Plans; Expiration (Eff: 9/4/93)

Prior to commencement of construction, site plans, which bear upon them the seal of a Connecticut registered Professional Engineer or Land Surveyor, shall be recorded in the Land Records of Town Hall and a Notice of Action obtained. Any approved site plan or administrative site plan for which construction 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 Planning Commission or, for administrative site plans, by the Director of Planning and Development or designee. (Eff: 1/1/02)

E. Modifications

Application for site plan modifications or changes to an approved site plan shall be made to the Director of Planning and Development or designee in the same manner as the original application. (Eff: 5/1/03)

F. Certificate of Site Plan Compliance (Eff: 3/7/88)

No Certificate of Occupancy or other, final approval may be issued until the applicant has received a Certificate of Site Plan Compliance from the Planning Department. When minor site work cannot be completed because of weather or other pertinent reason, a conditional Certificate of Site Plan Compliance may be issued for a period not to exceed 180 days, providing satisfactory surety shall be posted with the Town of Groton in an amount sufficient to complete the site work. Upon receipt of a request for Certificate of Site Plan Compliance by the Planning Department, members of the Staff Review Team (Building Official, Ledge Light Health District, Public Works Department, Fire Marshal, and Utilities) will 1) be notified of the request; 2) be given the opportunity to review those site development items which fall

within their purview; and 3) make a report to the Planning Department of the site's acceptability and compliance. Improvements which have not been made will be noted and bond estimates made where appropriate. The Planning Department will notify the applicant of the results of these reviews. The Planning Department will notify the Building Official when a Certificate of Site Plan Compliance or a conditional Certificate of Site Plan Compliance is issued and its conditions. A request for Certificate of Site Plan Compliance from the Planning Department must be made at least 10 days before a Certificate of Occupancy or other, final approval is requested from the Building Official. Upon written request of the applicant and satisfactory completion of the site work, the Planning Commission or its designee shall release any surety posted under this provision. (Eff: 1/1/02)

The Planning Commission shall require in certain cases that "as-built" plans, prepared by a professional engineer registered in the State of Connecticut, be submitted at the time of request for Certificate of Site Plan Compliance. "As-builts" shall be required as follows:

1. As a condition of site plan approval where it is determined that the development proposed is of such a scale and/or peculiar nature as to merit it, or where the size of the site in relation to the proposed development would justify the need for verification that structures have been placed accurately.
2. Where there may be several modifications to an already approved site plan requiring Planning Commission approval, in lieu of requiring the recording of each modified plan in Land Records.
3. Where there is a disagreement between an applicant and the Planning Department concerning conformance with an approved plan at the time a request is made for a Certificate of Site Plan Compliance.

All "as-built" plans shall be accompanied by a statement certifying that the site work has been completed in accordance with the most recently approved site plan.

8.4-4 Contents of Site Plan

For all uses requiring site plan approval, a site plan application shall include the following information:

A. General Information

1. Name and address of the applicant and current owner as listed on the Town's tax rolls. (Eff: 1/1/02)
2. Date, north arrow, and numerical and graphical scale on each map.
3. A written description of the proposed use or uses and type of work proposed. (Eff: 1/1/02)
4. A table or chart indicating the proposed number or amount and types of uses, lot area, lot width, yards, building height, coverage, floor area and floor area ratio, parking spaces, existing and proposed impervious cover, landscaping, and open spaces as they relate to the requirements of the Zoning Regulations. (Eff: 1/1/02)
5. The property address and/or parcel identification number. (Eff: 1/1/02)

B. Location Map (Eff: 5/1/99)

Applications shall include an accurate scale location map as depicted on the Zoning Map and shall be submitted showing the subject property and all property and streets within 1000 feet of any part of the subject property, and the following information:

1. All lots and lot lines.
2. All zoning district boundaries.
3. All existing streets and roads.

C. Site Plan

The site plan shall include an accurate class A-2 survey of the property and all improvements prepared by a land surveyor registered in the State of Connecticut. All plans shall be prepared, signed, and sealed by a Connecticut registered engineer, architect, or landscape architect whichever is

appropriate. All plans shall be prepared at a scale of one inch equals 20 feet or, at the discretion of the Planning Director, any other appropriate scale. The plans shall illustrate the proposed development of the property and shall include the following information:

1. The Property

- a) The boundaries of the property.
- b) Location, width, and purpose of all existing and proposed easements and rights-of-way on the property.
- c) Existing and proposed contours with intervals of two feet, referred to USGS MSL datum.
- d) Location of all existing wooded areas, watercourses, wetlands, rock outcrops, and other significant physical features, and where appropriate, the mean high water line, the wetlands boundary, the flood hazard area, and the channel encroachment line.

2. Buildings and Uses

- a) Location, design, and height of all existing and proposed buildings, signs, fences, and walls.
- b) Location of all existing and proposed uses and facilities not requiring a building such as tennis courts, light standards, tanks, transformers and dumpsters.

3. Parking, Loading and Circulation

- a) Location, arrangement, and dimensions of automobile parking spaces, aisles, vehicular drives, fire lanes, entrances, exits, and ramps.

- b) Location, arrangement, and dimensions of loading and unloading areas.
- c) Location and dimensions of pedestrian walkways, entrances, exits and walks.

4. Open Space and Landscaping

- a) Size, arrangement, uses, and dimensions of open space on the site.
- b) Location, general layout, type and size of buffer or landscape area, plant material, fencing, screening devices, decorative paving, or other materials proposed.
- c) Location of existing trees with a trunk caliper of more than 6 inches except in densely wooded areas where the foliage line shall be indicated.

5. Signs and Lighting

- a) Location, size, height, orientation and plans of all signs.
- b) Location, size, height, orientation and design of any outdoor lighting.

6. Utilities

Location and design of all existing and proposed sanitary sewer, storm drainage, water supply facilities, and refuse collection areas, as well as other underground and above ground utilities.

7. Hazardous Materials and Wastes

The following shall apply to all lots within the commercial and industrial districts within the Town of Groton:

The applicant shall identify any hazardous materials and wastes to be associated with the proposed occupancy and use of the property. Hazardous materials and wastes are included in the EPA's list of priority pollutants, Section 3001 of the Resource Conservation and Recovery Act, Connecticut Hazardous Waste Regulations, the Federal Hazardous Substance Act, the Toxic Substance Control Act, and other applicable regulations. If these materials or wastes are to be present, then the applicant shall present evidence that all applicable permits and approvals from Federal, State, or local authorities have been or are in the process of being obtained. The applicant shall demonstrate that the hazardous materials or wastes shall be contained or managed in such a manner that the substances will not specifically pollute or degrade natural resources or the surrounding environment significantly.

At a minimum, the following information shall be presented at the time of application:

- a) The amount and composition of any hazardous materials that will be handled, stored, generated, treated, or disposed of on the property.
- b) Provisions for treatment, storage, and/or disposal of any hazardous materials.
- c) Distance of nearest sensitive natural resource such as surface water bodies, wetlands, and aquifer areas.
- d) Expected types and amount of discharge to sewers, to the ground, and to surface water.
- e) Provisions for stormwater runoff controls which will minimize suspended solids.
- f) Location of loading and unloading docks.

- g) Provision for containment of any spills.
- h) Location and description of outside storage areas and types of materials to be stored.

D. Staging Plan

In cases where the applicant wishes to develop in stages, an overall site and staging plan indicating ultimate development shall be submitted.

E. Architectural Plans

For informational purposes only, the applicant shall submit preliminary architectural drawings showing all proposed buildings and structures, at a minimum scale of 1 inch equals 8 feet, illustrating all exterior wall elevations, indicating floor heights, fenestration, roof top mechanical equipment and building materials, and if applicable, building floor plan(s) indicating usage, circulation, and square footage.

F. Other Information

Any other information deemed by the Planning Commission to be necessary to determine conformity with the intent of these regulations.

8.4-5 Site Plan Objectives (Rev. Eff: 10/1/13)

In reviewing a site plan application, the Planning Commission shall take into consideration the public health, safety and welfare of the public in general and the immediate neighborhood in particular, and may prescribe reasonable conditions and safeguards to insure the accomplishment of the following general objectives.

A. Town Plan(s)

That the proposed site plan shall be in general conformance with the intent of the Town Plan of Conservation and Development of the Town of Groton; however, the Plan of Conservation and

Development shall not take precedence over specific provisions of the Zoning Regulations of the Town of Groton. (Eff: 5/1/03)

B. Public Safety

That all buildings, structures, uses, equipment, or material are readily accessible for fire and police protection.

C. Traffic Access

That all proposed traffic accessways do not create traffic hazards and are: adequate, but not excessive in number; adequate in width, grade, alignment, and visibility; adequate in distance from street corners, places of public assembly and other accessways; and adequate in design for other similar safety considerations.

D. Circulation and Parking

That adequate off-street parking and loading spaces are provided to prevent on-street traffic congestion; that all parking spaces, maneuvering areas, entrances, and exits are suitably identified; that the interior circulation system is adequately designed to provide safe and convenient access to all structures, uses, and/or parking spaces; that parking areas are provided with suitable bumper guards, guard rails, islands, crosswalks, speed bumps and similar safety devices when deemed necessary by the Commission to adequately protect life and property; and that provision is made for safe pedestrian movement within and adjacent to the property by the installation of sidewalks.

E. Landscaping and Screening

That the general landscaping of the site complies with the purpose and intent of Section 7.4 of these regulations; that existing trees are preserved to the maximum extent possible; and that parking and service areas are suitably screened during all seasons of the year from the view of adjacent residential districts, and public rights-of-way.

F. Lighting

That glare from the installation of outdoor lights and illuminated signs is properly shielded from the view of adjacent property and public rights-of-way.

G. Public Health

That all utility systems are suitably located, adequately designed, and properly installed to serve the proposed uses, to protect the property from adverse air, water, or land pollution, and to preserve and enhance the environmental quality of the surrounding neighborhood and that of the Town.

H. Environmental Features

That the development of the site will preserve sensitive environmental land features such as steep slopes, wetlands, and large rock outcroppings and preserve scenic views or historically significant features.

I. Neighborhood Character

That the location and size of any proposed use, building or structure, as well as the nature and intensity of operations involved in or conducted in connection therewith, will be in general harmony with the character of the surrounding neighborhood, and will not be hazardous or otherwise detrimental to the appropriate and orderly development or use of any adjacent land, building, or structure.

J. Long Island Sound

That the proposed site development be designed and arranged to show that reasonable consideration has been given to restoring and protecting the ecosystem and habitat of Long Island Sound. The requirements of this subsection shall be met by complying with the specific, relevant, express requirements of these Regulations, including without limitation, Sections 6.11 and 6.14.

8.5 Zoning Board of Appeals

8.5-1 Members

In accordance with the provisions of the General Statutes of the State of Connecticut, the Zoning Board of Appeals shall consist of 5 electors who shall not be members of the Zoning Commission. They shall be appointed for terms of 5 years, so arranged that the term of not more than one member shall expire in any one year.

8.5-2 Officers

The Board of Appeals shall elect from its membership a chairman, vice-chairman and secretary, each to serve for a term of one year and subject to reelection. The chairman or, in his absence, the vice-chairman, shall have power to administer oaths and compel the attendance of witnesses.

8.5-3 Rules of Procedure

The Board shall adopt such rules, regulations and procedures as may be deemed necessary to carry into effect the provisions of these regulations. These shall include, among other things, regulations relating to notices for public hearings, fees to be charged for all applications filed with the Board, forms to be used in the submission of applications, times when hearings shall be held, procedures for the conduct of public hearings, regulations regarding notices for public hearings and the form of written report of findings of the Board.

8.5-4 Meetings

The Board shall meet at the call of the chairman and at such other times as the Board may determine. All meetings of the Board of Appeals shall be open to the public. Records of the Board may be examined in the offices of the Board at any reasonable time.

8.5-5 Minutes and Findings

The Board shall keep minutes of its proceedings, recording the action of the Board and the vote of each member upon each action or, if absent or failing to vote, indicating such fact. It shall also keep

records of its examinations and other official action, all of which shall be filed promptly in the office of the Board and shall be open to public examination. All findings and actions of the Board shall be in writing and shall set forth the reasons for the action taken, whether it be in favor of the granting of an application or petition or against the granting of such application or petition. Findings shall be complete, detailed, and in specific terms, setting forth the reasons for the decision, and shall go beyond such generalities as "in the interest of public health, safety and the general welfare...". In every instance, a statement of the hardship upon which such action is based shall appear in the minutes.

8.5-6 Assistance from Other Officials

The Board may call upon any other Town department or agency for assistance in the performance of its duties and it shall be the duty of such other departments or agencies to render such assistance to the Board as may be reasonably required.

8.5-7 Referrals (Eff: 9/1/89)

All proposed variances shall be referred to the Planning Commission at least ten days prior to the date assigned for a public hearing on that request. The Planning Commission or its staff may submit an advisory opinion on such referrals prior to the public hearing, and the findings of the Planning Commission or its staff shall be read into the record of the public hearing. The failure of the Planning Commission or its staff to submit a report to the Zoning Board of Appeals shall not prevent the Zoning Board of Appeals from reaching a decision on any matter before it.

8.5-8 Powers of the Board

The Zoning Board of Appeals shall have the following powers:

A. Appeals

To hear and decide appeals made by any person or persons severally or jointly aggrieved by any order, requirement, or decision of an administrative official in the enforcement of these regulations. The Board may reverse or affirm, wholly or

partly, or may modify the order, requirement or decision appealed from, and shall make such order, requirement or decision as in its opinion ought to be made in the premises, and shall have the powers of the officer from whose order, requirement, or decision the appeal was taken, provided the concurring vote of four members shall be necessary to reverse or modify the order, requirement, or decision appealed from. (Eff: 2/1/98)

B. Variances (Rev. Eff: 9/1/13)

Grant variances from the strict application of these regulations when, by reason of exceptional narrowness, shallowness, shape or substandard size of specific parcels of property, the strict application of these regulations or amendments thereto would result in unusual difficulty or unreasonable hardship upon the owner of said property; provided that such relief or variance can be granted without substantial impairment of the intent, purpose, and integrity of these regulations and of the Plan of Conservation and Development for the Town of Groton. (Eff: 5/1/03)

Before granting a variance on the basis of unusual difficulty or unreasonable hardship, there must be a finding by the Board of Appeals that all of the following conditions exist:

1. That the difficulties or hardship are peculiar to the property in question, in contrast with those of other properties in the same district.
2. That the hardship was not the result of the applicant's own action.
3. That the hardship is not merely financial or pecuniary.

The concurring vote of four members shall be necessary to vary the application of the Zoning Regulations. (Eff: 2/1/98)

C. Certificates of Approval of Location

Issue certificates of approval of location for dealers' and repairers' licenses as provided for by sections 14-51, 14-54, and 14-55 of the Connecticut General Statutes (CGS), and for gasoline and motor oil sales as provided for by CGS section 14-321. No such certificate shall be issued until the application has been approved and such location has been found suitable for the business intended, with due consideration to its location in reference to schools, churches, theaters, traffic conditions, width of highway, and effect on public travel. The concurring vote of three members shall be necessary to issue a certificate. (Eff: 1/1/02)

8.5-9 Applications

Every application for a variance, an interpretation of a ruling of the Zoning Official, or a certificate of approval of location shall be submitted to the Board of Appeals on a form established for that purpose and shall include such supporting information as is indicated on the form. (Eff: 1/1/02)

8.5-10 Hearings

The Board of Appeals shall hold a public hearing on all applications for an appeal and/or variance in accordance with the General Statutes of the State of Connecticut. At such hearing, any party may appear in person and may be represented by agent or attorney. Upon the filing of an application to reverse a decision of the Zoning Official or the filing of an application for a variance upon forms to be provided by the Board of Appeals, a date shall be set for a public hearing, and due notice thereof shall be given to the parties. Notice of the time and place of such hearing shall be published in a newspaper having substantial circulation in the Town of Groton in accordance with the General Statutes of the State of Connecticut. The applicant shall present proof to the Board prior to the start of the public hearing or at the start of a continued hearing, if continued for the purpose of receiving proof of the notice described herein, that notice has been deposited at least 10 days, but not more than 30 days in advance of the date of the advertised hearing in a Post Office regularly maintained by the U.S. Government, directed to each of

the current owners of lots located within 150 feet from the boundaries of the subject properties, as such owners and addresses appear on the CAMA database maintained by the Groton Assessor. (Eff: 12/1/93; Eff: 2/16/01)

Whenever the Zoning Board of Appeals has before it for consideration an application for a variance in the use of property, any portion of which lies within 500 feet of a contiguous municipality, such Board shall, at least one week prior to the hearing thereon, notify the Clerk of such municipality, in writing, of the fact of such application and of the date fixed by it for such hearing.

When considering an application for a certificate of approval of location, the Board shall provide notice of and conduct a hearing on the application in accordance with the General Statutes of the State of Connecticut. The Board may waive the required hearing in cases in which approval was previously granted for the location or where a previously approved location for a business is to be enlarged to include adjoining property. (New Eff: 1/1/02)

8.5-11 Decision of the Board

The Board of Appeals shall render its decision on such an appeal within 65 days after the hearing.

The Board of Appeals may reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer from whom the appeal is taken.

Decisions of the Board shall take effect upon filing a copy thereof in the Office of the Town Clerk and in the Land Records. Any person who appeals to the Board shall be notified of the Board's decision on his appeal by certified mail within 15 days after such decision is rendered. Notice of the decision of the Board shall be published in a newspaper having a substantial circulation in the Town of Groton within 15 days after such decision has been rendered. (Eff: 12/1/93; Eff: 1/1/02)

8.6 Non-Conforming Uses, Buildings, and Lots

8.6-1 General Declaration

A non-conforming use, building, or lot shall be subject to the following regulations.

A. Continuance

Notwithstanding any other provision of these regulations, a non-conforming use, building, or lot, as defined herein, may be continued, except as otherwise specified in this section.

B. Ownership

Nothing in these regulations shall be deemed to require discontinuance of a non-conformity because of mere change of title or possession, or right of possession of property, except as otherwise provided herein.

C. Certificate of Zoning Compliance

No non-conforming use, building, or lot shall be constructed, reconstructed, enlarged, extended, altered, moved, changed, maintained, restored, or replaced unless a Certificate of Zoning Compliance has been issued by the Zoning Official, stating that such use, building, or lot is an existing legal non-conforming use, building, or lot and/or that such construction, reconstruction, enlargement, extension, alteration, movement, change, maintenance, restoration, or replacement is in compliance with the applicable provisions of these regulations.

D. Reversion

No non-conforming use, building, or lot shall, if once changed to a conforming use, building or lot, revert or change back again into a non-conforming use, building or lot.

8.6-2 Non-Conforming Uses

A. Enlargement, Extension, or Alteration

No non-conforming use of land shall be enlarged, extended, changed, or altered, and no structure or part thereof devoted to a non-conforming use shall be enlarged, extended, constructed, reconstructed, or structurally altered, except in changing the use to one which is permitted in the zoning district in which such use is located. No non-conforming use of a structure shall be extended to occupy land outside such structure or space in another structure.

B. Movement

No non-conforming use of land shall be moved to another part of a lot or outside the lot, and no non-conforming use of a structure shall be moved to any part of the structure not manifestly arranged and designed for such use at the time the use became non-conforming. No structure containing a non-conforming use shall be moved, unless the result of any such moving is to end the non-conforming use.

C. Abandonment

Any non-conforming use which has been abandoned shall not thereafter be reestablished. Any structure or land, or structure and land in combination which was formerly devoted to a non-conforming use which has been abandoned, shall not again be devoted to any use other than those uses which are allowable in the zoning district in which it is located.

The term abandonment, as used herein, shall mean the voluntary discontinuance of a use, when accompanied by an intent not to reestablish such use. Any one of the following shall constitute prima-facie evidence of intent-to-abandon:

1. Any failure to take all necessary steps to resume the non-conforming use with reasonable dispatch in the

circumstances, including advertising of the property for sale or for lease; OR

2. In the case of a non-conforming use of a structure or of a structure and land in combination, discontinuance of the non-conforming use for 6 consecutive months, or for a total of 18 months during any three-year period; OR
3. In the case of land only, discontinuance of the non-conforming use for 30 consecutive days, or for a total of 3 months, during a one-year period.

8.6-3 Change in Use

The Zoning Commission, by special permit, may allow a change from one non-conforming use to another non-conforming use if the proposed use is similar to the existing use, and will have less of an impact upon the surrounding area than the existing use, and the required parking and loading spaces will not increase.

8.6-4 Non-Conforming Buildings

A. Enlargement, Extension, or Alteration

No non-conforming building or structure may be enlarged, extended, or altered if such enlargement, extension, or alteration increases the degree to which the building or structure does not conform to any particular requirement of the zoning regulations. This in no way allows new construction to conform to existing non-conformities.

B. Restoration

If any structure shall be destroyed by any means to an extent of more than 50% of the fair market value of the structure, excluding the foundation, as determined by the Zoning Official, no repairs or reconstruction shall be made unless every portion of such structure and the use thereof is made to conform to all the regulations of the district, except as stated herein. Nothing in these regulations shall be deemed to

prohibit the restoration of any structure and its use where such structure has been destroyed by any means out of the control of the owner to an extent of 50% or less of the fair market value of the structure, provided that the restoration of such structure and its use shall in no way increase any former non-conformity, and further provided that the restoration of such structure is started within six months of such destruction and is completed within two years following such destruction.

C. Maintenance

Nothing in these regulations shall be deemed to prohibit any work required by the codes and ordinances of the Town or ordered by any Town official charged with protecting the public health, safety, or welfare, if such work does not enlarge or extend a non-conforming use or otherwise increase any non-conformity, in order to assure that structures will be maintained in a safe and sanitary condition.

D. Construction in Progress

Nothing in these regulations shall require any change in the plans, construction, or designated use of any building or part thereof, as approved in a Building and Zoning Permit, the construction of which shall be lawfully in progress at the time of promulgation of these regulations, provided such construction shall be completed within one year of the date of these regulations.

8.6-5 Non-Conforming Lots

A permit may be issued for a permitted use on a lot which does not meet the standards for lot area and/or width of the particular district in which the lot is located, if:

- A. The lot was of legal size on the date it was created as a lot.
- B. The owner of such lot owns no adjacent land available for combination with the lot to decrease or eliminate the non-conformity.

- C. The present owner or any prior owner did not illegally create this non-conforming lot.
- D. All yard, coverage, and other zoning requirements can be met; however, in those instances where the lot area or shape prevent conformance with one or more yard requirements, the requirement for that yard shall be the same as the most restrictive district to which the lot area most nearly conforms.
- E. The owner or his agent presents satisfactory evidence of compliance with this section.

SECTION 9

SEPARABILITY, REPEALER, AND VALIDITY

9.1 Separability

It is hereby declared to be the Legislative intent that:

- 9.1-1 If a court of competent jurisdiction finds any provisions of these regulations to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of these regulations shall continue to be separately and fully effective.
- 9.1-2 If a court of competent jurisdiction finds the application of any provision or provisions of these regulations to any zoning lot, building, or structure to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other person, property, or situations shall not be affected.
- 9.1-3 While any provision or provisions of these regulations or application of any provision or provisions of these regulations to any zoning lot, building, or structure is before a court of competent jurisdiction, all other provisions of these regulations and all other applications of the provisions of these regulations to other zoning lots, buildings, or structures shall continue to be separately and fully effective.

9.2 Repealer

The provisions of the zoning regulations of the Town of Groton, as adopted June 21, 1957 and subsequently amended, are repealed as of the effective date of these zoning regulations, except that all terms and conditions attached to special exceptions, site plans, and variances shall remain in effect.

9.3 Effective Date

The effective date of these regulations shall be November 2, 1987.

INDEX TO ZONING REGULATIONS

<u>Subject</u>	<u>Section A</u>
Access to Lot	4.2
Accessory Apartments	7.1-34
Accessory Building	4.10
Administrative Site Plan Approval	8.4
Agricultural Activities	7.1-9
Amendments, Zoning	8.2
Animal Hospital	7.1-23
Appeals, Zoning Board of	8.5
Assisted Living Facility	7.1-1
Association	7.1-5
Auto Rental (DDD)	7.1-43
Automobile, Limited Repair	7.1-25
Automobile Washing Facility	7.1-26
	<u>Section B</u>
Boarding House	7.1-20
Boundaries, Zoning Districts	3.4
Bowling Alley	7.1-29
Brake Shop	7.1-25
Buffer Area	7.4
Building, Accessory	4.10
Building Coverage	5.2
Building Height	5.2
Building, Principal	4.11
	<u>Section C</u>
Campgrounds	7.1-2
Canopies (Fuel Pumps/Dispensers)	4.13
Car Washing Facility	7.1-26
Caretaker Dwelling	7.1-30
Carnivals	7.1-3
Cemeteries	7.1-4
Certificate of Compliance	8.1-3, 8.4-3 F
Chickens (Hens)	7.1-47
Change in Use (Non-Conforming)	8.6-3
Charitable Institution	7.1-7
Classes of Zoning Districts	3.1

Club	7.1-5
Coastal High Hazard Areas	6.6-7
Coastal Resource Setback	6.8
Coastal Site Plan Review	8.4-2
College	7.1-8
Commercial Districts	3.1
Community Residential Counseling Facility	7.1-37
Conditional Uses	5.1-1, 7.1
Congregate/Independent Living Facility	7.1-1
Construction/Contractor's Equipment and Vehicle Storage	7.1-6

Section D

Day Care	
- Child	7.1-18
- Group	7.1-32
- Adult	7.1-35
Dental Laboratory	7.1-21
Disco	7.1-17
District Boundaries	3.4
Downtown Development District	6.2
Drive Through Facilities	7.1-36
Driveways	7.2-10, 7.2-11
Duplex Lots	4.15
Dwelling (In RMF and IP Zones)	7.1-20
Dwelling, Multi-Family	6.1, 6.7, 7.1-16
Dwelling, Required Floor Area	4.9

Section E

Earth Products (Removing and Filling)	7.1-10
Effective Date of Regulations	9.3
Electric Transformer Substation	7.1-22
Enforcement, Zoning	8.1
Erosion and Sediment Control Plan	6.11
Excavation	7.1-10
Executive Hotel/Motel Suites	7.1-28
Existing Lots	4.8

Section F

Fairs	7.1-3
Farm	7.1-9
Filling	7.1-10
Flood Protection Regulations	6.6
Flood Area	4.9
Front Landscaped Area	7.4-3
Front Yards	4.6, 5.2
Frontage Required	4.2
Fuel Pumps/Dispensers	4.13

Section G

Garden Produce	7.1-9
Gasoline Station	4.13
Greenhouse	7.1-9

Section H

Height Limitations	4.4, 5.2
Hens (Chickens)	7.1-47
Historic/Institutional Reuse	7.1-38
Home Occupation	7.1-11
Horses	7.1-9
Hospital	7.1-12
Hospital, Animal	7.1-23
Hotel/Motel Executive Suites	7.1-28

Section I

Industrial Districts	3.1
----------------------	-----

Section J

Junkyard	7.1-13
----------	--------

Section K

Kennel	7.1-14
--------	--------

Section L

Laboratory, Medical/Dental	7.1-21
Landscaping	7.4
Large-Scale Conference/Entertainment Facilities	7.1-42
Large-Scale Restaurants (Freestanding)	7.1-40
Lighting, Parking Areas	7.2-14
Livestock	7.1-9
Loading Requirements	7.2
Lodge	7.1-5
Lot, Adjacent to Railroad	4.7
Lot, Existing	4.8
Lot, Frontage	5.2
Lot Area	6.5
Lot Lying in More Than One District	3.5
Lot Requirements	5.2, 6.5-4
Lot Width	5.2
Lots on Narrow Street - See Front Yards	

Section M

Map Changes	8.2
Medical Laboratory	7.1-21
Mobile Home/Manufactured Home	6.4
Mobile Home Park	7.1-15
Muffler Shop	7.1-25
Multi-Family Dwelling	6.1, 6.7, 7.1-16
Multi-Family Office District	6.1

Section N

Narrow Streets	4.6
Nautilus Memorial Design District	6.10
Night Club	7.1-17
Non-Conforming Building	8.6-4
Non-Conforming Lot	8.6-5
Non-Conforming Use	8.6-2
Non-Conforming Use, Change In	8.6-3
Nursery School	7.1-18
Nursery Stock	7.1-9
Nursing Home	7.1-1

Office, Professional	7.1-21
Office-Multi Family District	6.1, 7.1-24, 7.1-46
Off-Street Parking	7.2
One-Family Dwelling	7.1-20
Open Space	4.3
Open Space, Projections Into	4.5
Open Space Subdivisions	6.4
Outpatient Clinics	7.1-21

Section P

Parking, Landscaping Requirements	7.4-5
Parking, Phased Development	7.2-16
Parking, Shared	7.2-6
Parking Requirements	7.2
Party Wall Agreement	4.14
Performance Standards, Residential	6.5
Permitted Uses	5.1
Permitted Uses, Industrial Notations	5.1-4
Permitted Uses, Table	5.1-3
Petitions, Zoning Amendments	8.2-8
Philanthropic Institution	7.1-7
Poultry	7.1-9
Principal Building	4.11
Professional Office	7.1-21
Projection Into Open Space	4.5
Public Hearing, Zoning Amendments	8.2-3
Public Hearing, Zoning Board of Appeals	8.5-10

Section Q

Section R

Rear Yard	4.7, 5.2
Recreation, Indoor	7.1-29
Recreation, Outdoor Commercial	7.1-27
Reduced Parking Standards	7.2-17
Referrals, Zone Changes	8.2-7
Regulation Amendments	8.2
Repair, Automobiles (Limited)	7.1-25
Required Frontage/Access	4.2

Required Open Space	4.3
Residential Districts	3.1
Residential Life Care Communities	7.1-1
Residential Multi-Family	6.7
Residential Performance Standards	6.5
Rooming House	7.1-20

Section S

Salvage Operation	7.1-13
Schools	7.1-8
Scrap Yard	7.1-13
Screening	7.4
Security Service Dwelling	7.1-30
Sediment and Erosion Control Plan	6.11
Self-Service Storage Facility	7.1-39
Setback	5.2
Shared Parking	7.2-6
Sidewalks	7.5
Side Yard	4.14, 5.2
Sign Requirements	7.3
Site Plan Content	8.4-4
Site Plan Objectives	8.4-5
Site Plan Procedures	8.4-3
Site Plan Review	8.4
Special Permit Procedure	8.3
Stable	7.1-14
Storage, Contractor's/Construction Equipment and Vehicles	7.1-6
Storage, Waste Material	4.12
Stormwater	6.14
Subdivisions, Open Space	6.4
Substation, Electric	7.1-22

Section T

Telecommunication Towers, Antennae and Facilities	4.4, 7.1-41
Telephone Exchange Station	7.1-22
Towers	4.4
Truck Loading	7.2-15
Two-Family Dwelling	7.1-20

	<u>Section U</u>
University	7.1-8
Uses, Permitted	5.1
	<u>Section V</u>
Variances	8.5-8
Variances, Flood Hazard Areas	6.6-8
Veterinary Hospital	7.1-23
	<u>Section W</u>
Waste Handling/Reduction Facilities	7.1-33
Waste Material, Storage	4.12
Waterfront Design District	6.3
Water Resource Protection District	6.12
	<u>Section X</u>
	<u>Section Y</u>
Yard Requirements	5.2
	<u>Section Z</u>
Zero Lot Line Lots	4.15
Zoning Amendments	8.2
Zoning Board of Appeals	8.5
Zoning Districts	3.1
Zoning District Boundaries	3.4
Zoning Enforcement	8.1
Zoning Map	3.2
Zoning Map Changes	8.2
Zoning Permit	8.1-2