

Section 1 ZONES AND ZONE BOUNDARIES

1.0 Zones

These Regulations are adopted under authority of Chapter 124 of the 1958 Revision to the General Statutes for the purpose of promoting the health, safety, morals and general welfare of the community, of lessening congestion in the streets; or providing adequate light and air; of preventing the over-crowding of land and avoiding undue concentration of population; of facilitating adequate provision of transportation, water, sewage, schools, parks and other public requirements; of conserving the value of buildings and encouraging the most appropriate use of the land throughout the Town in accordance with the Town Plan of Development and with reasonable consideration for the character of the area and its peculiar suitability for particular uses; and to this end the Zoning Regulations of the Town of Glastonbury are hereby restated to read, with the inclusion of the foregoing, as follows:

1.1 Classes of Zones

The Town of Glastonbury is divided into ~~17~~ the following classes of zones:

Country Residence	CR
Rural Residence	RR
Residence AAA	AAA
Residence AA	AA
Residence A	A
Planned Business & Development	PBD
Planned Travel	PT
Planned Industrial	PI
Reserved Land	RL
Flood	F
Planned Area Development	PAD
Town Center Zone	TC
Town Center Mixed Use	TCMU
Planned Employment	PE
Planned Commerce	PC
Village Commercial (VC) Zone	VC
Village Residential (VR) Zone	VR
Adaptive Redevelopment Zone	ARZ

<u>RESIDENTIAL ZONES</u>	<u>COMMERCIAL/ INDUSTRIAL ZONES</u>	<u>MIXED-USE AND OTHER ZONES</u>
CR Country Residence	PBD Planned Business Development	ARZ Adaptive Redevelopment Zone
RR Rural Residence	PE Planned Employment	PAD Planned Area Development
AAA Residence AAA	PC Planned Commerce	F Flood
AA Residence AA	PT Planned Travel	RL Reserved Land
A Residence A	PI Planned Industrial	TC Town Center
VR South Glastonbury Village Residential	VC South Glastonbury Village Commercial	TCMU Town Center Mixed Use

Field Code Changed

As shown or to be shown on a map entitled "Building Zone Map of Glastonbury, Connecticut, June 25, 1956," as amended, which accompanies these Regulations and, as now or hereafter duly amended, is declared to be part hereof. The original map is filed in the Office of the Town Clerk.

1.2 Zone Boundaries

The boundaries of these zones are hereby established as shown on the Building Zone Map referred to in the previous section. Unless otherwise indicated, the zone boundaries are either center lines of streets, property lines, contour lines, water ways, or lines drawn parallel to one or more of such lines.

In cases of uncertainty, the Town Plan and Zoning Commission shall determine the location of the boundary

SECTION 2 DEFINITIONS

For the purpose of these Regulations, certain terms or words will be defined as follows: words in the present tense include the future; words in the singular number include the plural; and vice versa. The word "person" includes a partnership or corporation.

2.1 Accessory Building

A subordinate building attached to or detached from the principal building located on the same lot and used for purposes customarily incidental and subordinate to the use of the principal building.

2.2 Accessory Use, Customary

A use of land or a portion of a structure or building customarily incidental and subordinate to the actual principal use of the land, structure or building and located on the same lot with such principal use, structure or building.

2.3 Agricultural Group Quarters, Seasonal

Any trailer or mobile home used for living and sleeping by seasonal agricultural workers (migrant) and located on a farm where agricultural production is the principal means of livelihood as defined by Section 12-91 of the Connecticut General Statutes and recorded with the Town Assessor. EFFECTIVE JULY 1, 1983

2.34 Agriculture

The cultivation of ground, including the harvesting of crops, rearing and management of livestock, tillage, husbandry, farming, horticulture and forestry.

2.45 Boarding, Rooming Or Lodging House

A dwelling, part of which is occupied by the owner of the dwelling as his permanent residence, in which lodging and meals are offered or provided for compensation to two or more persons up to a maximum of six persons by pre-arrangement for definite periods of time. A boarding, rooming or lodging house is to be distinguished from a hotel, motel, tourist home and supervised group quarters.

2.6 Bed and Breakfast

A dwelling, part of which is occupied by the owner of the dwelling as his~~his~~their permanent residence, in which overnight accommodations, which may include breakfast, are offered or provided for compensation to two or more ~~transient~~ persons up to a maximum of six persons.

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2.57 Building

Any structure having a roof and intended for the shelter, housing or enclosure of persons, animals, properties or materials. Any other structure more than eight (8) feet high shall be considered to be a building, including a fence or wall but excluding a public utility pole or flagpole.

2.68 Building Heights

The vertical distance from the grade to the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. AMENDED EFFECTIVE MARCH 26, 1984.

2.79 Building Line

A line parallel to a street at a distance from the street line equal to the required front yard or at a greater distance if otherwise established by the Town Plan and Zoning Commission as part of an approved subdivision.

2.810 Club

Premises owned and operated by a corporation or association of persons for social, civic, recreational, religious or fraternal purposes, but not operated primarily for profit or to render a service, which is customarily carried on as a business.

2.911 Convalescent, Nursing Or Rest Home

A building or portion thereof for the lodging, care and treatment of five (5) or more persons. Such home does not contain equipment for surgical care or the treatment of injury and shall comply with any State requirements applicable to such homes.

2.102 Court

An open unoccupied space other than a yard on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

2.5213 Deck

An open exterior floor system supported on a least two (2) opposing sides by an adjoining structure and/or post, or piers. EFFECTIVE FEBRUARY 4, 1994.

2.144 Dwelling

Any building or portion thereof which is designed or used exclusively for residential purposes, by human occupants, and containing one or more dwelling units.

2.125 Dwelling, Single-Family

A dwelling used or designed exclusively for one dwelling unit; ~~or a dwelling used or designed for two dwelling units provided a special permit has been granted for such additional dwelling unit pursuant to Section 6.11 Special Regulations. Effective October 14, 1983.~~

2.136 Dwelling, Two-Family

A dwelling having two dwelling units.

2.147 Dwelling Multiple

A dwelling having three or more dwelling units.

2.158 Dwelling Unit

One room or a suite of two or more rooms designed for or occupied by one family for living and sleeping purposes and having only one kitchen or kitchenette.

2.169 Family

One person, or group of two or more persons related by blood, marriage, legal adoption or legal guardianship, or a group of not more than six (6) persons who need not be so related, living and cooking together in the same dwelling unit as a single housekeeping unit. The persons constituting a family may also include up to six (6) foster children when a married couple permanently reside in the same dwelling unit as foster parents and gratuitous guests and domestic servants. A roomer, boarder, lodger or occupant of supervised group quarters, regardless of relationship or ownership, shall not be considered a member of a family.

2.1720 Farm

A tract of land containing five (5) acres or more, used wholly or in part for agricultural purposes, but excluding commercial greenhouses and commercial nurseries (involving the retail sale of flowers, shrubs, trees and other plants from buildings or structures on the premises, rather than exclusively from the ground) and commercial pig farms. A farm may include a dwelling unit and premises used for the keeping of livestock, poultry and other domestic animals when permitted by these Regulations.

2.5421 Floor Area Ratio

The ratio of total building floor area to area of the lot, excluding unfinished basements, utility rooms, open porches, elevator shafts, common stair towers, carports, garages and parking structures.

2.1822 Garage, Parking

An accessory building used for the storage of vehicles for the use of occupants of the lot on which such building is located.

2.1923 Grade

A reference plane representing the average of finished ground level adjoining the building at all exterior walls. Effective March 26, 1984.

2.24 Grandfathered Use

For purposes of Section 4.13.6 of these regulations, a use existing prior to the enactment of current zoning that does not conform to current zoning, but which is permitted as a legal pre-existing use due to its conformance with the development requirements of the zone existing prior to the enactment of these Town Center Regulations.

2.2025 Guest House

A residential accessory building located on the same lot as the principal building and used to house only ~~domestics employees or , or gratuitous~~ guests of the family occupying the principal dwelling on the lot.

2.2126 Historic And Monument Sites

Those premises set aside primarily to commemorate a historical event, activity or person.

2.2227 Home Occupation

A use, not otherwise permitted in the zone, which is customarily and may properly be conducted for compensation as an accessory use on a residential lot (See Section 7).

2.2328 Hotel - Inn - Motel

A building or buildings designed and used ~~to provide lodging for persons primarily for temporary occupaney by transients,~~ which provides or offers accommodations for a consideration ~~for seven or more persons~~ exclusive of proprietors and employees living on the premises. Rooms for public assembly and the serving of food may also be provided.

2.2429 Livestock

Grazing animals.

2.2530 Lot

A plot or parcel of land under separate ownership occupied or capable of being occupied by one principal building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by these Regulations. Except in residential zones, more than one principal building under the same ownership may be considered as occupying the same lot, if approved by the Town Plan and Zoning Commission as a part of special permit and design review powers.

2.2631 Lot Area

The required lot area shall be deemed to be the product of multiplying the average width of a lot by a lot depth not greater than three times such width, regardless of the total depth of the lot.

2.2732 Lot, Corner

A lot having two adjacent sides facing a street or streets so that the interior angle of the intersection is not more than 120 degrees.

2.2833 Lot, Depth Of

The mean distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot.

2.2934 Lot Frontage

The minimum lot frontage shall be the shortest distance obtainable by measuring from any point where the building line intersects a lot side line to the opposite side line.

2.3035 Motor Vehicles, General Repair And Services

The business of repairing, overhauling, removing, adjusting or replacing parts of any motor vehicle and body repairing of any motor vehicle.

2.3136 Motor Vehicle, Limited Repair And Service

The business of minor repairs to any motor vehicle such as repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing and repair and replacement of shock absorbers.

2.3237 Motor Vehicle Or Gasoline Service Station

A building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats and including the customary space and facilities for the installation of such commodities on or in such vehicles.

2.3338 Nonconforming Building

A building which does not conform to one or more of the applicable provisions of these Regulations, but which lawfully existed prior to the effective date of these Regulations or of any amendment hereof of change in zoning classification which created the nonconformity.

2.3439 Nonconforming Use

A use of land, structure, building or premises which is not a use permitted by the provisions of these Regulations for the zone in which such land, structure, building or premises is situated, but which lawfully existed prior to the effective date of these Regulations or of any amendment hereof or change in zoning classification which created the nonconformity.

2.3540 Open Space

An unoccupied space open to the sky and on the same lot as the building.

2.3641 Parking Area, Private

Any area of land which is used as an accessory use for parking of motor vehicles for the occupants, tenants, visitors, employees or patrons of a use or uses and is located on the same lot as said use or uses.

2.3742 Parking Lot, Public

Any tract of land, which is used as the principal use of the lot for the parking of motor vehicles.

2.3843 Parks

Land and/or water primarily in its natural state except for manmade recreation facilities and dedicated and used for recreation, scenic, leisure, conservation, historic or ornamental purposes.

2.3944 Principal Building

A building in which is conducted the principal use of the lot on which it is situated.

2.45 Short Term Rental

A dwelling or part of a dwelling which may or may not be occupied by the owner, in which overnight accommodations are offered or provided for compensation to up to a maximum of six persons for no more than 21 cumulative days during any 3 month period. A short-term rental must have separate sleeping areas established for guests and guests must have at least shared access to one full bathroom and cooking area.

2.4046 Street

A public highway or a proposed public highway shown upon a plan duly approved by the Town Plan and Zoning Commission in full accordance with the Glastonbury Subdivision and Resubdivision Regulations.

2.4147 Structure

Anything constructed or erected which requires location on the ground, including signs, but not including fences or walls used as fences the maximum height of which is less than four (4) feet above the ground.

2.4248 Supervised Group Quarters

A dwelling housing a group of persons during a period in which such persons are undertaking a program of vocational training, counseling, social rehabilitation or other similar programs, such as children's homes and group homes. Supervised group quarters shall not be considered a rooming house, boarding house or lodging house.

~~2.43 Tourist Home~~

~~A dwelling, part of which is occupied by the owner of the dwelling as his permanent residence, in which overnight accommodations are offered or provided for compensation to two or more transient persons up to a maximum of six persons.~~

2.4449 Trailer-Mobile Home

Any vehicle or similar portable structure which is or can be used for sleeping, living or working quarters and which is, has been, or can be mounted on wheels, whether or not resting upon a temporary or permanent foundation.

2.4550 Trailer Camp

Any lot, parcel, subdivision or area of land which is used or permitted to be used for the parking of more than one occupied trailer (mobile home).

2.4651 Use

The “use” of property is the purpose or activity for which the land or structure or building thereon is designed, arranged, intended, occupied or maintained, and shall include any manner of performance of such activity whitt respect to the standards and requirements of these Regulations.

2.4752 Yard

An open space of generally uniform width or depth on the same lot with a building or group of buildings and the nearest lot line, and is unoccupied and unobstructed by any portion of a structure from the ground upward except as otherwise provided herein. In measuring a yard as hereinafter provided, the line of a building shall be deemed to mean a line parallel to the nearest lot line, drawn through the point of the building or the point of a group of buildings nearest to such lot line.

2.4853 Yard, Front

A yard extending across the full width of the lot and lying between the front property line (street line) of the lot and the nearest line of the principal building.

2.4954 Yard, Rear

A yard extending across the full width of the lot and lying between the rear property line of the lot and the nearest line of the principal building.

2.5055 Yard, Side

A yard between the side line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front or rear lot line, as the case may be.

2.51 — Agricultural Group Quarters, Seasonal

~~Any trailer or mobile home used for living and sleeping by seasonal agricultural workers (migrant) and located on a farm where agricultural production is the principal means of livelihood as defined by Section 12-91 of the Connecticut General Statutes and recorded with the Town Assessor. EFFECTIVE JULY 1, 1983~~

2.52 — Deck

~~An open exterior floor system supported on a least two (2) opposing sides by an adjoining structure and/or post, or piers. EFFECTIVE FEBRUARY 4, 1994.~~

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2.53—Grandfathered Use

~~For purposes of Section 4.13.6 of these regulations, a use existing prior to the enactment of current zoning that does not conform to current zoning, but which is permitted as a legal pre-existing use due to its conformance with the development requirements of the zone existing prior to the enactment of these Town Center Regulations.~~

2.54—Floor Area Ratio

~~The ratio of total building floor area to area of the lot, excluding unfinished basements, utility rooms, open porches, elevator shafts, common stair towers, carports, garages and parking structures.~~

SECTION 3 GENERAL REGULATIONS

3.1 Conflicting Regulations

When any provision of these Regulations imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other ordinance, statute or law, the provisions of these Regulations shall apply and govern.

3.2 Covenants Not Annulled

These Regulations are not intended to abrogate or annul any easement, covenant or other private agreement.

3.3 Permitted Uses

No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or structure or land be used, designed, or arranged for any purpose other than the uses permitted in the zone in which the building or structure or land is located, except as otherwise provided in Section 8 of these Regulations regarding non-conforming uses.

3.4 Permitted Area, Yards Or Lot Coverage

No building or structure shall be erected or enlarged except in conformity with the area, yards or lot coverage regulations of the zone in which the building or structure or land is located, except as otherwise provided in Section 3.10, Section 3.24 and Section 8 of these Regulations.

3.5 Permitted Height, Density Or Bulk

No building or structure shall be erected, enlarged, reconstructed, or structurally altered to exceed the height limit, density provisions or bulk provisions herein established for the zone in which the building or structure is located except that penthouses or roof structures for the housing of elevators, stairway tanks, ventilating fans, or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights, towers, domes, bulkheads, church steeples, spires, belfries, cupolas, storage lofts and screens, flagpoles, chimneys, smokestacks, individual domestic radio and television aerials, and wireless masts, water tanks, silos, or similar structures may be erected above the height limits herein prescribed, provided, however, that no such structure may be erected to exceed y more than fifteen (15) feet the height limits of the greater than ten percent (10%) of the roof area of the building or structure on which it is located; nor shall such structure be used for other than an accessory use.

3.6 Lots, Yards, And Open Spaces

No space which for the purpose of a building, structure or dwelling group has been counted or calculated as part of a side yard, rear yard, front yard, court or other open space required by these Regulations may, be reason of change in ownership be counted or calculated to satisfy or comply with a yard, court, or other open space requirement of or for any other building, structure or dwelling group.

No lot on which a building or structure exists shall be reduced or diminished so that the required lot area, frontage, yards or open spaces are smaller than those required by these Regulations.

3.7 Usable Open Space

There shall be provided in all residential lots at a minimum such usable open space as is set forth in these Regulations for the zone in which said lot is located, which open space shall be used for landscaping and/or recreational purposes, and which may not be used for off-street parking or loading purposes. The area of the front, side or rear yards which is not used for driveways and parking or loading purposes may be computed in determining the required usable open space.

3.8 Projections Into Yards And Required Open Spaces

Architectural features such as pilasters, chimneys, belt courses, sills and cornices may extend or project into a required yard or open space not more than one (1) foot.

Residential decks not higher than three (3) feet above grade may extend into the required rear yard by not more than twelve (12) feet. EFFECTIVE FEBRUARY 4, 1994

Steps, walls not over four (4) feet high, and fences not over six (6) feet high may be erected in any required yard.

3.9 Courts

Courts enclosed on all sides shall not be permitted in any building used partly or wholly for residential purposes. Courts between wings or projections of buildings shall have a width between such wings or projections at least equal to the average height of the walls surrounding the court. In no case shall a court in a residential building have a depth greater than three times the width.

3.10 Substandard Lots

In all residential zones, any lot which was separately described in the latest deed of record immediately prior to (effective date of these Regulations), or which was an approved lot shown on a plan of development or subdivisions plan approved by the Town Plan and Zoning Commission and on file in the Glastonbury Town Clerk's office prior to said date, which does not meet the requirements of these Regulations as to lot area and/or lot frontage may be utilized for any use permitted in the zone in which such lot is located, provided that all of the other provisions and requirement so these Regulations are complied with as to such lot, and provided further that all applicable subdivision regulations of the Town of Glastonbury shall have been complied with as to such lot.

3.11 Lot Limitations

In all residential zones, only one principal structure shall be placed on a lot. In non-residential zones, the Town Plan and Zoning Commission may approve a plan for more than one principal structure on a lot, if the structures and land comply with all other requirements of the zone in which they are located.

3.12 Lot Frontage

Every principal residential structure shall be located on a lot which fronts upon a public street and complies with the frontage requirements of these Regulations unless such lot is an approved rear lot under Section 6.8 of these Regulations.

3.13 Floor Area

Specific floor area requirements for living quarters in residential dwellings are set forth in the Use Regulations (Section 4) for the particular zones. Living quarters may include customary rooms, halls and closets, but shall not include rooms for heating equipment, garages, open or closed outside vestibules, or porches or verandas. Stairways, basement spaces and public halls shall not be included in the required minimum floor areas for the living quarters. Only those portions of the building which are soundly and permanently constructed and finished with materials and methods conforming to the Building Code adopted by the Town of Glastonbury shall be included in the computations of the floor area for living quarters.

- a. Floor area for living quarters shall be computed from the outside of the exterior walls.
- b. Living quarters above the first floor shall have access by permanent built-in stairway. All living quarters, to qualify as living quarters, shall have a ceiling height of not less than 7 feet 6 inches on the first floor, and on the second floor 7 feet 4 inches over not less than one-third (1/3) of the area of the floor. On one and one-half (1 ½) story dwellings, there shall be at least a three-quarter (3/4) dormer or equivalent, except that if the first floor living area has 1250 square feet or more, the requirement for a three-quarter (3/4) dormer shall not apply. AMENDED EFFECTIVE November 15, 1975.
- c. For dwellings without cellar, the minimum floor area shall be increased by a separate room containing at least 120 square feet for heating, utility and storage space.
- d. For all dwellings with cellar, there shall be direct outside access from the cellar.

3.14 Dwellings In Other Than Principal Structure

Accessory dwelling units~~No residential dwelling~~ shall be permitted in ~~any~~ accessory buildings in accordance with Section 6.11.~~except an approved guest house.~~

3.15 Dwelling In Nonresidential Zones

Dwellings shall be erected only in the residential and planned are development zones. The sleeping quarters of a caretaker or watchman, however, may be permitted in the nonresidential zones.

3.16 Building Grades

Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building.

3.17 Restoration Of- Unsafe~~Of Unsafe~~ Buildings

Nothing in these Regulations shall prevent the strengthening or restoring to a safe condition of any part of any building declared unsafe by the Building Official or where required by any lawful order.

3.18 Streets

All streets, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such streets. Where the center lie of a street serves as a zone boundary, the

zoning of such street, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

3.19 Visibility At Intersection

No wall, fence, structure, planting or obstruction to vision shall be erected, maintained, placed or planted on any lot which unreasonably or dangerously obstructs or interferes with visibility of drivers of vehicles on a curve or at any street intersection. The minimum vision clearance shall require a height not exceeding two (2) feet above the street grade within the triangular area formed by the intersecting street lines and a straight line connecting points on said street lines, each of which points is twenty-five (25) feet distance from the point of intersection.

3.20 Storage And Display Of Goods And Merchandise

In all zones, if any goods and/or merchandise are stored and/or displayed, such goods and/or merchandise shall be stored and/or displayed behind the established building line, except a permitted roadside stand which shall be located behind the established street line, or except as permitted by special exception granted by the Zoning Board of Appeals in accordance with Section 13.9 of the Building-Zone Regulations. AMENDED EFFECTIVE MARCH 13, 1989.

3.21 Commercial Radio And Television Towers

Commercial radio, television and other transmitting or relay antenna towers, when permitted, shall be set back from all abutting streets and adjacent property a distance of not less than one and one-half (1 1/2) times the height of the tower.

3.22 Airports

Land beneath all aircraft approach lanes, as established by appropriate aeronautical authorities or airport zoning, which is not part of any airport, shall be so developed as not to endanger safe flight conditions to and from an established airport. This provision is supplemental to any adopted airport zoning plan or ordinance.

3.23 Voting Place

The provisions of these Regulations shall be so construed as not to interfere with the temporary use of any premises as a voting place in connection with a municipal, state or federal election, referendum or primary.

3.24 Approval Of Subdivision Plans

No proposed plan of a new subdivision or resubdivision shall hereafter be approved unless the lots within such plan equal or exceed the minimum area, yards and lot coverage requirements set forth in the various zones of these Regulations, except as may otherwise be specifically provided in Section 6.7 of these Regulations and except that in the case of a subdivision or resubdivision of a parcel of land containing five (5) acres or more, where the slope of the parcel, the topography or other natural features prevent the best subdivision in strict conformity with such lot size requirements, the Town Plan and Zoning Commission may, at its discretion, permit the reduction to not less than eighty (80%) percent of the minimum lot size requirement for such zone or not more than ten (10%) percent of the lots in such subdivision or resubdivision, provided that it shall find that such reduction will have not detrimental effect on the appropriate residential use of the land within the subdivision or on the general character of

the surrounding area and will not significantly impair health, safety, general welfare, property values or future land use or road layouts.

3.25 Stream Belt Protection

REPEALED EFFECTIVE APRIL 20, 1989. Refer to Inland/Wetland Regulation.

3.26 Dual Zoned Property: Flood Zone And Other Zone

When a lot of parcel contains land partially designated Flood Zone and partially any other zone listed in Section 1.1 of the Building Zone Regulations (PAD Zone excluded); that area designated Flood Zone may be counted or utilized in order to satisfy the lot area, lot frontage, lot coverage, front yard, side yard, rear yard and open space requirements of the zone where development is to occur. New residential construction on a lot or parcel, which also contains Flood Zone, shall not be permitted within the Flood Zone and shall have the lowest habitable floor elevated to or above the 500 year Flood elevations. (See Section 4.11.6.b). Development (see definition in Section 4.11.2 of the Building Zone Regulations) within Flood Zone areas is permitted only in accordance with Section 4.11 of the Building Zone Regulations. EFFECTIVE OCTOBER 28, 1983.

3.27 Cannabis Establishments Temporary and Limited Moratorium

- a) Statement of Purpose. This section has been adopted to provide the Zoning Authority with the time necessary to consider adoption of potential changes to the Zoning Regulations pursuant to Section 8-2 of the Connecticut General Statutes and the Act. Said Public Act contains provisions allowing municipalities to prohibit or place reasonable restrictions on cannabis establishments. This temporary and limited term moratorium has been adopted to provide the Town with the time necessary to develop regulations for cannabis establishments that meet statutory requirements and promote the public's general health, safety and welfare or develop regulations prohibiting the establishing of cannabis establishments.
- b) Definitions. For the purposes of this section, the following terms are defined as:
 1. "Cannabis" means marijuana as defined in Section 21a-240, C.G.S.
 2. "Cannabis Establishment" means " means a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter.
 3. "Cultivator" means a person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.
 4. "Food and Beverage Manufacturer" means a person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.
 5. "Grow space" means the portion of a premises owned and controlled by a producer, cultivator or micro-cultivator that is utilized for the cultivation, growing or propagation of the cannabis plant, and contains cannabis plants in an active stage of growth, measured starting from the outermost wall of the room containing cannabis plants and continuing around the outside of the room. "Grow space" does not include space used to cure,

process, store harvested cannabis or manufacture cannabis once the cannabis has been harvested.

6. "Hybrid Retailer" means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.

7. "Micro-cultivator" means a person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the commissioner.

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

9. "Product Manufacturer" means a person that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type.

10. "Product Packager" means a person that is licensed to package and label cannabis.

11. "Retailer" means a person, excluding a dispensary facility and hybrid retailer that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers to sell cannabis to consumers and research programs.

12. "Sale" or "sell" has the same meaning as provided in section 21a-240 of the Connecticut General Statutes.

c) Applicability. During this temporary and limited-term moratorium, cannabis establishments shall be prohibited in the Town of Glastonbury and no applications shall be received by the Town Plan and Zoning Commission or the Office of Community Development to establish a cannabis establishment.

d) Effective Date/Term. This temporary and limited moratorium shall become effective on September 1, 2021 and shall remain in effect for a period of 18 months until March 1, 2023.

Effective September 1, 2021

SECTION 4 - USE REGULATIONS

- 4.0 Summary Table—area, frontage, yard, coverage and height requirements
- 4.1 Country Residence Zone CR
- 4.2 Rural Residence Zone RR
- 4.3 Residence Zone AAA
- 4.4 Residence Zone AA
- 4.5 Residence Zone A
- 4.6 Planned Business and Development Zone PBD
- 4.7 Planned Travel Zone (PT)
- 4.8 Planned Industrial Zone PI
- 4.9 Industrial Zone —ELIMINATED
- 4.10 Reserved Land Zone RL
- 4.11 Flood Zone F
- 4.12 Planned Area Development Zone PAD
- 4.13 Town Center Zone
- 4.14 Planned Employment PE
- 4.15 Planned Commerce PC
- 4.16 South Glastonbury Village Commercial (VC) Zone; And South Glastonbury Village Residential (VR) Zone
- 4.17 Adaptive Redevelopment Zone (ARZ)
- 4.18 Town Center Mixed Use (TCMU)

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**SUMMARY TABLE
AREA, FRONTAGE, YARD, COVERAGE AND HEIGHT REQUIREMENTS
SECTION 4.0**

(in all instances reference shall be made to the specific provisions of these Regulations)

Zones	Minimum Required Lot Area (sq-ft)	Minimum Required Lot Frontage (ft.)	Maximum Lot Coverage (%)	Minimum Principal Front	Required Building Side	Yards (ft.) Rear	Maximum Permitted Height (stories) — (feet)		Minimum Floor Area for Living Quarters per Dwelling Unit (sq-ft)	Minimum Open Space
CR — Country Residence	80,000 ¹	200 ¹	15	75	35 ²	75	2-1/2 ⁶	35.5	1250/1500/850 ²	(IN ALL RESIDENCE ZONE, FRONT YARD, REAR YARD AND TWO SIDE YARDS)
RR — Rural Residence	40,000 ¹	125 ¹	10	50	25 ³	50	2-1/2 ⁶	35.5	1250/1340/850 ²	
AAA — Residence	40,000 ¹	150 ¹	15	50	25 ³	50	2-1/2 ⁶	35.5	1500/1650/1150 ²	
AA — Residence	25,000 ¹	110 ¹	15	50	20 ³	50	2-1/2 ⁶	35.5	1250/1500/1000 ²	
A — Residence	15,000 ¹	100 ¹	15	40 ²	15 ³	50	2-1/2 ⁶	35.5	1000/1340/850/775 ²	
PC — Planned Commerce ⁸	40,000 ²	150 ²	20 ¹⁰	50 ¹²	25 ⁴	25	4	57		See section 4.15.11
PBD — Planned Business & Development ⁸	60,000 ²	200 ²	20	75	25 ^{3,4}	25	2-1/2	35.5	N/A	Twice building coverage
PE — Planned Employment ⁸	40000 ²	150 ²	20 ¹⁰	50 ¹²	25 ⁴	25	4	57		See section 4.14.11
PT — Planned Travel ^{8,9}	10 acres ²	400 ²	20	75	50 ^{3,4,5}	50	3	42.75	N/A	Twice building coverage
PI — Planned Industrial ⁸	40,000 ²	150 ²	20 ¹⁰	50	25 ^{3,4,5}	25 ⁶	2-1/2	35.5 ¹¹	N/A	See Sec. 4.8.11
RL — Reserved Land	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/R
F — Flood	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/R
PAD — Planned Area Development	See specific regulations in Section 4.12									
VC — Village Commercial	20,000 ¹³	100	20,000sq-ft	N/A	N/A	N/A	2-1/2	35.5	950 ¹⁴	N/A
VR — Village Residential	10,000	75	20	20	10	30	2-1/2	35.5	N/A	N/A
TC — Town Center	40,000	100	FAR 0.5	20	8	20	3	42.75		
TCMU — Town Center Mixed	10,000	75	20%	20	20/8	30	2-1/2	35.5		
ADR — Adaptive Redevelopment Zone								42.75		

1. — Minimum required lot area for residential uses. Requirements for other permitted uses as set forth and approved by TPZ and/or ZBA.
1. — Some substandard lots of record and smaller legal lots of record under separate ownership may be developed and used as set forth in Section 3.10 and in the specific zone regulations.
2. — There shall be a minimum of two (2) side yards for each principal building, except as explained in Note #4. The requirement indicated is the minimum width for each side yard. The Owner of a corner lot may, at the time a building permit for a principal building thereon is applied for, designate which yard abutting a street shall be deemed the front yard, in which case the other yard abutting a street shall be considered a side yard requiring a minimum yard depth of 50 feet in CR zone, 40 feet in RR, AAA, AA and PI zones, and 30 feet in A zone.
3. — Side yard requirement may be modified or waived by TPZ in the case of a Plan of Development as set forth in the specific zone regulations.
4. — Additional requirements for yards and screening when the PT Zone, PI Zone or I Zone adjoins a residential use or zone. See specific zone regulations.
5. — Applies only to residential buildings. Height limit for other permitted buildings as set forth and approved by TPZ and/or ZBA.
6. — The first number indicates the required minimum total floor area for a 1-story dwelling. The second number indicates the required minimum total floor area for a 1-1/2, 2 or 2-1/2 story dwelling. The third number indicates the minimum amount of such total minimum floor area which must be on the first floor of a 1-1/2 story dwelling. At least 600 square feet of floor area, which need not be finished, shall be above the first floor of a 1-1/2 story dwelling. The fourth number, if any indicates the required minimum floor space for living quarters per dwelling unit in a two-family dwelling. For dwellings without cellar, the minimum floor area shall be increased by a separate room containing at least 120 square feet for heating, utility and storage space.
7. — As to single and two-family dwellings existing in non-residence zones on (effective date of Regs.) the area, frontage, yard, coverage and height requirements shall be those of the A residence zone.
8. — As to certain uses in the PT zone, the area, frontage, yard, coverage and height requirements shall be those of the PBD zone (see Sec. 4.7.1). See Sec. 6.5 for area and frontage requirements for new motor vehicle or gasoline service stations.
9. — See Sec. 4.8.6, 4.14.6, 4.15.6 (Lot Coverage) EFFECTIVE 12/26/80, 4/14/04
10. — See Sec. 4.8/10 (Building Height) EFFECTIVE 3/26/84
11. — See sec. 4.14.7, 4.15.7 (Front Yard) Effective 4/14/04
12. — Minimum required for new lots only — Effective 12/29/04
13. — Maximum floor area for 2nd floor accessory dwellings — Effective 12/29/04

4.1 Country Residence Zone CR

4.1.1 Permitted Uses

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~~Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the Permitted (Prmt.) or Special Permit with Design Review (Sp) uses or use categories listed below and indicated in the CR column of the Table of Permitted Uses and in the Special Requirements 4.0.0 Lot, Bulk, Height and Coverage~~

Zones	Minimum Required Lot Area (sq. ft)	Minimum Required Lot Frontage (ft.)	Maximum Lot Coverage (%)	Minimum Yards (ft.)			Maximum Permitted Height		Minimum Open Space % of Lot Area	Retail Trade Floor Area Max. (sq. ft.)	Minimum Distance and Screening	
				Front	Side (Each)	Rear	Stories	Feet				
CR	Country Residence	80,000 ¹	200 ¹	15	75	35 ³	75	2 1/2 ⁵	35.5	Required Yards	N/A	N/A
RR	Rural Residence	40,000 ¹	125 ¹	10	50	25 ³	50	2 1/2 ⁵	35.5	Required Yards	N/A	N/A
AAA	Residence	40,000 ¹	150 ¹	15	50	25 ³	50	2 1/2 ⁵	35.5	Required Yards	N/A	N/A
AA	Residence	25,000 ¹	110 ¹	15	50	20 ³	50	2 1/2 ⁵	35.5	Required Yards	N/A	N/A
A	Residence	15,000 ¹	100 ¹	15	40	15 ³	50	2 1/2 ⁵	35.5	Required Yards	N/A	N/A
ARZ	Adaptive Redevelopment Zone	See specific regulations in Section 4.8										
F	Flood	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/A	N/A
PAD	Planned Area Development	See specific regulations in Section 4.5										
PBD	Planned Business & Development ⁶	60,000 ²	200 ²	20	75 ¹⁰	25 ^{3,4}	25	2 1/2	35.5	Twice building coverage	65,000 ¹⁵	N/A
PC	Planned Commerce ⁶	40,000 ²	150 ²	20 ^{8,16}	50 ¹⁰	25 ⁴	25	4	57	35 ¹³	N/A	See 4.0.9
PE	Planned Employment ⁶	40,000 ²	150 ²	20 ^{8,16}	50 ¹⁰	25 ⁴	25	4	57	35 ¹³	N/A	See 4.0.9
PI	Planned Industrial ⁶	40,000 ²	150 ²	20 ^{8,16}	50 ¹⁰	25 ^{3,4}	25 ⁵	2 1/2 ⁹	35.5 ⁹	35 ¹³	N/A	See 4.0.9
PT	Planned Travel ^{6,7}	10 acres ²	400 ²	20	75 ¹⁰	50 ^{3,4}	50	3	42.75	Twice building coverage	65,000 ¹⁵	See 4.0.9
RL	Reserved Land	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/R	N/A	N/A
TC	Town Center	40,000	100	FAR 0.5 ¹²	20	8	20	3	42.75	N/A	40,000 ¹⁵	N/A
TCMU	Town Center Mixed Use ¹⁴	10,000 ¹⁴	75 ¹⁴	20	20	20 total/ min. of 8	30	2 1/2	35.5	See 4.9.4	See 4.9.4	N/A
VC	Village Commercial	20,000 ¹¹	100 ¹¹	20,000 sq ft	N/A	N/A	N/A	2 1/2	35.5	N/A	N/A	N/A
VR	Village Residential	10,000	75	20	20	10	30	2 1/2	35.5	N/A	N/A	N/A
NOTES: N/A - Not Applicable												
N/R = No Specific Requirements												

Field Code Changed

1. Minimum required lot area and/or frontage for residential uses. Requirements for other permitted uses as set forth and approved by TPZ and/or ZBA.
2. Some substandard lots of record and smaller legal lots of record under separate ownership may be developed and used as set forth in Section 3.10 and in the specific zone regulations.
3. There shall be a minimum of two (2) side yards for each principal building, except as explained in Note #4. The Owner of a corner lot may, at the time a building permit for a principal building thereon is applied for, designate which yard abutting a street shall be deemed the front yard, in which case the other yard abutting a street shall be considered a side yard requiring a minimum yard depth of 50 feet in CR zone, 40 feet in RR, AAA, AA and PI zones, and 30 feet in A zone.
4. Side yard requirements may be modified or waived by TPZ in the case of a Plan of Development as set forth in Section 4.0.5.
5. Applies only to residential buildings. Height limit for other permitted buildings as set forth and approved by TPZ and/or ZBA
6. As to single and two-family dwellings existing in non-residence zones on effective date of Regs. the area, frontage, yard, coverage and height requirements shall be those of the A residence zone.
7. As to certain uses in the PT zone, the area, frontage, yard, coverage and height requirements shall be those of the PBD zone (see Sec. 5.4). See Sec. 6.5 for area and frontage requirements for new motor vehicle or gasoline service stations.
8. 20% for principal and accessory structures designed for office, general and/or professional use; 30% for principal and accessory structures designed for other uses.
9. Except for buildings designed for office, general and/or professional uses (not manufacturing), when the limit is 4 stories or 57 ft.
10. See Section 4.0.4. - Effective 4/1/4/04
11. Minimum required for new lots only – Effective 12/29/04
12. FAR shall not apply to single-family and two-family dwellings.
13. 35% for buildings designed for office, general and professional uses, 30% for other uses
14. See Section 4.9.4 for additional standards.
15. Mezzanines up to 10% of principal floor areas shall not be included in this calculation.
16. In addition to complying with all other sections of these Regulations, all buildings expanding their coverage or changing their use shall be subject to a Special Permit with Design Review in accordance with Section 12.

Field Code Changed

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Permitted Uses and Use Categories

(0) Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

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Prmt Uses and use categories permitted as a matter of right subject to the conditions of the CR Zone and any other applicable provisions of these Regulations.

Dwelling, single-family (12)
Dwelling, two-family (13), if existing on the effective date of these Regulations. AMENDED EFFECTIVE APRIL 23, 1974.
Farm (17)
Historic and monument sites (20)
Parks (37)
Agricultural group quarters, seasonal (50) (Special Requirements Sec. 6.10).
EFFECTIVE JULY 1, 1983.

NOTE: As to two-family dwellings existing on the effective date of these Regulations, the area, frontage, yard, coverage and site requirements shall be those of the Residence A Zone.
AMENDED EFFECTIVE APRIL 23, 1974.

Sp Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations. AMENDED NOVEMBER 11, 2010

Aircraft landing field
Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or organization
Boarding, rooming or lodging house (4) (3-6 persons)
Cemetery
Clubs, non-profit (8)
Commercial greenhouses
Commercial nurseries
Community centers
Convalescent, nursing or rest home or sanitarium (9)
Day care center
Dog kennel, commercial
Earth products, excavation and filling or removing or (Special Requirements Sec. 6.2).
Forestry production, commercial, including on premises saw mills
Golf Course
Governmental services
Library
Museum or planetarium
Place of worship
Recreation uses, non-profit
Religious quarters
Riding stable
Schools—public, private and parochial, university, college, junior college and professional school
Sewage and solid waste disposal
Supervised group quarters (41)
Tourist home (42)
Towers, transmitting and relay
Transmitting exchange or receiving station
Utility—electric, gas and water
Veterinarian service

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~~4.1.2 Permitted Accessory Uses~~

~~Customary accessory uses are permitted in accordance with the list below and with the CR column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the CR column of the Table of Permitted Uses and in the Special Requirements column of said Table.~~

~~Permitted Accessory Uses and Use Categories~~

~~(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.~~

~~Acc — Uses and use categories permitted as an accessory use.~~

- ~~Boarding, rooming or lodging house (4) (1-2 persons)~~
- ~~Customary accessory uses (2)~~
- ~~Customary home occupation (21)~~
- ~~Garage, parking (18)~~
- ~~Guest house (19) (requires special exception approval by ZBA)~~
- ~~Parking area, private (35)~~

~~In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.~~

~~4.1.3 Required Lot Area~~

~~Every parcel of property to be used for residential purposes a use or uses permitted in the Country Residence Building Zone in which it is located shall have a minimum lot area of eighty thousand (80,000) square feet.~~

~~4.1.4 Lot Frontage~~

~~Every lot shall have a minimum lot frontage of not less than two hundred (200) feet.~~

~~4.1.5 Lot Coverage~~

~~All principal structures shall cover not more than fifteen percent (15%) of the area of the lot.~~

~~4.1.6 Front Yard~~

~~There shall be a minimum front yard of seventy-five (75) feet for every principal building.~~

~~4.1.7 Side Yards~~

~~There shall be a minimum of two (2) side yards for every principal building with each side yard having a minimum width of thirty-five feet.~~

~~4.1.8 Rear Yard~~

~~There shall be a minimum rear yard of seventy-five (75) feet for every principal building.~~

~~4.1.9 Maximum Height Limit~~

~~No residential building shall exceed a height of two and one-half (2 1/2) stories or thirty-five and one-half (35 1/2) feet. Amended 1/4/21~~

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4.1.10 — Requirements for Floor Space Per Dwelling Unit

Every single-family dwelling shall contain, in the case of a one (1) story dwelling, not less than one thousand two hundred fifty (1,250) square feet of floor space for living quarters, and in the case of a one and one-half (1 1/2), two (2) or two and one-half (2 1/2) story dwelling, not less than one thousand five hundred (1,500) square feet of floor space for living quarters. In the case of a one-story dwelling, the required minimum total floor space for living quarters shall be provided on the first floor. In the case of a one and one-half (1 1/2) story dwelling, not less than eight hundred fifty (850) square feet of floor space for living quarters shall be provided on the first floor and at least six hundred (600) square feet of floor space, which need not be finished, shall be above the first floor. For the purposes of this section, a raised ranch shall be considered a one-story dwelling. In the case of a split-level house, the calculated floor area shall be the vertical projected floor area of the living quarters. These requirements may be modified by the Town Plan and Zoning Commission as a special permit in the case of an individual lot, taking into consideration the criteria set forth in Section 12 of these Regulations (See also Section 3.13).

4.2 — Rural Residence Zone RR

4.2.1 — Permitted Uses

Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the Permitted (Prmt) or Special Permit with Design Review (Sp) uses or use categories listed below and indicated in the RR column of the Table of Permitted Uses, subject to such standards as may be referred to in the lists below and the RR column of the Table of Permitted Uses and in the Special Requirements as indicated in the table in Section 4.0, column of said Table. AMENDED EFFECTIVE NOVEMBER 11, 2010

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Permitted Uses and Use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

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Prmt — Uses and use categories permitted as a matter of right subject to the conditions of the RR Zone and any other applicable provisions of these Regulations.

- Dwelling, single-family (12)
- Dwelling, two-family (13), if existing on the effective date of these Regulations. AMENDED EFFECTIVE APRIL 23, 1974.
- Farm (17)
- Historic and monument sites (20)
- Parks (37)

NOTE: As to two-family dwellings existing on the effective date of these Regulations, the area, frontage, yard, coverage and site requirements shall be those of the Residence A Zone. AMENDED EFFECTIVE APRIL 23, 1974.

Sp — Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations. AMENED EFFECTIVE NOVEMBER 11, 2010

- Agricultural group quarters, seasonal (50) (Special Requirements Sec. 6.10). EFFECTIVE JULY 1, 1983.
- Aircraft landing field
- Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or organization
- Boarding, rooming or lodging house (4) (3-6 persons)
- Cemetery
- Clubs, non-profit (8)

Commercial greenhouses
 Commercial nurseries
 Community centers
 Convalescent, nursing or rest home or sanitarium (9)
 Day care center
 Dog kennel, commercial
 Earth products, excavation and filling or removing or (Special Requirements Sec. 6.2)
 Forestry production, commercial, including on-premises saw mills
 Golf Course
 Governmental services
 Library
 Museum or planetarium
 Place of worship
 Recreation uses, non-profit
 Religious quarters
 Riding stable
 Schools—public, private and parochial, university, college, junior college and professional school
 Sewage and solid waste disposal
 Supervised group quarters (41)
 Tourist home (42)
 Towers, transmitting and relay
 Transmitting exchange or receiving station
 Utility—electric, gas and water
 Veterinarian service

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4.2.2 — Permitted Accessory Uses

Customary accessory uses are permitted in accordance with the list below and with the RR column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the RR column of the Table of Permitted Uses and in the Special Requirements ~~column of said Table.~~

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Permitted Accessory Uses and Use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc — Uses and use categories permitted as an accessory use.

Boarding, rooming or lodging house (4) (1-2 persons)
 Customary accessory uses (2)
 Customary home occupation (21)
 Garage, parking (18)
 Guest house (19) (required special exception approval by ZBA)
 Parking area, private (35)

~~In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.~~

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4.2.3 — Required Lot Area

Every parcel of property to be used for residential purposes in the Rural Resident Zone shall have a minimum lot area of forty thousand (40,000) square feet.

4.2.4 — Lot Frontage

Every lot shall have a minimum lot frontage of not less than one hundred twenty-five (125) feet.

4.2.5 — Lot Coverage

All principal structures shall cover not more than ten percent (10%) of the area of the lot.

4.2.6 — Front Yard

There shall be a minimum front yard of fifty (50) feet for every principal building.

4.2.7 — Side Yards

There shall be a minimum of two (2) side yards for every principal building with each side yard having a minimum width of twenty-five (25) feet.

4.2.8 — Rear Yard

There shall be a minimum rear yard of fifty (50) feet for every principal building.

4.2.9 — Maximum Height Limit

No residential building shall exceed a height of two and one-half (2-1/2) stories or thirty-five and one-half (35-1/2) feet. *Amended 1/4/21.*

4.2.10 — Requirements For Floor Space Per Dwelling Unit

Every single-family dwelling shall contain, in the case of a one (1) story dwelling, not less than one thousand two hundred fifty (1,250) square feet of floor space for living quarters, and in the case of a one and one-half (1-1/2), two (2) or two and one-half (2-1/2) story dwelling, not less than one thousand three hundred forty (1,340) square feet of floor space for living quarters. In the case of a one-story dwelling, the required minimum total floor space for living quarters shall be provided on the first floor. In the case of a one and one-half (1-1/2) story dwelling, not less than eight hundred fifty (850) square feet of floor space for living quarters shall be provided on the first floor and at least six hundred (600) square feet of floor space, which need not be finished, shall be above the first floor. For the purposes of this section, a raised ranch shall be considered a one-story dwelling. In the case of a split level house, the calculated floor area shall be the vertical projected floor area of the living quarters. These requirements may be modified by the Town Plan and Zoning Commission as a special permit in the case of an individual lot, taking into consideration the criteria set forth in Section 12 of these Regulations. (See also Section 3.13).

4.3 — Residence Zone AAA

4.3.1 — Permitted Uses

Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the Permitted (Prmt) or Special Permit with Design Review (Sp) uses or use categories listed below and indicated in the RR column of the Table of Permitted Uses, subject to such standards as may be referred to in the lists below and the RR column of the Table of Permitted Uses and in the Special Requirements column of said Table. AMENDED NOVEMBER 11, 2010

[Permitted Uses and Use Categories](#)

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Prmt — Uses and use categories permitted as a matter of right subject to the conditions of the AAA Zone and any other applicable provisions of these Regulations.

Dwelling, single family (12)
Dwelling, two family (13), if existing on the effective date of these Regulations. AMENDED EFFECTIVE APRIL 23, 1974.
Farm (17)
Historic and monument sites (20)
Parks (37)

NOTE: As to two family dwellings existing on the effective date of these Regulations, the area, frontage, yard, coverage and site requirements shall be those of the Residence A Zone. AMENDED EFFECTIVE APRIL 23, 1974.

Sp — Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations. AMENDED EFFECTIVE NOVEMBER 11, 2010

Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or Organization
Cemetery
Community centers
Convalescent, nursing or rest home or sanitarium (9)
Day care center
Golf Course
Governmental services
Library
Museum or planetarium
Place of worship
Recreation uses, non-profit
Religious quarters
Schools — public, private and parochial, university, college, junior college and professional school
Supervised group quarters (41)
Tourist home (42)
Utility — electric, gas and water

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4.3.2 — Permitted Accessory Uses

Customary accessory uses are permitted in accordance with the list below and with the AAA column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the AAA column of the Table of Permitted Uses and in the Special Requirements column of said Table.

Permitted Accessory Uses and use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc — Uses and use categories permitted as an accessory use.

Customary accessory uses (2)
Customary home occupation (21)

- Garage, parking (18)
- Guest house (19) (requires special exception approval by ZBA)
- Parking area, private (35)

~~In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.~~

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4.3.3 — Required Lot Area

Every parcel of property to be used for residential purposes in the Residence Zone AAA shall have minimum lot area of forty thousand (40,000) square feet.

4.3.4 — Lot Frontage

Every lot shall have a minimum lot frontage of not less than one hundred fifty (150) feet.

4.3.5 — Lot Coverage

All principal structures shall cover not more than fifteen percent (15%) of the area of the lot.

4.3.6 — Front Yard

There shall be a minimum front yard of fifty (50) feet for every principal building.

4.3.7 — Side Yards

There shall be a minimum of two (2) side yards for every principal building with each side yard having a minimum width of twenty-five (25) feet.

4.3.8 — Rear Yard

There shall be a minimum rear yard of fifty (50) feet for every principal building.

4.3.9 — Maximum Height Limit

No residential building shall exceed a height of two and one-half (2 1/2) stories or thirty-five and one-half (35 1/2) feet. *Amended 1/4/21*

4.3.10 — Requirements For Floor Space Per Dwelling Unit

Every single-family dwelling shall contain, in the case of a one (1) story dwelling, not less than one thousand five hundred (1,500) square feet of floor space for living quarters, and in the case of a one and one-half (1 1/2), two (2) or two and one-half (2 1/2) story dwelling, not less than one thousand six hundred fifty (1,650) square feet required minimum total floor space for living quarters. In the case of a one-story dwelling, the required minimum total floor space for living quarters shall be provided on the first floor. In the case of a one and one-half (1 1/2) story dwelling, not less than one thousand one hundred fifty (1,150) square feet of floor space for living quarters of the required minimum total floor space for living quarters shall be provided on the first floor and at least six hundred (600) square feet of floor space, which need not be finished, shall be above the first floor. For the purposes of this section, a raised ranch shall be considered a one-story dwelling. In the case of a split-level house, the calculated floor area shall be the vertical projected floor area of the living quarters. These requirements may be modified by the Town Plan and Zoning Commission as a special permit in the case of an individual lot, taking into consideration the criteria set forth in Section 12 of these Regulations. (See also Section 3.13).

4.4 — Residence Zone AA

4.4.1 — Permitted Uses

Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the Permitted (Prmt) or Special Permit with Design Review (Sp) uses or use categories listed below and indicated in the AA column of the Table of Permitted Uses, subject to such standards as may be referred to in the lists below and the AA column of the Table of Permitted Uses and in the Special Requirements column of said Table. AMENDED NOVEMBER 11, 2010

Permitted Uses and Use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Prmt — Uses and use categories permitted as a matter of right subject to the conditions of the AAA Zone and any other applicable provisions of these Regulations.

Dwelling, single family (12)
Dwelling, two family (13), if existing on the effective date of these Regulations. AMENDED EFFECTIVE APRIL 23, 1974.
Farm (17)
Historic and monument sites (20)
Parks (37)

NOTE: As to two family dwellings existing on the effective date of these Regulations, the area, frontage, yard, coverage and site requirements shall be those of the Residence A Zone. AMENDED EFFECTIVE APRIL 23, 1974.

Sp — Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or Organization
Cemetery
Commercial greenhouses, if existing on (the effective date of these Regulations) (extension or enlargements require special permit approval by TPZ)
Commercial nurseries, if existing on (the effective day of these Regulations) (extensions of enlargements required special permit approval by TPZ)
Community centers
Convalescent, nursing or rest home or sanitarium (9)
Day care center
Golf Course
Governmental services
Library
Museum or planetarium
Place of worship
Recreation uses, non-profit
Religious quarters
Schools — public, private and parochial, university, college, junior college and professional school
Supervised group quarter (14)
Tourist home (42)
Utility — electric, gas and water

~~Sx~~ — DELETED AMENDED NOVEMBER 11, 2010

4.4.2 — Permitted Accessory Uses

Customary accessory uses are permitted in accordance with the list below and with the AA column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the AA column of the Table of Permitted Uses and in the Special Requirements ~~column of said Table.~~

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Permitted Accessory Uses and use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc — Uses and use categories permitted as an accessory use.

Boarding, rooming or lodging house (4) (1-2 persons)
Customary accessory uses (2)
Customary home occupation (21)
Garage, parking (18)
Guest house (19) (requires special exception approval by ZBA)
Parking area, private (35)

In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

4.4.3 — Required Lot Area

Every parcel of property to be used for residential purposes in the Residence Zone AA shall have minimum lot area of twenty five thousand (25,000) square feet.

4.4.4 — Lot Frontage

Every lot shall have a minimum lot frontage of not less than one hundred ten (110) feet.

4.4.5 — Lot Coverage

All principal structures shall cover not more than fifteen percent (15%) of the area of the lot.

4.4.6 — Front Yard

There shall be a minimum front yard of fifty (50) feet for every principal building.

4.4.7 — Side Yards

There shall be a minimum of two (2) side yards for every principal building with each side yard having a minimum width of twenty (20) feet.

4.4.8 — Rear Yard

There shall be a minimum rear yard of fifty (50) feet for every principal building.

4.4.9 — Maximum Height Limit

No residential building shall exceed a height of two and one half (2 1/2) stories or thirty five and one half (35 1/2) feet. Amended 1/4/21

4.4.10 — Requirements For Floor Space Per Dwelling Unit

Every single-family dwelling shall contain, in the case of a one (1) story dwelling, not less than one thousand two hundred fifty (1,250) square feet of floor space for living quarters, and in the case of a one and one-half (1 1/2), two (2) or two and one-half (2 1/2) story dwelling, not less than one thousand five hundred (1,500) square feet of floor space for living quarters. In the case of a one-story dwelling, the required minimum total floor space for living quarters shall be provided on the first floor. In the case of a one and one-half (1 1/2) story dwelling, not less than one thousand (1,000) square feet of floor space for living quarters of the required minimum total floor space for living quarters shall be provided on the first floor and at least six hundred (600) square feet of floor space, which need not be finished, shall be above the first floor. For the purposes of this section, a raised ranch shall be considered a one-story dwelling. In the case of a split-level house, the calculated floor area shall be the vertical projected floor area of the living quarters. These requirements may be modified by the Town Plan and Zoning Commission as a special permit in the case of an individual lot, taking into consideration the criteria set forth in Section 12 of these Regulations. (See also Section 3.13).

4.5 — Residence Zone A

4.5.1 — Permitted Uses

~~Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the Permitted (Prmt) or Special Permit with Design Review (Sp) uses or use categories listed below and indicated in the A column of the Table of Permitted Uses and in the Special Requirements column of said Table. AMENDED NOVEMBER 11, 2010~~

Permitted Uses and Use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Prmt — Uses and use categories permitted as a matter of right subject to the conditions of the A Zone and any other applicable provisions of these Regulations.

Dwelling, single family (12)
Dwelling, two family (13), if existing on the effective date of these Regulations. AMENDED EFFECTIVE APRIL 23, 1974.
Farm (17)
Historic and monument sites (20)
Parks (37)

NOTE: As to two family dwellings existing on the effective date of these Regulations, the area, frontage, yard, coverage and site requirements shall be those of the Residence A Zone. AMENDED EFFECTIVE APRIL 23, 1974.

Sp — Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations. AMENDED NOVEMBER 11, 2010

Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or organization
Cemetery
Commercial greenhouses, if existing on (the effective date of these Regulations) (extensions or enlargements require special permit approval by TPZ)
Commercial nurseries, if existing on (the effective date of these Regulations) (extensions or enlargements require special permit approval by TPZ)
Community centers
Convalescent, nursing or rest home or sanitarium (9)
Day care center
Dwelling, two family (13)
Golf Course
Governmental services
Library
Museum or planetarium
Place of worship
Recreation uses, non-profit
Religious quarters
Schools—public, private and parochial, university, college, junior college and professional school
Supervised group quarters (41)
Tourist home (42)
Utility—electric, gas and water

Sx — DELETED AMENDED NOVEMBER 11, 2010

4.5.2 — Permitted Accessory Uses

Customary accessory uses are permitted in accordance with the list below and with the A column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the A column of the Table of Permitted Uses and in the Special Requirements column of said Table.

Permitted Accessory Uses and Use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc — Uses and use categories permitted as an accessory use.

Boarding, rooming or lodging house (4) (1-2 persons)
Customary accessory uses (2)
Customary home occupation (21)
Garage, parking (18)
Guest house (19) (requires special exception approval by ZBA)
Parking area, private (35)

In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

4.5.3 — Required Lot Area

Every parcel of property to be used for residential purposes in the Residence Zone A shall have a minimum lot area of fifteen thousand (15,000) square feet.

4.5.4 — Lot Frontage

Every lot shall have a minimum lot frontage of not less than one hundred (100) feet.

4.5.5 — Lot Coverage

All principal structures shall cover not more than fifteen percent (15%) of the area of the lot.

4.5.6 — Front Yard

There shall be a minimum front yard of forty (40) feet for every principal building. ~~AMENDED EFFECTIVE MARCH 22, 1976.~~

4.5.7 — Side Yards

There shall be a minimum of two (2) side yards for every principal building with each side yard having a minimum width of fifteen (15) feet.

4.5.8 — Rear Yard

There shall be a minimum rear yard of fifty (50) feet for every principal building.

4.5.9 — Maximum Height Limit

No residential building shall exceed a height of two and one half (2 1/2) stories or thirty five and one half (35 1/2) feet. *Amended 1/4/21*

4.5.10 — Requirements For Floor Space Per Dwelling Unit

Every single-family dwelling shall contain, in the case of a one (1) story dwelling, not less than one thousand (1,000) square feet of floor space for living quarters, and in the case of a one and one-half (1-1/2), two (2) or two and one-half (2-1/2) story dwelling, not less than one thousand three hundred forty (1,340) square feet of floor space for living quarters. In the case of a one-story dwelling, the required minimum total floor space for living quarters shall be provided on the first floor. In the case of a one and one-half (1-1/2) story dwelling, not less than eight hundred fifty (850) square feet of floor space for living quarters shall be provided on the first floor and at least six hundred (600) square feet of floor space, which need not be finished, shall be above the first floor. For the purposes of this section, a raised ranch shall be considered a one-story dwelling. In the case of a split-level house, the calculated floor area shall be the vertical projected floor area of the living quarters. Every two-family dwelling shall contain not less than seven hundred seventy-five (775) square feet of floor space for living quarters for each dwelling unit. These requirements may be modified by the Town Plan and Zoning Commission as a special permit in the case of an individual lot, taking into consideration the criteria set forth in Section 12 of these Regulations (See also Section 3-13).

4.6 — Planned Business And Development Zone PBD

4.6.1 — Permitted Uses

Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the uses or use categories listed in the list below of special permit uses and indicated in the PBD column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and the PBD column of the Table of Permitted Uses and in the Special Requirements column of said Table.

Permitted Uses and Use Categories

Unless otherwise indicated, all uses and use categories require a special permit with design review approval by the Town Plan and Zoning Commission in addition to any other review that may be required.

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Sp — Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

Ambulance service
 Archery range, indoor
 Athletic club
 Auditorium or coliseum
 Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or organization
 Billiard and pool hall
 Boarding, rooming or lodging house (4) (1-6 persons)
 Bowling
 Broadcasting studio, message center or office
 Bus passenger terminal
 Business services, **except** warehousing and storage and motor vehicle rental services
 Community centers
 Convalescent, nursing or rest home or sanitarium (9)
 Day Care Center. — EFFECTIVE AUGUST 16, 1988
 Dwelling, single family, if existing on (the effective date of these Regulations) (no special permit)
 Dwelling, two-family, if existing on (the effective date of these Regulations) (no special permit)
 Farm (17) (no special permit)
 Finance, insurance and real estate services
 Firing range, indoor
 Golf, miniature
 Governmental services

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Historic and monument sites (20)
 Library
 Motor vehicle carwash (Special Requirements, Section 6.3)
 Motor vehicle gasoline or service station, if existing on (the effective date of these Regulations)
 (extensions or enlargements require special permit with design review approval.)
 Motor vehicle limited repair and services (30) (Approval of Location by ZBA) (Special
 Requirements, Section 6.4)
 Museum of planetarium
 Office, general or professional
 Parking lot, public (36)
 Parks (37) (no special permit)
 Personal services
 Place of worship
 Professional services
 Recreation uses, non-profit
 Retail trade—apparel and accessories
 Retail trade—automotive, marine craft, aircraft & accessories
 Retail trade—building materials and farm equipment
 Retail trade—eating and drinking, without drive-in or curbside service (Special Requirements, Sec. 6.1
 and 6.6)
 Retail trade—food (Special Requirements, Sec. 6.1)
 Retail trade—furniture, home furnishing and equipment
 Retail trade—general merchandise
 Retail trade—hardware
 Retail trade—other (Special Requirements, Sec. 6.1)
 Skating rink, ice and/or roller, indoor
 Tennis court, indoor
 Theater, legitimate and/or motion picture
 Transmitting exchange or receiving station
 Transportation center
 Utility—electric, gas and water

NOTE: As to single and two family dwellings existing on (the effective date of these Regulations) the area, frontage, yard, coverage and height requirements shall be those of the A Residence Zone.

4.6.2 — Permitted Accessory Uses

Customary accessory uses are permitted and those permitted in accordance with the list below and with the PBD column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the Special Requirements column of said Table.

Permitted Accessory Uses and Use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc — Uses and use categories permitted as an accessory use.

Customary accessory uses (2)
 Garage, parking (18)
 Parking area, private (35)
 In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7
 of these Regulations.

4.6.3 — Plan Of Development

For the purpose of assuring orderly and integrated development in a Planned Business and Development Zone PBD, no building, structure, use or other form of development shall be established or constructed and no existing building, structure or use, other than existing single and two-family dwellings, shall be enlarged or altered until a Plan of Development shall have been approved as part of the special permit with design review approval by the Town Plan and Zoning Commission and shall have been filed with the Town Clerk. ~~Such plan shall be in accordance and consistent with the provisions of Section 12 of these Regulations.~~

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Insignificant changes shall be approved in accordance with Section 12.10. Existing buildings, structures or uses that have never received a special permit with design review that are proposed to be altered or enlarged may be considered by the Commission as a Minor change in accordance with the criteria in Section 12.9 that in the PBD, PE, PI, PT, TC and VC zones. ~~AMENDED EFFECTIVE MAY 30, 1981.~~

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4.6.4 Required Lot Area

Every parcel to be used for a use or uses permitted in the PBD Zone shall have a minimum lot area of sixty thousand (60,000) square feet, except that smaller legal lots of record under separate ownership may be developed and used for a permitted use provided by the Town Plan and Zoning Commission finds that the Plan of Development for such lots has been formulated and integrated in a proper manner, taking into consideration the criteria set forth in Section 12 of these Regulations. Nothing herein is intended to limit the number of smaller lots that may be combined and developed under a single Plan of Development in the PBD, PE, PI, PT, TC and VC zones.

4.6.50.2 Lot Frontage

Every lot shall have a minimum lot frontage of not less than two hundred (200) feet as indicated in the table in Section 4.0.0 for the zone in which the lot is located, except that the provisions set forth in 4.6. Section 4 above 0.1 for smaller lots shall also apply herein to lot frontage.

4.6.60.3 Lot Coverage

All principal structures, with their accessory structures, shall cover not more than twenty percent (20%) the proportion of the area of the lot:

as indicated in the table in Section 4.6.70.0 for the zone in which the lot is located.

4.0.4 Front Yard

There shall be a minimum front yard of seventy-five (75) feet for every principal building as indicated in the table in Section 4.0.0, provided, however, that if the required parking spaces are located to the rear or side of the building, the Town Plan and Zoning Commission may permit a front yard yards of not less than forty (40) feet.

- 40) feet. ft in the PBD Zone
- 40 ft in the PT Zone
- 25 ft in the PI Zone
- 25 ft in the PE Zone
- 25 ft in the PC Zone

4.6.80.5 Side Yards

There shall be a minimum of two (2) side yards for every principal building with each side yard having a minimum width of twenty-five (25) feet indicated in the Table in Section 4.0.0, except that where, in the judgment of the Town Plan and Zoning Commission, the development of adjoining lots may best be

accomplished by consolidated development of such lots, the Commission may modify or waive the side yard requirements, provided that:

- a. Plan of Development for the consolidated parcel shall have the minimum side yards at each side lot line of the consolidated parcel; and
- b. where required, rights of access shall be mutually granted; and
- c. satisfactory agreements from the owners of such lots, in recordable form, are provided to insure the continued compliance of the consolidated parcel with these Regulations.

4.0.6.9 Rear Yard

There shall be a minimum rear yard of twenty-five (25) feet as indicated in Section 4.0.0 for every principal building the zone in which the lot is located.

4.6.10.7 Maximum Height Limit

No building shall exceed the height of two and one-half (2 1/2) stories or thirty-five and one-half (35 1/2) feet. Amended 1/4/21

indicated in Section 4.6.10.0 for the zone in which it is located.

4.0.8 Required Open Space

Open space shall be provided and set aside in the amount at minimum equal to twice the area of the building lot coverage indicated in the table in Section 4.0.0. All open space areas shall be landscaped and planted and shall be adequately protected and separated from paved areas to minimize damage from vehicles. Parking, loading areas, and access driveways shall not be counted in determining the amount of open space required in accordance with this subsection.

4.6.12 Floor Area – Retail Trade – AMENDED EFFECTIVE SEPTEMBER 17, 2007

The floor area of any individual retail trade use as specified by Section 4.6.1 shall not exceed 65,000 sq. ft. Mezzanine areas up to 10% of the principal floor area shall not be included in this calculation.

4.7 Planned Travel Zone PT

4.7.1 Permitted Uses

Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the uses or use categories listed in the list below of special permit uses and indicated in the PT column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and the PT column of the Table of Permitted Uses and in the Special Requirements column of said Table.

Permitted Uses and Use Categories

Unless otherwise indicated, all uses and use categories require a special permit with design review approval by the Town Plan and Zoning Commission in addition to any other review that may be required.

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(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

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Sp — Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

Ambulance service
Archery range, indoor
Athletic club
Auditorium or coliseum
Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or organization
Billiard and pool hall
Boarding, rooming or lodging house (4) (1-6 persons)
Bowling
Broadcasting studio, message center or office
* Bus passenger terminal
Business services, except warehousing and storage and motor vehicle rental services
Day Care Center. EFFECTIVE AUGUST 16, 1988
Dwelling, single family, if existing on (the effective date of these Regulations) (no special permit)
Dwelling, two family, if existing on (the effective date of these Regulations) (no special permit)
Farm (17) (no special permit)
Finance, insurance and real estate services
Firing range, indoor
Golf, miniature
Governmental services
Historic and monument sites (20)
* Hotel/Motel/Inn
Motor vehicle carwash (Special Requirements, Section 6.3)
* Motor vehicle gasoline or service station (31) (approval of location by ZBA) (Special Requirements, Section 6.4)
Office, general and/or professional
Parking lot, public (36)
Parks (37) (no special permit)
Personal services
Platform Tennis, indoor and outdoor — AMENDED EFFECTIVE OCTOBER 12, 1976.
Professional services, except convalescent, nursing or rest home or sanitarium.
Recreation uses, non-profit
Retail trade — apparel and accessories
* Retail trade — automotive, marine craft, aircraft & accessories
* Retail trade — eating and drinking, without drive-in or curbside service (Special Requirements, Sec. 6.1 and 6.6)
Retail trade — food (Special Requirements, Sec. 6.1)
Retail trade — furniture, home furnishing and equipment
Retail trade — general merchandise
Retail trade — hardware
Retail trade — other (Special Requirements, Sec. 6.1)
Skating rink, ice and/or roller, indoor
Tennis court, indoor
Theater, legitimate and/or motion picture
Transmitting exchange or receiving station
* Transportation center
Utility — electric, gas and water

* NOTE: As to lots in the PT zone used or to be used for those uses designated above by an asterisk, they are, frontage, yard coverage and height requirements shall be those of the Planned Business & Development PBD Zone, notwithstanding any provision hereinafter contained in this

Section 4.7, except that the area and frontage requirements for motor vehicle or gasoline services stations shall be those set forth in Section 6.5 of these Regulations.

NOTE: As to single and two family dwellings existing on (the effective date of these Regulations) the area, frontage, yard, coverage and height requirements shall be those of the A Residence Zone.

4.7.2 — Permitted Accessory Uses

Customary accessory uses are permitted and those permitted in accordance with the list below and with the PT column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the Special Requirements column of said Table.

Permitted Accessory Uses and Use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc — Uses and use categories permitted as an accessory use.

Customary accessory uses (2)
Garage, parking (18)
Parking area, private (35)

In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

4.7.3 — Plan Of Development

For the purpose of assuring orderly and integrated development in a Planned Travel Zone PT, no building, structure, use or other form of development shall be established or constructed and no existing building, structure or use, other than existing single and two family dwellings, shall be enlarged or altered until a Plan of Development shall have been approved as part of the special permit with design review approval by the Town Plan and Zoning Commission and shall have been filed with the Town Clerk. Such plan shall be in accordance and consistent with the provisions of Section 12 of these Regulations. AMENDED EFFECTIVE MAY 30, 1981.

4.7.4 — Required Lot Area

Every parcel to be used for a use or uses permitted in the PT Zone shall have a minimum lot area of ten (10) acres, except that smaller legal lots of record under separate ownership may be developed and used for a permitted use provided by Town Plan and Zoning Commission finds that the Plan of Development for such lots has been formulated and integrated in a proper manner, taking into consideration the criteria set forth in Section 12 of these Regulations. Nothing herein is intended to limit the number of smaller lots that may be combined and developed under a single Plan of Development.

4.7.5 — Lot Frontage

Every lot shall have a minimum lot frontage of not less than four hundred (400) feet, except that the provisions set forth in 4.7.4 above for smaller lots shall also apply herein to lot frontage.

4.7.6 — Lot Coverage

All principal structures, with their accessory structures, shall cover not more than twenty percent (20%) of the area of the lot.

4.7.7 — Front Yard

There shall be a minimum front yard of seventy-five (75) feet for every principal building, provided, however, that if the required parking spaces are located to the rear or side of the building, the Commission may permit a front yard of not less than forty (40) feet.

4.7.8 — Side Yards

There shall be a minimum of two (2) side yards for every principal building with each side yard having a minimum width of fifty (50) feet, except that where, in the judgment of the Town Plan and Zoning Commission, the development of adjoining lots may best be accomplished by consolidated development of such lots, the Commission may modify or waive the side yard requirements, provided that:

- a. a Plan of Development for the consolidated parcel shall have the minimum side yards at each side lot line of the consolidated parcel; and
- b. where required, rights of access shall be mutually granted; and
- c. satisfactory agreements from the owners of such lots, in recordable form, are provided to insure the continued compliance of the consolidated parcel with these Regulations.

4.7.9 — Rear Yard

There shall be a minimum rear yard of fifty (50) feet for every principal building.

4.7.10 — Maximum Height Limit

No building shall exceed a height of three (3) stories or Forty-two and three-fourths (42³/₄) feet. *Amended 1/4/21*

4.7.11 — Required Open Space

Open space shall be provided and set aside in an amount at minimum equal to twice the area of the building lot coverage. All open space areas shall be landscaped and planted and shall be adequately protected and separated from paved areas to minimize damage from vehicles. Parking, loading areas, and access driveways shall not be counted in determining the amount of open space required in accordance with this subsection.

4.7.12 — Required Screening, Fencing and Buffer Strips

Fences, buffer strips and/or screening from other uses may be required by the Town Plan and Zoning Commission, except that where buildings will be located closer than one hundred fifty (150) feet from a residential zone or use and where access drives will be located closer than one hundred (100) feet from a residential zone or use, special provisions shall be provided and assured whereby the residential zone or use will be protected from excessive noise, lights, headlights, odor, traffic hazards and/or other possible detracting elements, and a detailed description shall be submitted at the time of the submission of the plan of development showing how such protection shall be provided.

4.7.13 — Floor Area — Retail Trade — AMENDED EFFECTIVE SEPTEMBER 17, 2007

The floor area of any individual retail trade use as specified by Section 4.7.1 shall not exceed 65,000 sq. ft. Mezzanine areas up to 10% of the principal floor area shall not be included in this calculation.

4.8 — Planned Industrial Zone PI

4.8.1 — Permitted Uses

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Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the uses or use categories listed in the list below of special permit uses and indicated in the PI column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and the PI column of the Table of Permitted Uses and in the Special Requirements column of said Table.

Permitted Uses and Use Categories

Unless otherwise indicated, all uses and use categories require a special permit with design review approval by the Town Plan and Zoning Commission in addition to any other review that may be required.

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Sp — Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

Auditorium or coliseum
Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or organization
Broadcasting studio, message center or office
Bus garaging and equipment maintenance
Business services, except warehousing and storage and motor vehicle rental services
Construction services—contract, indoor and outdoor, except salvage and wrecking services
Day-Care Center—EFFECTIVE AUGUST 16, 1988
Dwelling, single family, if existing on (the effective date of these Regulations) (no special permit)
Dwelling, two family, if existing on (the effective date of these Regulations) (no special permit)
Earth products, excavation and filling or removal of (Special Requirements, Section 6.2)
Farm (17) (no special permit)
Finance, insurance and real estate services
Governmental services
Health, Fitness and Recreational Uses — Indoor—EFFECTIVE JANUARY 30, 1995
Historic and monument sites (20)
Manufacturing—Apparel and their finished products excepting corrosive, poisonous and malodorous acids and chemicals and excepting glue, size, gelatin, fertilizer, fat rendering explosives (other than firearms or small arms ammunition), printing ink and carbon black—manufacturing
Manufacturing—Food and kindred products, except abattoir and slaughter house
Manufacturing—Lumber and wood products
Manufacturing—Printing, publishing and allied industries
Manufacturing—Professional, scientific and controlling instruments; photographic and optical goods; watches and clocks
Manufacturing—Stone, clay and glass products, except abrasive, asbestos and miscellaneous non-metallic mineral products—manufacturing, and concrete gypsum and plaster products—manufacturing, and structural clay products—manufacturing
Manufacturing—Textile mill products
Manufacturing—Miscellaneous, excepting that which is dangerous by reason of fire, radiation or explosion, or injurious, noxious or detrimental to the surrounding neighborhood by reason of the possible emission of excessive dust, odor, fumes, gas, smoke wastes, refuse matter, noise, vibration or because of any other objectionable feature, or is presently or in the future is likely to be a hazard or nuisance to adjacent property or the community at large, as determined by the Zoning Enforcement Officer, Fire Marshal, or Director of Health
Motor freight transportation terminal and garage
Motor vehicle general repair and service (29) (Approval of location by ZBA) (Special Requirements, Sec. 6.4)
Office, general of professional
Parks (37) (no special permit)
Professional services, except convalescent, nursing or rest homes or sanitarium

Recreation uses, non-profit
Retail trade—building materials and farm equipment
Skating rink, ice and/or roller, indoor
Tennis court, indoor
Transmitting exchange or receiving station
Utility—electric, gas and water
Vocational or Trade Schools (EFFECTIVE APRIL 2, 1985)
Warehousing
Wholesale Trade

NOTE: As to single and two family dwellings existing on (the effective date of these Regulations) the area, frontage, yard, coverage and height requirements shall be those of the A Residence Zone.

4.8.2 — Permitted Accessory Uses

Customary accessory uses are permitted and those permitted in accordance with the list below and with the PI column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the PI column of said Table.

Permitted Accessory Uses and Use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc — Uses and use categories permitted as an accessory use.

Customary accessory uses (2)
Garage, parking (18)
Parking area, private (35)

In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

4.8.3 — Plan Of Development

For the purpose of assuring orderly and integrated development in a Planned Business and Development Zone PI, no building, structure, use or other form of development shall be established or constructed and no existing building, structure or use, other than existing single and two family dwellings, shall be enlarged or altered until a Plan of Development shall have been approved as part of the special permit with design review approval by the Town Plan and Zoning Commission and shall have been filed with the Town Clerk. Such plan shall be in accordance and consistent with the provisions of Section 12 of these Regulations. Existing buildings, structures or uses that have never received a Special Permit with Design Review that are proposed to be altered or enlarged may be considered by the commission as a minor change in accordance with the criteria in Section 12.9. AMENDED EFFECTIVE MAY 30, 1981.

4.8.4 — Required Lot Area

Every parcel to be used for a use or uses permitted in the PI Zone shall have a minimum lot area of forty thousand (40,000) square feet, except that smaller legal lots of record under separate ownership may be developed and used for a permitted use provided by Town Plan and Zoning Commission finds that the Plan of Development for such lots has been formulated and integrated in a proper manner, taking into consideration the criteria set forth in Section 12 of these Regulations. Nothing herein is intended to limit the number of smaller lots that may be combined and developed under a single Plan of Development.

4.8.5 — Lot Frontage

Every lot shall have a minimum lot frontage of not less than one hundred fifty (150) feet, except that the provisions set forth in 4.8.4 above for smaller lots shall also apply herein to lot frontage.

4.8.6 — Lot Coverage

All principal structures, with their accessory structures, shall cover not more than twenty percent (20%) of the area of the lot for buildings designed for office, general and/or professional use. All principal and accessory structures designed for uses other than office may cover thirty percent (30%) of the area of the lot. In addition to compliance with all other sections of the Glastonbury Building-Zone Regulations, all buildings expanding their coverage or changing their use shall be subject to a Special Permit with Design Review in accordance with Section 12 of these Regulations. AMENDED EFFECTIVE DECEMBER 26, 1980.

4.8.7 — Front Yard

There shall be a minimum front yard of fifty (50) feet for every principal building, provided, however, that if the required parking spaces are located to the rear or side of the building, the Commission may permit a front yard of not less than twenty-five (25) feet. AMENDED EFFECTIVE JANUARY 27, 1992.

4.8.8 — Side Yards

There shall be a minimum of two (2) side yards for every principal building with each side yard having a minimum width of twenty-five (25) feet, except that where, in the judgment of the Town Plan and Zoning Commission, the integration of development of adjoining lots may best be accomplished by consolidated development of such lots, the Commission may modify or waive the side yard requirements, provided that:

- a. a Plan of Development for the consolidated parcel shall have the minimum side yards at each side lot line of the consolidated parcel; and
- b. where required, rights of access shall be mutually granted; and
- c. satisfactory agreements from the owners of such lots, in recordable form, are provided to insure the continued compliance of the consolidated parcel with these Regulations.

4.8.9 — Rear Yard

There shall be a minimum rear yard of twenty-five (25) feet for every principal building.

4.8.10 — Maximum Height Limit

No building shall exceed a height of two and one-half (2 1/2) stories or thirty-five and one-half (35 1/2) feet, except if a building is designed for office, general, and/or professional use excluding manufacturing, in which case no building shall exceed four (4) stories and a height of fifty-seven (57) feet. Amended 1/4/21

4.8.11 — Required Open Space

Open space shall be provided and set aside as follows:

On lots with buildings designed for office, general and/or professional uses; a MINIMUM OF 35% OF THE LOT AREA. On lots with buildings designed for uses other than office; a MINIMUM OF 30% of the lot area.

All open space areas shall be landscaped and planted and shall be adequately protected and separated from paved areas. Parking areas, loading areas, and access driveways shall not be counted in the determination of required open space. AMENDED EFFECTIVE SEPTEMBER 27, 1985.

4.8.12 ~~Minimum Distance And~~ Screening ~~From~~ ~~A~~ ~~from~~ a Residential Zone ~~Or~~ Use

All business and industrial buildings, structures and uses in the PC, PE and PI zones shall be located a minimum distance of at least one hundred (100) feet from the boundary line of any residential zone, and all parking areas shall be located a minimum distance of at least fifty (50) feet from the boundary line of any residential zone. Screening and landscaping of the open space adjoining any residential zone or residential use may be required by the Commission. ~~AMENDED EFFECTIVE JUNE 13, 1974.~~

In the PT zone, fences, buffer strips and/or screening from other uses may be required by the Town Plan and Zoning Commission, except that where buildings will be located closer than one hundred fifty (150) feet from a residential zone or use and where access drives will be located closer than one hundred (100) feet from a residential zone or use, special provisions shall be provided and assured whereby the residential zone or use will be protected from excessive noise, lights, headlights, odor, traffic hazards and/or other possible detracting elements, and a detailed description shall be submitted at the time of submission of the plan of development showing how much protection shall be provided.

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4.1 Residential Zones

4.1.1 Permitted Uses

In all residential zones, land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the Permitted (Prmt), Special Permit with Design Review (Sp) or Special Exception (Sx) uses or use categories indicated in the respective zone's column of the Table of Permitted Uses (Section 5.4), subject to such standards that may be referred to in the respective zone's column of the Table of Permitted Uses and the Requirements (Req.) column of said Table.

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4.1.2 Permitted Accessory Uses

Customary accessory uses (Acc) are permitted as indicated in the respective zone's column of the Table of Permitted Uses (Section 5.4), in accordance with any standards indicated in the Requirements (Req.) column of said Table.

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In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

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4.2 Planned Commercial/ Industrial Zones

4.2.1 Zones

The following Planned Non-Residential Zones are included in this Section:

Planned Business and Development (PBD)

Planned Commerce (PC)

Planned Employment (PE)

Planned Industrial (PI)

Planned Travel (PT)

4.2.2 Permitted Uses

In Planned Commercial/ Industrial Zones, land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the Permitted (Prmt), Special Permit with Design Review (Sp) or Special Exception(Sx) uses or use categories indicated in the respective zone's column of the Table of Permitted Uses (Section 5.4), subject to such standards as may be referred to in the respective zone's column of the Table of Permitted Uses and in the Requirements (Req.) column of said Table.

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4.2.3 Permitted Accessory Uses

Customary accessory uses (Acc) are permitted in accordance with the respective zone's column of the Table of Permitted Uses (Section 5.4), in accordance with any standards indicated in the Requirements (Req.) column of said Table.

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In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

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4.2.3 Plan of Development

For the purpose of assuring orderly and integrated development in Planned Commercial/ Industrial Zones, no building, structure, use or other form of development shall be established or constructed and no existing building, structure or use, other than existing single and two-family dwellings, shall be enlarged or altered until a Plan of Development shall have been approved as part of a Special Permit with Design Review approval by the Town Plan and Zoning Commission and shall have been filed with the Town Clerk. Such plan shall be in accordance and consistent with the provisions of Section 12 of these Regulations.

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4.9 (Not Used)

Insignificant Changes shall be approved in accordance with Section 12.10. Existing buildings, structures or uses that have never received a Special Permit with Design Review that are proposed to be altered or enlarged may be considered by the Commission as a Minor Change in accordance with the criteria in Section 12.9. AMENDED EFFECTIVE MAY 30, 1981.

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4.3 Reserved Land Zone RL

4.103.1 Purpose

The purpose of the Reserved Land Zone (RL) is to place lands and buildings owned, at the date of the adoption of this regulation, by a governmental unit, a department or branch of a governmental unit, or for a public service company furnishing water, electric or gas service in a special zone to ensure the proper, orderly and planned growth of such land in accordance with surrounding development and the Glastonbury Plan of Development.

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4.103.2 Permitted Uses

Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the Permitted (Prmt), Special Permit with Design Review (Sp) or Special Exception (Sx) uses or use categories listed in the list below of special permit uses and indicated in the RL column of the Table of Permitted Uses, (Section 5.4), subject to such standards as may be referred to in the list below and the RL column of the Table of Permitted Uses and in the Special Requirements (Req.) column of said Table.

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Permitted Uses and Use Categories

(0) Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Prmt Uses and use categories permitted as a matter of right subject to the conditions of the RL Zone and any other applicable provisions of these Regulations.

Sp Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

- Cemetery
Golf Course
Governmental Services
Recreation uses, non-profit
Schools—public (EFFECTIVE FEBRUARY 7, 1999)
Sewage and solid waste disposal
Utility—electric, gas and water

Any use or use category which may be permitted shall be limited to, and used exclusively for and by, the requirements of the government or utility owner.

4.103.3 Permitted Accessory Uses

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Customary accessory uses (Acc) are permitted and those permitted in accordance with the list below and with the RL column of the Table of Permitted Uses, (Section 5.4), subject to such standards as may be referred to in the list below RL column of the Table of Permitted Uses and in the RL Requirements (Req.) column of said Table.

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In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

Permitted Accessory Uses and Use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc — Uses and use categories permitted as an accessory use.

- Customary accessory uses (2)
- Parking area, private (35)

In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

4.114 Flood-Prone Area Regulations F effective 09-26-08

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4.114.1 Purpose

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The purpose of this Section is to apply special regulations to flood-prone areas in the Town. These special regulations are designed: (a) to prevent or minimize loss of life and injuries to persons and property and other losses, both private and public; (b) to promote the health, public safety and general welfare of the community; (c) to help control and minimize the extent of floods and reduce the impact and occurrence of flooding; (d) to preserve the floodplain as an environmentally, agriculturally, recreationally, and aesthetically valuable resource; and (e) to comply with minimum federal floodplain management criteria and to qualify property within the Town for flood insurance.

4.114.2 Definitions

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For the purpose of this Section 4.114 Regulation:

1. Base Flood – the flood having a one percent chance of being equaled or exceeded in any given year.
2. Base Flood Elevation (BFE) – the elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.
3. Basement – that portion of a building having its floor subgrade (below ground level) on all sides.
4. Commission – shall refer to the Town Plan and Zoning Commission of the Town of Glastonbury unless otherwise stated in these Regulations.
5. 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

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materials (interior finishing components, structural components, 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.

6. Development – any man-made direct or indirect change to improved or unimproved real estate, including, but not limited to, erection, placing or altering buildings or other structures, mining, dredging, filling, grading, excavation or drilling operations.
7. Federal Emergency Management Agency (FEMA) – the federal agency that administers the National Flood Insurance Program (NFIP).
8. 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.
9. Flood Insurance Rate Map (FIRM) – the official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas (100-year floodplain) and the insurance risk premium zones applicable to a community. FIRM published after January 1990 may also show the limits of the regulatory floodway.
10. Flood Insurance Study (FIS) – the official study of a community in which the Federal Emergency Management Agency (FEMA) has conducted a technical engineering evaluation and determination of local flood hazards, flood profiles and water surface elevations. The Flood Insurance Rate Maps (FIRM), which accompany the FIS, provide both flood insurance rate zones and base flood elevations, and may provide the regulatory floodway limits.
11. Flood Zone – a floodplain or belt or low ground bordering a river or stream channel which may be inundated by stream waters as often as once or more each year and as infrequently as once in every one hundred years.
12. 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 (1.0) foot. For the purpose of these regulations, the term “Regulatory Floodway” is synonymous in meaning with the term “Floodway”.
13. 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.
14. Functionally Dependent Use or Facility – a use or facility that 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.
15. Highest Adjacent Grade (HAG) – the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
16. 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

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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; (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.

17. Incremental Fill – fill, including any material or structure used for the purpose of changing the elevation or contour of property subject to these Regulations or which would have the effect of displacing water or flood storage capacity of the property, proposed to be brought onto the property or deposited, erected or developed on such property. Shifting of existing contours without the addition of new fill from off-site and which does not reduce the existing flood storage capacity of the subject property shall not be considered Incremental Fill.
18. Lowest Floor – the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor.
19. Manufactured Home – a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. Recreational vehicles and similar transportable structures placed on a site for 180 consecutive days or longer shall be considered manufactured homes for the purpose of this Regulation.
20. Manufactured Home Park or Subdivision – a parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.
21. Market Value – market value of the structure (shall be determined by an independent appraisal by a professional appraiser).
22. Mean Sea Level (MSL) – 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 (FIRM) are referenced.
23. New Construction – structures for which the "start of construction" commenced on or after the effective date of this Regulation (not the revision date).
24. Recreational Vehicle – a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light-duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
25. Special Flood Hazard Area – the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. SFHAs 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 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. SFHAs include, but are not necessarily limited to, the land shown as Zones A, A1-30, AE, AO and AH on a FIRM. The SFHA is also called the Area of Special Flood Hazard.

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26. Start Of Construction – (for other than new construction of substantial improvements under the Coastal Barrier Resources Act (p.1g, 97-348)), includes substantial improvements, and means the date the building permit was issued, provided the actual start of the 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 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 replacement 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 of 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, whether or not that alteration affects the external dimensions of the building.
27. Structure – a walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.
28. Substantial Damage – damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50%) percent of the market value of the structure before the damage occurred.
29. Substantial Improvement – any combination of repairs, reconstruction, alteration or improvements to a structure, taking place during (the life of a structure) (a one (1) year period), in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure. The market value of the structure should be (1) the cost approach to appraisal of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes 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 any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.
30. 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.
31. Violation – 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.
32. Water Surface Elevation – that 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.

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4.14.3 General Provisions

- a. Land to which these Regulations apply:
These Regulations shall apply to all property in the Flood Zone.

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b. Basis for Establishing the Boundaries and Elevations of the Flood Zone:

The Flood Zone is established on the basis of a scientific and engineering report and accompanying maps, as such maps may be updated from time to time, entitled:

Flood Insurance Study
Town of Glastonbury, Connecticut
Hartford County
All Jurisdictions
Volumes 1-7
Effective September 26, 2008
Federal Emergency Management Agency

And

Flood Insurance Rate Maps
Town of Glastonbury, Connecticut
Hartford County
Community No.: 090124
Map Panels Affected: 09003C,
0507F, 0509F, 0517F, 0519F, 0526F,
0527F, 0528F, 0529F, 0531F, 0532F,
0533F, 0534F, 0536F, 0537F, 0538F,
0541F, 0545F, 0553F, 0555F, 0561F, 0562F
Effective September 26, 2008
Federal Emergency Management Agency

The Flood Zone shall be clearly designated on the zoning map of the Town. The limits of the Flood Zone shall include the A-1 through 30 zones, and unnumbered A-zones, designated on the Flood Boundary and Floodway Maps, and Flood Insurance Rate Maps.

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When base flood elevation or floodway data have not been provided, then the Commission shall obtain, review and reasonably utilize any base flood elevation or floodway data available from a federal, state or other source in order to administer the provision of these Regulations. When utilizing data other than that provided by the Federal Emergency Management Agency the following standard applies: Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot at any one point. The Commission or its designee shall make determinations, where needed, of the exact location of the boundaries of the limits of the Flood Zone (for example, where there appears to be a conflict between a mapped boundary and actual field conditions or where recurrence-interval flood data is unavailable).

The maps and study are adopted by reference and declared to be a part of these Regulations and any subsequent revisions thereto, are adopted by reference and declared to be part of this regulation. Since mapping is legally adopted by reference into the regulation it must take precedence when more restrictive until such time as a map amendment is obtained.

c. Permits Required; Manufactured Homes (as defined by FEMA) Prohibited:

No development of any property within the Flood Zone shall be permitted except in compliance with the terms of these Regulations and subject to the terms and conditions of a Permit or Special

Permit authorizing such development. Manufactured homes and manufactured home parks are prohibited in the Flood Zone.

d. Warning and Disclaimer of Liability:

The degree of flood protection required by these Regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Compliance with all provisions of these Regulations, however, is not intended to insure against actual flood damage to persons or property. Compliance with the provisions of these Regulations is not to be considered an undertaking by the Town of Glastonbury to indemnify or otherwise hold harmless any person from damage to person or property resulting from floods. Larger floods than anticipated by these Regulations can and will occur on occasion. Flood heights may be increased by man-made or natural causes. This regulation does not imply that land outside the limits of the specified recurrence-interval flood, or uses permitted within such areas, will be free from flooding or flood damage. These Regulations shall not create liability on the part of the Town of Glastonbury or any subdivision thereof, or any official or employee thereof or member of any Town body or commission, or the Federal Insurance Administration, for any flood damage which may result from compliance with these Regulations or any administrative decision made thereunder.

4.114.4 Administration

a. Designation of the Town Plan and Zoning Commission:

The Glastonbury Town Plan and Zoning Commission, acting through its staff within the Office of Community Development, shall be the sole agent for issuance of Permits and Special Permits under these Regulations. Any application submitted to the Commission shall be referred to the Conservation Commission for technical review and recommendation. The Commission's Staff, the applicant or any aggrieved party may petition the Commission, or the Commission on its own motion may determine, to review any action of the Commission's staff or to hold a public hearing on any application for a Permit or Special Permit or to direct its staff to take specific action with respect to such application.

b. Permits and Special Permits:

1. Permit and Special Permit Reviews – The Commission or its staff shall review all Permit and Special Permit applications to determine that the Permit requirements have been satisfied and may issue Permits and Special Permits in accordance with this Section and Section 4.114.5.

2. All Permit and Special Permit applications shall be reviewed to determine if the proposed development adversely affects the flood carrying capacity of the area within the Flood Zone. No Permit or Special Permit may be issued where such development adversely affects the flood carrying capacity of the area within the Flood Zone. For purposes of these Regulations, "adversely affects" means that the cumulative effects of the proposed activity or development, when considered with all other existing and anticipated development, will:

i.) raise to any extent the water surface elevation within the Floodway, as that term is defined in Section 4.114.2e.

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- ii.) where no floodway exist, raise to any significant extent the water surface elevation to the 100-year recurrence-interval flood. The minimum significant shall mean for this provision, is not more than one (1) foot increase in base flood (100 year) elevation at any point along the watercourse with all anticipated and existing development.
- iii.) raise the water surface elevation of the 500-year recurrence-interval flood by an amount likely to endanger persons or property by increasing significantly the flood hazard affecting the subject property or other property within the Town, whether or not abutting the subject property.

Proposed activities or development shall be presumed to adversely affect the flood carrying capacity of the Flood Zone if any Incremental Fill is to be placed on the subject property.

c. Alteration of Watercourses:

The Commission's staff shall notify adjacent communities and the Connecticut Department of Environmental Protection prior to authorizing any alteration or relocation of a watercourse, and shall submit evidence of such notification to the Federal Insurance Administration. In the event such alteration or relocation is permitted, the Permit or Special Permit shall require that the altered or relocated portion of said watercourse shall be maintained, at no expense to the Town, so that its flood carrying capacity is not diminished.

d. Notification:

The Commission's staff shall notify the Regional Planning Agency and the affected municipality at least 35 days prior to the public hearing if any changes of regulation or use of a Flood Zone will affect an area within 500 feet of another municipality.

4.114.5 Permit Procedures:

a. Application for a Permit or Special Permit under these Regulations shall be made on forms furnished by the Commission or its staff and shall include, but shall not be limited to, plans in duplicate (drawn to scale), showing the location, dimensions, and both existing and proposed contours at 0.5 foot contour intervals of the subject property, existing or proposed structures, fill, storage of materials, drainage facilities, and such other information as the Commission or its staff may reasonably request. Specifically, the following information is required:

- 1. Each applicant shall submit for filing with the Office of Community Development the actual as-built elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures;
- 2. For all new or substantially improved flood proofed structures, the applicant shall be required to submit to the Office of Community Development:
 - a.) Actual as-built elevation (in relation to mean sea level); and
 - b.) Flood proofing certificates required in Section 4.114.6.
- 3. Elevation (in relation to mean sea level) of the lowest floor (including basement) of all structures;

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4. Elevation (in relation to mean sea level) to which any structure has been flood proofed;
5. Certification by a registered professional engineer or architect that the flood proofing methods for any structures meet the minimum flood proofing criteria in Section 4.114.6;
6. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development and proposed maintenance of such watercourse;
7. Amount of Incremental fill proposed to be deposited;
8. Proof satisfactory to the Commission or its staff that the applicant has received all necessary federal, state and local permits for the proposed activity or development, including any permit which may be required under Section 404 of the Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. Sec. 1334); and
9. Proof that adequate drainage would be provided, acceptable to the Department of Engineering and Physical Services, associated with any activity within the Flood Zone.

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b. Permitted Uses In Flood Zone:

Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the [Permitted \(Prmt\)](#), [Special Permit with Design Review \(Sp\)](#) or [Special Exception \(Sx\)](#) uses or use categories listed in the list below of Permit uses and Special Permit uses and indicated in the F column of the Table of Permitted Uses; (Section 5.4), subject to such standards as may be referred to in the list below or in the F column of the Table of Permitted Uses, in the [Special Requirements \(Req.\)](#) column of said Table and in accordance with other applicable criteria in these Regulations. All uses designated as Special Permit uses shall also be subject to the Design Review requirements of Section 12 of the Building Zone Regulations.

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P - Permit
 SP - Special Permit

Flood Zone	Agricultural	Farm	Historic and monumental Sites	Parks	Aircraft Landing Fields	Golf Courses	Governmental Service
	P	P*	P	SP	SP	SP	SP

Flood Zone	Public and Private Roads	Marina	Recreation Area: Non-Profit	Sewage and Solid Waste Disposal	Utility: Electric, Gas, Water	Bazaars, Carnivals, Similar Uses	Golf Driving Range
	SP	SP	SP	SP	SP	SP	SP

*Excluding a dwelling, or premises used for the keeping of livestock, when a farm is located in the Flood Zone.

c. **Special Permit Requirements:**

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The Commission may grant a Special Permit for activities to be performed in the Flood Zone, provided the following special criteria are met, in addition to the information required in the remainder of this Section for Permits, as demonstrated by supplemental information to be submitted by the applicant:

1. Certification from a civil engineer, registered in the State of Connecticut, that floodway functions will not be adversely affected by the proposed activity.
2. A favorable report on the engineering design of the project from the Town Engineer/Director of Physical Services.
3. Preparation and submission by the applicant of an environmental and flood area impact statement indicating that the proposed activity will not have a significant adverse impact upon the environment or on the flood storage capacity or flow.

4.114.6 Flood Zone Area Requirements:

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a. **General Requirements:**

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The following nonexclusive list of requirements shall be applied to all projects located within the Flood Zone:

1. **Anchoring:**
 - a.) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of any structure.
2. **Construction Materials and Methods:**
 - a.) All new construction and substantial improvements shall be constructed with materials and equipment resistant to flood damage or at an elevation above the base flood elevation;
 - b.) All new construction and substantial improvements, including public facilities/utilities projects, shall be constructed using methods and practices that minimize flood damage;
 - c.) 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.
3. **Utilities:**
 - a.) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system, by appropriate flood proofing or by elevation above the base flood elevations.

- b.) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the system into flood waters; and
 - c.) On-site waste disposal systems shall be located to avoid impairment to the system or contamination from the system during flooding.
4. Standards for streams without established base flood elevations, floodways and/or flood mapping:
- a.) The Town Plan and Zoning Commission shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, including data developed pursuant to Section 4.11.4.3.b. or 4.11.6.1.d, of these Regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community's Firm meet the standards in Section 4.11.6.b.
 - b.) In a zone where base flood elevations have been determined, but before a floodway is designated, no new construction, substantial improvement, or other development (including fill) shall be permitted which will increase base flood elevations more than one (1) foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.
 - c.) The Town Plan and Zoning Commission may request floodway data of an applicant for watercourses without FEMA published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the request of the Town or not), the Town shall adopt a regulatory floodway based on the principle 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.
5. Compensatory Storage: the water holding capacity of the floodplain, except those areas that 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 a 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. 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 analyses performed in accordance with standard

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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.

7. Above-ground Storage Tanks: above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.
8. Portion of Structure in Flood Zone: if any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.
9. Structures in Two Flood Zones: if a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.
10. No Structures Entirely or Partially Over Water: new construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water.

b. Specific Requirements:

The following specific requirements shall be applied to all construction activities proposed to be conducted in the Flood Zone:

1. Residential Construction:

No new residential construction shall be conducted within the Flood Zone. Substantial improvement of any existing residential structure shall have the lowest floor (including basement) elevated to or above the elevation of the 500-year recurrence-interval flood.

No subdivision related construction activities, residential or otherwise, shall be conducted within the Flood Zone. Base flood elevation data shall be required for subdivision proposals to ensure that construction activity does not occur within the Flood Zone.

2. Nonresidential Construction:

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to or above the level of the 500-year recurrence-interval flood or, together with attendant utility and sanitary facilities, shall:

- a.) Be flood proofed so that below the 500-year recurrence-interval flood level the structure is watertight with walls substantially impermeable to the passage of water;
- b.) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effect of buoyancy; and
- c.) Be certified by a registered professional engineer or architect who shall review and/or develop structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of these Regulations.

3. All new construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls, specifically:

- a.) Designs for complying with this requirement must either be certified by a professional engineer or architect, or meet the following minimum criteria:
 - i.) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - ii.) The bottom of all openings shall be no higher than one foot above grade;
 - iii.) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions. Other coverings must be designed and certified by an engineer or approved by the Town Plan and Zoning Commission;
 - iv.) Electrical, plumbing, and other utilities are prohibited below the base flood elevation;
 - v.) Use of the enclosed area shall be limited to parking of vehicles, limited storage of maintenance equipment used in connection with the premises, and access to the building.

4. Recreational vehicles placed on sites within a Flood Zone, shall (i) be on the site for fewer than 180 consecutive days, and (ii) be 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.

c. Deficiencies:

Deficiencies detected by the review of the above listed shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit

the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

4.114.7 Waivers

1. A waiver can be granted from all or any portion of the requirements of these Regulations after notice and public hearing before the Commission.
2. Waivers shall not be issued within any designated floodway if any increase in flood levels during a 100-year recurrence-interval flood would result.
3. Waivers shall only be issued upon a determination that the exception is the minimum necessary, considering the flood hazard, to afford relief.
4. Waivers shall only be issued upon:
 - a.) a showing of good and sufficient cause;
 - b.) a determination that failure to grant the exception would result in unusual financial or other hardship to the applicant; and
 - c.) a determination that the granting of the exception will not result in significant increased flood heights, any additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing state or local laws or ordinances.
5. Waivers are normally limited to property having an area, in the aggregate, of one-half acre or less, but may be issued for larger parcels if the technical justification, in terms of preservation of flood storage capacity and minimization of flood heights, increases to an extent which is commensurate with the added risk of granting the exception on the larger lot.
6. Any applicant to whom a waiver is granted shall be given written notice by the Commission's staff that (i) the issuance of an exception to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all waiver actions.
7. Waivers may be issued from all or any portion of the requirements of these Regulations for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historical Places of the State Inventory of Historic Places, without regard to compliance with the procedures set forth hereinabove. No renovations or alterations may be made to a historical structure without due consideration and effort to incorporate design concepts which, while preserving the historical character of the building, will also serve to reduce the potential for future flood damage and threat to human life and property.
8. In issuing a waiver, the Town Plan and Zoning Commission shall consider all technical evaluations, all relevant factors, all standards specified in other sections of these Regulations, and:

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- a.) the danger that materials may be swept onto other lands to the injury of others;
- b.) the danger to life and property due to flooding or erosion damage;
- c.) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- d.) the importance of the service provided by the proposed facility to the community;
- e.) the necessity of the facility to waterfront location, in the case of a functionally dependent facility;
- f.) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- g.) the compatibility of the proposed use with existing and anticipated development;
- h.) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- i.) the safety of access to the property in times of flood for ordinary and emergency vehicles;
- j.) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
- k.) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges. Upon consideration of the factors listed above, the Town Plan and Zoning Commission may grant a waiver.

Land located in the Flood Zone may be removed from that zone only after it has been demonstrated to the satisfaction of the Commission and the Town Council by an individual or firm considered expert and experienced in the preparation of hydraulic and hydrologic studies and determination of flood lines, that the area in question is not prone to the hazards of flooding, following submission and acceptance of favorable reports by the Office of Community Development and Town Engineer/Director of Physical Services. A Letter of Map Change (either a Letter of Map Revision or Letter of Map Amendment) that confirms a property is outside the Flood Zone, from the Federal Emergency Management Agency shall be required.

The applicant shall submit five (5) copies of the report submitted by the above expert(s), accompanied by a map of the affected area, duly certified by a professional engineer registered with the State of Connecticut, and prepared to A-2 standards at 0.5 foot contour intervals. The Commission shall submit two (2) copies of the report to the Federal Insurance Administration for its approval. Approval of the amendment shall be contingent upon approval by the Federal Insurance Administration. Effective date of the amendment shall be the date of official notification of approval by the Federal Insurance Administration.

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Any tracts of land located in more than one zone must meet the requirements of the zone having the highest minimum tract size requirements.

Notwithstanding the foregoing, the minimum tract size for which an application may be made in a residential zone for a PAD exclusively for Housing for the Elderly, as those terms are defined in these Regulations, or for a PAD in the Residence A or Residence AA Zone that devotes 20% or more of its units as Affordable Dwelling Units, as those terms are defined in these Regulations, is 3.5 acres.

Amended - effective August 18, 2011

4.125.3 Standards

- a. Waiver: Those sections of the Glastonbury Building-Zone Regulations governing: Use Regulations (Section 4); Table of Permitted Uses (Section 5); Special Regulations (Section 6); Accessory Uses and Structures (Section 7); Nonconforming Uses (Section 8); Off-street Parking and Truck Loading (Section 9); and Unified Sign Regulations (Section 10) which conflicts with the Final Development Plan for the Planned Area Development Zone as approved by the Town Council, shall be deemed to be waived as a result of such Council approval.
- b. Mixed Land Uses: Mixed land uses may be permitted in a Planned Area Development Zone, provided that in the case of any proposed use or uses in the Planned Area Development Zone which are not permitted in the underlying zone(s) by Section 4 and Section 5 of these Regulations, the total land area or total gross floor area (which is greater) of such use or uses shall not exceed ten percent (10%) of the total land area or total gross floor area (whichever unit of measurement is used in the first instance) of the Planned Area Development Zone in the case of any underlying residence zone and twenty percent (20%) of the total land area or total gross floor area (whichever unit of measurement is used in the first instance) of the Planned Area Development Zone in the case of any underlying non-residence zone except that the aforementioned restriction shall not apply to the types of residential units (single-family, two-family, multi-family, detached, semi-detached, attached) in the case of residential uses when the Planned Area Development is to be located in an underlying residence zone. No industrial Planned Area Development shall be permitted in any residential zone, nor shall a residential Planned Area Development be permitted in an industrial zone.
- c. Definitions

Section 4.125.3.c amended – effective April 29, 2007

For the purposes of this section 4.125.3(c)(1)&(2), the following definitions shall apply:

“100-year flood hazard area (Zone A)” shall mean property located within a floodplain with a flood frequency of every 100 years or greater designated Zone A on the municipal flood hazard maps or by more detailed survey.

“Unbuildable Property” shall mean property with any one of the following characteristics: inland wetland or watercourse; slopes with an incline of 25% or greater; or 100-year flood hazard area (Zone A).

"Buildable Property" shall mean all property that is not Unbuildable Property as defined above.

“Housing for the Elderly” shall mean housing restricted for those persons 62 years of age and older. In a multiple occupancy dwelling at least one of the occupants must be 62 years of age or older.

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“Affordable Dwelling Unit” is an owner occupied residential dwelling, containing not more than 1,600 square feet of living area (excluding basements, seasonal porches/decks) for which persons/families pay up to 40% of their gross monthly income for mortgage principal and interest, private mortgage insurance, property taxes, and insurance and common charges if the unit is part of a common interest community. Gross income shall be equal to or less than the low (80%) income levels established by the U.S. Dept. of Housing and Urban Development for the Hartford-West Hartford-East Hartford, CT HMFA, as may be amended from time to time.

Amended - effective August 18, 2011

(1) Residential Unit Density

Dwelling Units per Acre: The Maximum Residential Dwelling Units per acre of Buildable Property of a Planned Area Development shall be in accordance with the following table:

<u>UNDERLYING</u>	<u>DWELLING UNITS PER ACRE</u>
Residence A Zone	3
Residence AA Zone	1.8
Residence AAA Zone	0.9
Rural Residence Zone	1
Country Residence Zone	0.5
South Glastonbury Village Residential	3

Where lands proposed for a Planned Area Development contain Unbuildable Property, the number of dwelling units shall be limited to the number of dwelling units allowed per acre of Buildable Property.

An exception may be made to the above table in accordance with the following three provisions:

- a) Up to a maximum of 11 units per acre of Buildable Property for housing for the elderly or elderly congregate housing may be allowed.
- b) The Town Council at its sole discretion based upon a finding of significant public benefit may allow one (1) additional dwelling unit for each acre of property defined as Unbuildable Property if the land is dedicated to the Town and accepted by the Town Council, provided, however, that the total number of dwelling units per acre of Buildable Property shall not exceed twice the density specified in the above table. Prior to a finding of significant public benefit, the Town Council, at a minimum, shall consider how the project protects and promotes the public health, safety or welfare, sound planning and community aesthetics.
- c) In a Planned Area Development which includes Buildable Property designated and accepted by the Town Council at its sole discretion based upon significant public benefit as open space to be deeded to the Town, the number of dwelling units shall adhere to the residential density table set forth above based on the total buildable property including the land dedicated to the Town, provided, however, that the total number of dwelling units per acre of Buildable Property not deeded to the Town shall not exceed twice the density specified in the above table. Prior to a finding of significant public benefit, the Town Council, at a minimum, shall consider how the

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project protects and promotes the public health, safety or welfare, sound planning and community aesthetics.

Section 4.25.3(2) Affordable Dwelling Units Amended - effective August 18, 2011

- a) **Purpose** To provide for the construction of owner occupied affordable dwelling units as encouraged by the 2007-2017 Plan of Conservation and Development in conjunction with a Planned Area Development in accordance with the following.
- b) **Standards** Persons/families purchasing an affordable dwelling unit shall pay not more than 40% of their gross annual income for mortgage principal and interest, property taxes, and insurance and common charges if the unit is part of a common interest community. Gross income shall be equal to or less than the low (80%) income levels established by the U.S. Dept. of Housing and Urban Development for the Hartford-West Hartford-East Hartford, CT HMFA, as may be amended from time to time (February 2010 limit for a family of four is \$64,000).

A PAD that provides affordable dwelling units shall be allowed in underlying Residence A and Residence AA zoning districts served by public water and sanitary sewer in accordance with the following.

<u>Percentage of Affordable Dwelling Units to be Constructed</u>	<u>Allowed PAD Site Density/Acre of Buildable Property</u>	
	<u>Underlying Zone Residence A</u>	<u>Underlying Zone Residence AA</u>
	20% or more	6 units/acre

- c) **Development Schedule** The PAD Final Development Plan shall delineate the location of each Affordable Dwelling Unit. The Affordable Dwelling Units shall be constructed and certificates of occupancy issued at a rate that is approximately equal to the proportion of Affordable Dwelling Units versus total project units.

Restrictive Covenants Approval of Affordable Dwelling Units as part of a PAD shall be conditioned upon the execution of a contract with the Town of Glastonbury. The contract shall contain a) provisions insuring the dedication and maintenance of the Affordable Dwelling Units for at least 20 years; b) the initial sales price for each Affordable Dwelling Unit, as approved by the Town Council; c) the selection criteria and procedure for determining eligible persons or families purchasing an Affordable Dwelling Unit; d) provisions for the resale or conveyance of Affordable Dwelling Units; e) establishment of standards and conditions controlling the assessment of recurring maintenance fees/charges if the Affordable Dwelling Units are part of a common interest ownership community (condominium); f) provisions prescribing the manner in which resale restrictions will be established and enforced; g)

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provisions for indemnifying the Town from any liabilities, damages or claims arising out of or in connection with the terms of the agreement; and h) provisions governing the enforcement and continued effectiveness of the agreement. A copy of this agreement shall be filed on the Glastonbury Land Records.

- d. Evaluation: In evaluating the appropriateness and proposed density of the development, consideration shall be given to, among other things, the recommendations of the adopted Town Plan of Development for the area being considered, the development's association with or relationship to business or village centers, either existing or future, as shown on the adopted Town Plan of Development, the distance from such centers, the relationship with the nearness to dedicated and/or preserved areas of open space, the nature and type of surrounding development, access to commercial, recreational and other community facilities, availability or existing or potential public transportation, the transitional character of the development to existing or potential developments, impact on highways and other public facilities, including utilities, preservation of the character of existing neighborhoods, and satisfaction of any other standards set forth in this regulation..
- e. Lights: Outdoor Lighting shall be shielded and directed so that the light source, or light from internally lit signs or fixtures, shall not be seen at the property line of adjacent properties or properties across a street of highway from said zone. All lights shall be shielded so that indirect light falling outside the Planned Area Development Zone into areas shall be of low intensity.
- f. Drainage: An adequate storm and surface water drainage system shall be provided with outfall to a natural watercourse or existing adequate storm drainage system, except that in order to reduce drainage structures and recharge water tables, storm drainage shall be led, where possible, into marshes, wet areas, or impoundments. Provision shall be made to dispose of surface water which now drains naturally into the Planned Area Development form adjoining properties, with proper allowance for increased intensity of flow due to future developments. Erosion shall be controlled by, among other things, preserving trees, plant cover, and topsoil; avoiding the creation of steep, open slopes; and grading, seeding, or otherwise stabilizing open, excavated areas. Natural streams, whether intermittent or year round, shall be left in their natural state and insofar as practicable lot layouts shall provide for streams to be located on side or rear lot lines or in public open spaces.
- g. Building Intensity: Buildings shall cover a total of not more than one-third (1/3) of the land area of a Planned Area Development used for nonresidential uses, Affordable Rental Housing, Moderate Priced Housing, or Elderly or elderly Congregate Housing. Buildings shall cover a total of not more than one-sixth (1/6) of the land area of the Planned Area Development used or designed, arranged or intended to be used for other residential uses. In determining such total residential or non-residential use area, buffer areas and the paved areas of public highways, common drives, and off-street parking lots shall be excluded. The Town Council may vary and the Town Plan and Zoning Commission may recommend that the Council vary the one-third (1.3) building coverage requirement for nonresidential uses when in its opinion the proposed use(s) carries out and it consistent with the intent of this regulation.
- h. Building Height: No building shall exceed a height of thirty-five (35) feet, except that the Council may allow buildings to have a greater height when ~~fire fighting~~firefighting feasibility is satisfactory in consideration of the report submitted by the Fire Marshal under Section 4.425.4.b below, and other information which might be included in the record.
- i. Area Relationships: The proposed Planned Area Development Zone shall relate properly to proposed land uses, traffic circulation patterns, and utility plans as may be shown in the adopted Town Plan of Development. The proposed Planned Area Development Zone shall also relate properly to such land uses and zoning as may exist at the time of the application, and shall protect the property values of surrounding neighborhoods.

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- j. Open Space: Open space set aside or established pursuant to the density provisions of this section may be made available for public use at the option of the applicant and the Council. If not so dedicated, adequate provisions shall be made for the maintenance and upkeep of such open space, including recreational and public facilities provided therein, by an organization set up by the developer with the power of obtaining assessments through enforceable covenants against privately owned land within the development. Nothing set forth above shall be construed either as a requirement or obligation on the part of the Town of Glastonbury to make any repairs or improvements to any property subject to these covenant and restrictions or to enforce any covenant or restriction contained herein.

4.125.4 Procedure and Application

The procedure of making application for and obtaining approval of a Planned Area Development Zone shall be governed by the laws applicable to all zone changes in the Town of Glastonbury.

At the time of submission of a preliminary proposal, the applicant shall be informed of the schedule of fees on file in the Town Plan and Zoning Commission office covering the application and its processing including any special studies required. Such fees, as approved by the Town Council and the Town Manager, shall be paid by the applicant at the time of submission of the Final Development Plan.

- a. Preliminary Development Plan: The applicant shall submit four (4) copies of a Preliminary Development Plan to the Commission. The Town Plan and Zoning Commission and Town Council, either jointly or severally, shall hold a public hearing, or hearings as the case may be within sixty (60) days of acceptance of a complete Preliminary Development Plan. Date of acceptance shall be the next regularly scheduled meeting of the Commission. After receipt of the Preliminary Plan and before public hearing, it shall not be submitted to any commission or board. The Chairman of the Town Council shall chair the joint hearing on the Preliminary Development Plan. Notice of the hearing shall be published in a newspaper of general circulation in Glastonbury at least twice at intervals of not less than two (2) days prior to the date of such hearing, and also sent at least fifteen (15) days before such hearing, and also sent at least fifteen (15) days before such hearing, by ordinary mail, to owners as appearing on the Assessor's records of land within five hundred feet of the area to be rezoned. Such notice shall indicate the time, date, and place of said hearing, the general location of the land involved in the zone change, the type of development, and ~~that~~ copies of the Preliminary Development Plan are available in an appropriate location for inspection. At the hearing on the Preliminary Plan of Development, the applicant shall present such plan, which will contain at a minimum the proposed uses, building and major structure layout, road and parking patterns, proposed recreation and open space, density, architectural style of buildings, the names and owners of property as appearing on the Assessor's records of land within five hundred (500) feet of the area to be rezoned, and benefits of this Planned Area Development to the Town. The purpose of this hearing is to receive input from the public and comment and suggestions from the Commission and Council which would allow the applicant to decide whether to proceed with the expense of preparation of the Final Development Plan. The applicant may return for further guidance to a Planned Area development Subcommittee of Commission and Town Council members. The applicant may make such changes to the Preliminary Development Plan as he deems appropriate, provided, however, the Commission may within its discretion, if it considers those changes substantial, require the submission of a new Preliminary Development Plan to a public hearing. The Town Council or Town Plan and Zoning Commission may approve, approve with stipulations or disapprove the Preliminary Development Plan. Any opinions or suggestions expressed by members of the Commission or Council as to the Preliminary Development Plan shall be tentative only and shall not hinder or preclude such members from making an independent judgment as to the Final Plan of Development based upon all evidence in the record at the time of a final decision.

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b. Subsequent to the hearing on the Preliminary Development Plan, the Final Development Plan shall, where applicable, be prepared and certified by a licensed architect, or a professional civil engineer, and shall include or be accompanied by the following information unless specifically waived:

1. Location and zone of property and nature of owner's interest, including a boundary map certified to State of Connecticut A-2 map survey standards, which map is to be adopted as description of the zone boundaries.
2. Present and proposed land and building uses, categorized as residential, non-residential, or both, and the acreage assigned to each.
3. Proposed dwelling unit densities pursuant to Section 4.125.3c above, including the number of dwelling units and rooms within the units.
4. Building intensities pursuant to Section 4.125.3g above, including use, dimensions and locations of present and proposed structures.
5. Proposed vehicular and pedestrian circulation patterns, including location and dimension of private and public streets and common drives.
6. Location of proposed off-street parking areas with dimensions, including location, size and number of parking spaces, access routes, parking barriers and walkways.
7. Proposed pedestrian walks, malls and other paths, public and private.
8. Proposed open space such as parks, lawn areas, and recreational facilities, and such proposed covenants, easements and other provisions relating to dimensions, location and density of such building units and public facilities as are necessary for the welfare and maintenance of the development and are not inconsistent with the best interests of the Town.
9. Landscaping, present and proposed, including major tree and shrub area, present and proposed water elements, and related treatment of open space, screening, present and proposed topography.
10. Proposed utilities, including water supply, sewage disposal, electrical service, exterior lighting and drainage, including capacity and additional flow produced for water courses utilized. If within area not presently served but within a master utility plan, a utility system which will be adaptable to municipal services when provided.
11. Preliminary building plans, including schematic floor plans, exterior elevations and perspective drawings.
12. Description of types of building materials and facing, including fire retardant characteristics for all proposed buildings.
13. Relation to existing and future land uses in the surrounding area.
14. Priority schedule of construction of the various units, buildings, landscaping, and other elements of the plan.
15. Future division of property among landowners either by building or other reasonable separations.
16. Any other information which the Commission may reasonably require or the applicant may wish to submit.
17. If non-residential land uses are proposed, or if the residential density shall exceed the amount shown in the residential density table set forth in Section 4.125.3c above, a traffic survey of the area as it may be affected by the proposed development, including present and anticipated traffic counts, flow patterns, and capacity analysis of present and proposed interchanges, intersections and entrances serving the development shall be done by a professional engineer licensed to practice in the State of Connecticut. In addition, a

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report on these items and other security-related items shall be submitted from the Chief of Police.

18. A report from the Fire Marshal on firefighting feasibility of the proposed development.
19. A statement from the Town Sanitarian of the adequacy of solid wastes, disposal, and if no public sanitary sewers are available, private sewage disposal system.
20. A statement from the Town Engineer in reference to adequacy of drainage, public street design, the design of elements to be served by the Department of Public Works, and the engineering validity, as the design relates to the roads and utilities of the Town.
21. A statement from the Sewer Commission on the adequacy of the public sanitary sewers and treatment facilities if public sanitary sewers are available.
22. A statement from the Community Beautification Committee on the adequacy and design of proposed planting and landscaping plans and implementations program thereof.
23. A statement from the Conservation Commission on the environmental impact of the proposed development.
24. A statement from any other advisory committee whose opinion is deemed appropriate by the Town Plan and Zoning Commission and Town Council.

A determination shall be made that a complete Final Development Plan has been filed. The Commission's determination on completeness of the application shall be made on the specific objective criteria contained in this regulation only. The Commission shall then consider such plan in relation to the findings required in Section 4.125.5 and make an appropriate recommendation thereon to the Town Council at a public meeting. Regardless of the recommendations of the Commission, the applicant shall have the right to apply to the Town Council for a change of zone.

The Commission's recommendation for such Final Development Plan may be for a stage or stages of not less than the minimum size permitted by Section 4.125.2a above. Such a stage shall include, to substantially the same proportion as included in the Final Development Plan, all the public amenities and elements used as public protection of the surrounding area, and shall be to substantially the same dwelling and building density as the Final Development Plan. Such a stage shall be capable of complete and self-sufficient existence without the completion of the final stages. Such plan shall conform to and include the information required by the Final Development Plan.

The applicant may thereafter submit the Final Development Plan and the Commission's recommendations thereon as a request for a change in zone to the Town Council.

Such an application for a change in zone to the Town Council with the Final Development Plan shall include four (4) copies of each of the following documents:

1. Site plan containing information developed in Section 4.125.4b-1, 2, 4, 5, 6, 7, 13, 14, 15 and 16.
2. Building plan, containing information developed in Section 4.125.4b-3, 4, 11, 12 and 16.
3. Open space plan, containing information developed in Section 4.125.4b-8, 9 and 16.
4. Engineering plan, including information developed in Section 4.125.4b-5, 10, 16 and 17.

The Council may require additional documents to be submitted and explanatory statements or descriptive material to be appended. The Council shall approve or disapprove the Final Development Plan after a public hearing in the manner as required by law for a change of zone. Approval of the Final Development Plan may include such changes, limitations, restrictions or conditions, as the Town Council shall consider appropriate.

A certified linen, black and white copy of the approved Final Development Plan, shall be filed in the Office of the Town Clerk by the owner at his expense within ninety (90) days following

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approval by the Council, and any Final Development Plan not so filed within ninety (90) days shall be void. Reproducible linen or Mylar, black and white copies of the approved Final Development Plan shall also be filed with the Building Inspector and Town Planner.

4.125.5 Findings Required

Because the intent of his ordinance is to approve PADs only where specified development proposals are approved simultaneously, the zone change to PAD and the Final Development Plan will be approved or denied as one motion. The Commission may recommend and the Council may approve the creation of a Planned Area Development Zone provided that a finding is made that the facts submitted with the application establish that:

- a. The standards and conditions of Section 12 of these Regulations have been met.
- b. The developer has provided, where appropriate, for the sustained maintenance of the development in general, and also for the open space in accordance with Section 4.125.3j above.
- c. Utilities, drainage and recreational facilities have been so laid out as not to duly burden the capacity of such facilities, such other facilities presently connected therewith, and such facilities proposed by the adopted Town Plan of Development and officially adopted master utility plans.
- d. The streets and drives will be suitable and adequate to carry anticipated traffic and increased densities will not generate traffic in such amounts as to overload the street network in the area.
- e. The existing or proposed utility services are adequate for the population densities and building intensities.
- f. The development will be in keeping with the general interest and spirit of the Glastonbury Building-Zone Regulations and comprehensive plan.

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4.125.6 Phasing

- a. The Town Council may establish as a condition of its approval ~~reasonable~~ time limits for any development or phases thereof, such time limits apply to the start and completion of construction of the development or phases thereof. Such time limits may be revised by resolution of the Town Council, upon application, provided the Town Council shall find the revision to be in the public interest.
- b. ~~In addition to any time limits imposed above, all work on an approved PAD development (including all phases thereof) must be completed within no more than ten years of the effective date of approval; provided the Town Council may, upon application prior to the expiration date, approve extensions of one year for up to a maximum of four additional years. The Town Council, when considering an application for extension, may refer the matter to the Town Plan and Zoning Commission for a report and recommendation. Failure to complete all of the work required under a PAD approval prior to the expiration date shall result in automatic expiration of the approval with respect to the remaining unfinished work and forfeiture of the bond provided under Section 4.12.7. In addition, the Town Council as the zoning authority may file a notice of expiration on the land records but is not required to do so. Any future improvements after the expiration date shall require a new application and will not be considered a minor change.~~
- e. ~~The Town Council's resolution of initial approval shall state (1) the ten year deadline and (2) any other phasing time limits controlling the completion of the development or phases within such development, (collectively the "deadlines"). All deadlines shall start to run from the effective date of approval by the Town Council unless otherwise specified in the resolution of approval. The deadlines in the resolution of approval shall be included on the Final Development Plan. EFFECTIVE — APRIL 25, 2017~~

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4.5.7 Bonding

- a. Prior to the issuance of any building permit, the developer shall provide the Town with a performance bond in a form satisfactory to the Town Manager covering the costs of public improvements unless said public improvements are bonded under the provisions of the Glastonbury Subdivision Regulations. Said bond shall be in a sum satisfactory to the Town Manager and shall be conditioned on completion of said public improvements within two (2) years of the date of issuance of the first such building permit, except that such time limit may be extended by resolution of the Town Council, upon application, provided the Town Council shall find the extension to be in the public interest.
- b. Prior to the issuance of any building permit, the Council shall request the developer to provide the Town with a performance bond covering the cost of facilities common to the entire development, including but not limited to recreational facilities, club houses, private road, buffer areas, and walkways as specified. Said bond shall be in a sum satisfactory to the Town Manager and shall be conditioned on the completion of said common facilities within one (1) year of the date of issuance of the first such certification of occupancy, except that such time limit may be extended by resolution of the Town Council, upon application, provide the Town Council shall find the extension to be in the public interest.
- c. If a Planned Area Development is to be developed in stages and the Council finds that the common facilities are divided so that they are approximately evenly distributed over the total number of proposed stages and that each stage, together with its common facilities, shall be capable of complete and self-sufficient existence without the completion of the final stages, the Council may allow the developer to provide the Town with a performance bond covering the cost of facilities common to and contained within each stage, on a stage-by-stage basis prior to the issuance of a building permit for each stage. Said bond shall be in a sum satisfactory to the Town Manager and shall be conditioned on the completion of said common facilities for each stage within one (1) year of the date of issuance of the first certificate of occupancy for each stage, except that such time limit may be extended by resolution of the Town Council, upon application, provided the Town Council shall find the extension to be in the public interest.

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4.125.8 Changes in Approved Plan

- a. Minor changes in an approved Final Development Plan may, with the written approval of the Town Manager, be made, provided such changes shall not substantially affect the overall architectural and site design of the Planned Area Development. Such changes shall in no way affect overall density, impact or nature of the development. Such minor changes may include but are not limited to, the location of catch basins, manholes, and other technical aspects of drainage, slight alterations of the of the location of roads, sidewalks, structures or buildings due to unforeseen topographic or geologic features; slight alterations of finished contours, minor rearrangement of lighting standards, benches, and other incidental street furniture. If the Town Manager shall have any question as to whether such a proposed change is minor to not, such change shall require the review and written approval of the Town Council, after receiving a report of its recommendations from the Town Plan and Zoning Commission.
- b. Since the PAD Zone is approved by the Town Council as permitting only that use of those uses as proposed by the application, a change in an Approved Final Development Plan which is not considered to be a minor change as permitted in Section 4.125.8a above, shall be considered and processed as a completely new application for change of zone to PAD.

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4.125.9 Site Plan Compliance

- a. Prior to the commencement of any site work, the developer shall schedule a job meeting with the Public Works Department in order to establish construction schedules and procedures. The developer shall be responsible for notifying all contractors and utility companies involved in the project of this meeting. A job meeting will not be held unless all affected contractor and utility companies are represented.
- b. To ensure strict compliance with the approved Final Development Plan, certified record drawings shall be reviewed by the Public Works and Community Development Departments. If either of those town agencies or their designated representatives determine that said improvements do not comply with the Final Development Plan, the Public Works Department shall notify the developer of such non-compliance and give the developer a period of Thirty (30) days to remedy the non-compliance. Failure to remedy the non-compliance to the satisfaction of the Public Works Department and the Office of Community Development within said thirty-day period shall be sufficient cause for revocation of the approval of the Final Development Plan by the final zoning authority.
- c. Certified Record Drawings: The developer's engineer shall furnish the developer a complete set of prints upon which the developer shall incorporate and update the as-built record of all the approved Final Development Plan work on a continual basis as construction progresses. All surveys, measurements, and such other data required for the determination of the as-built records of the construction of all work shall be obtained under the direction of a Connecticut registered land surveyor or professional engineer. These drawings shall be signed and sealed by the registered land surveyor and/or professional engineer, as to materials, construction methods and location.

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The complete set of prints shall be maintained at the job site at all times, and the developer shall be responsible for having clearly, neatly, accurately, and promptly recorded thereon, as the work is performed, the as-built record of the work. Principal dimensions, elevations and such other data as required shall be recorded for all work. Should there be a question as to the type and amount of data to be recorded, Town Staff shall be responsible for determining the type of data necessary.

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The marked-up prints shall be available for inspection by Town Staff during regular business hours and shall be corrected immediately if found either inaccurate or incomplete.

At the completion of the project, and before any performance bond held by the Town is released, an entire set of as-built plans shall be submitted on Mylar to Town Staff for acceptance. The plans shall be signed and sealed by a Connecticut registered engineer and/or land surveyor.

4.136 Town Center Zone

4.136.1 Purpose and Intent

The purpose of the Town Center Zone is to provide a uniform set of regulations for Glastonbury's Town Center that allows for compatible mix of uses at a density and scale supportive of development and redevelopment that will enhance and strengthen this area as a vital center for the Town. The primary objective of this zone is to implement recommendations of the 2007-2017 Plan of Conservation and Development and the Glastonbury Center 2020 Shared Vision Plan. Key recommendations include new mixed use projects, enhanced streetscapes, improved vehicular, pedestrian and bicycle circulation and new residential opportunities.

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4.136.2 Permitted Uses

Land areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for the Permitted (Prmt), Special Permit with Design Review (Sp) or Special Exception (Sx) uses or use categories listed below and indicated in Section 5: the TC column of the Table of Permitted Uses of these Regulations. (Section 5.4), subject to such standards as may be referred to herein.

in the Table of Permitted Uses and Use Categories

Unless otherwise indicated, all uses and use categories require a Section 12 Special Permit with Design Review from the Town Plan and Zoning Commission.

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Prmt — Uses and use categories permitted as of right subject to in the requirements of the Town Center Zone and any other applicable provisions of these regulations Requirements (Req.) column of said Table.

- Dwelling, single family, if existing on or before January 30, 2014
- Dwelling, two-family, if existing on or before January 30, 2014
- Assisted living, convalescent or nursing home, if existing on or before January 30, 2014

Sp — Uses and use categories permitted following approval of Special Permit with Design Review by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

Any Special Permit use existing within the TC Zone on or before January 30, 2014 is deemed to have been granted a Special Permit for such use.

- Assisted Living, convalescent or nursing home (expansion of existing facilities only)
- Bed and Breakfasts/Inn
- Business services, except for warehousing and motor vehicle rental services
- Day Care Center
- Dwelling, multiple (14)
- Fitness club
- Government services
- Historic and monument sites (21)
- Library
- Mixed use development — unified residential and commercial uses*
- Museum
- Office, general or professional
- Office, medical
- Personal Service
- Places of worship
- Recreation uses
- Retail, including sale of alcohol for off-site consumption
- Restaurant, including sale of alcohol for on-site consumption
- Theater, legitimate and/or motion picture
- Utility— electric, gas and water

*For any building for which both residential and commercial uses are proposed, first floor and basement uses shall be limited to commercial uses only. In mixed use structures where first floor or basement residential uses are existing on or before January 30, 2014, said residential uses shall be permitted. For existing developments where a residential use is added, the area (square footage) containing existing commercial uses shall not be reduced. This shall also apply to the area of commercial space on a site where any and all buildings are demolished and the site is redeveloped.

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4.136.3 Permitted Accessory Uses

Customary accessory uses (Acc) are permitted in accordance with the list below and as indicated in Section 5: TC column of the Table of Permitted Uses of these Regulations, (Section 5.4), subject to such standards as may be referred to in Section 5 and herein.

the TC column of the Table of Permitted Accessory Uses and Use Categories

(0) Numbers in parenthesis indicate in the subsection of Section 2 defining the use or use category Requirements (Req.) column of said Table.

Acc — Uses and use categories permitted as an accessory use.

4.136.4 Development Plan

No existing building, structure or use, other than existing single and two-family dwellings, shall be enlarged or altered until a Development Plan has been approved by the Town Plan and Zoning Commission in accordance with Section 12 of the Building Zone Regulations.

4.136.5 Change of Use

Within the TC Zone, any non-residential change of use that does not involve exterior building modifications or require the construction of additional parking shall be permitted as of right. Any change of use that does require the construction of parking or proposed exterior building modifications or additions shall require submission of a Special Permit Application to the Office of Community Development. Determination of whether a change in an approved Development Plan shall be deemed a Section 12.9 minor change, a Section 12.10 insignificant change or a Special Permit with Design Review in accordance with Section 12 of these Regulations shall be made by the Office of Community Development.

4.136.6 Development Requirements

Uses in effect prior to the enactment of the Town Center Zone on January 30, 2014 that do not meet the Development Requirements outlined in Section 4.0.0 and herein shall be considered grandfathered uses, provided that they met the Development Requirements of the previously existing zone. Any new additions or buildings on such sites shall not increase non-compliance within the new Town Center Zone. Any change of use that is not considered a minor change or insignificant change in accordance with Section 12 of these Regulations shall be subject to the Development Standards outlined herein and will require Development Plan approval from the Town Plan and Zoning Commission in accordance with all requirements set forth in Section 12 of these Regulations.

a) Lot Area

Minimum lot area shall be 40,000 square feet, except that smaller legal lots of record under separate ownership may be developed and used for a permitted use provided that the Town Plan and Zoning Commission finds that the proposed Development Plan for such lots complies with the criteria set forth in

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Section 12 of these Regulations. There shall be no limit to the number of smaller lots of record that may be combined and developed as a single/unified development plan.

b) Building Coverage

Maximum floor area ratio (FAR) shall be 0.5 for all commercial, multifamily residential and mixed use buildings. FAR shall not apply to single family and two-family dwellings.

e) Lot Frontage

Every lot shall have a minimum lot frontage of not less than 100 feet, except that the provisions set forth in 4.13.6(a) above for smaller lots shall also apply to lot frontage.

d) Setbacks

1. Front Yard

There shall be a minimum front yard of 20 feet for every principal building. Placement of parking to the rear or side of the building is encouraged. No driveway serving a drive-up customer service window shall traverse the area in front of the subject building and within the front yard setback.

2. Side Yards

There shall be a minimum side yard of 8 feet for every principal building, excluding those buildings attached at the side property line to a building on an adjoining property.

3. Rear Yard

There shall be a minimum rear yard of 20 feet for every principal building.

e) Maximum Height Limit

No building shall exceed a height of three (3) stories or forty-two and three-fourths (42 3/4) feet. Amended 1/4/21.

f) Required Open Space

Open space for commercial, multifamily dwellings and mixed use buildings shall be equal to 15 percent of lot area.

g) a) Design Standards

As part of Development Plan approval the applicant shall demonstrate to the Plan and Zoning Commission how the design standards outlined in the Glastonbury Center 2020 Shared Vision Plan have been incorporated into the Development Plan. These standards shall include use of distinctive paving materials; incorporation of trees, shrubs and seasonal plantings; placement of street furniture; and use and placement of appropriate lighting fixtures.

Where parking areas are contiguous with adjacent parking areas, whether within the same or different ownership, no fencing, screening, shrubbery or other barrier shall be used to prevent the movement of vehicles from one parking area to another.

h) b) Signage shall be in accordance with Section 10 of these regulations.

i) c) Parking

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1) Parking Requirements

The following parking requirements shall apply to uses within the Town Center Zone:

a) Residential

Dwelling, single family: 2 spaces per unit

Dwelling, two-family: 2 spaces per unit

Dwelling, multiple

Studio: 1 space per unit

One-bedroom: 1.5 spaces per unit

Two bedrooms or more: 2 spaces per unit

b) Commercial

Shall be in accordance with Section 9 of these regulations

2) Shared Parking

Joint use of off-street parking spaces may be permitted by the Town Plan and Zoning Commission. This provision shall apply to all uses within the Town Center Zone.

Any application for shared parking must include:

- a) An analysis of parking demand for each use by time period, demonstrating compatibility of shared parking between uses; and
- b) A written permanent easement between the use parties, which clearly stipulates the terms of the joint use of the parking spaces and ensures that such spaces are committed and available to the respective users on a non-conflicting basis. Said easement to be filed on the land records.

~~j) Floor Area—Retail Trade~~

~~The floor area of any individual retail trade use shall not exceed 40,000 square feet. Mezzanine access up to 10% of the principal floor area shall not be included in this calculation.~~

~~4.14 Planned Employment Zone PE—effective April 14, 2004~~

~~4.14.1 Permitted Uses~~

~~Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the uses or use categories listed in the list below of special permit uses and indicated in the PE column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and the PE column of the Table of Permitted Uses and in the Special Requirements column of said Table.~~

~~Permitted Uses and Use Categories~~

~~Unless otherwise indicated, all uses and use categories require a special permit with design review approval by the Town Plan and Zoning Commission in addition to any other review that may be required.~~

Prmt—Uses and use categories permitted as a matter of right subject to the conditions of the PE Zone and any other applicable provisions of these Regulations.

Dwelling, single family, if existing on (the effective date of these Regulations) (no special permit)
Dwelling, two family, if existing on (the effective date of these Regulations) (no special permit)
Farm (17) (no special permit)
Parks (37) (no special permit)

(0) —Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Sp—Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

Auditorium or coliseum
Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or organization
Broadcasting studio, message center or office
Business services, except warehousing and storage and motor vehicle rental services
Day Care Center EFFECTIVE AUGUST 16, 1988
Earth products, excavation and filling or removal of (Special Requirements, Section 6.2)
Finance, insurance and real estate services
Governmental services
Health, Fitness and Recreational Uses —Indoor—EFFECTIVE JANUARY 30, 1995
Historic and monument sites (20)
Manufacturing—Printing, publishing and allied industries
Manufacturing—Professional, scientific and controlling instruments; photographic and optical goods; watches and clocks
Manufacturing—Miscellaneous, excepting that which is dangerous by reason of fire, radiation or explosion, or injurious, noxious or detrimental to the surrounding neighborhood by reason of the possible emission of excessive dust, odor, fumes, gas, smoke wastes, refuse matter, noise, vibration or because of any other objectionable feature, or is presently or in the future is likely to be a hazard or nuisance to adjacent property or the community at large, as determined by the Zoning Enforcement Officer, Fire Marshal, or Director of Health
Office, general or professional
Professional services, except convalescent, nursing, rest homes or sanitarium
Recreation uses, non-profit
Skating rink, ice and/or roller, indoor
Tennis court, indoor
Transmitting exchange or receiving station
Utility—electric, gas and water
Vocational or Trade Schools (EFFECTIVE APRIL 2, 1985)
Warehousing
Wholesale Trade

NOTES: As to single and two family dwellings existing on (the effective date of these Regulations) the area, frontage, yard, coverage and height requirements shall be those of the A Residence Zone.

All Special Permit uses existing in the PE Zone on (the effective date of these regulations) shall be deemed fully conforming uses relative to future expansion or extension.

4.14.2 — Permitted Accessory Uses

Customary accessory uses are permitted and those permitted in accordance with the list below and with the PE column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the PE column of said Table.

Permitted Accessory Uses and Use Categories

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc — Uses and use categories permitted as an accessory use.

- Customary accessory uses (2)
- Garage, parking (18)
- Parking area, private (35)

In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

4.14.3 — Plan Of Development

For the purpose of assuring orderly and integrated development in a Planned Employment Zone, PE, no building, structure, use or other form of development shall be established or constructed and no existing building, structure or use, other than existing single and two-family dwellings, shall be enlarged or altered until a Plan of Development shall have been approved as part of the special permit with design review approval by the Town Plan and Zoning Commission and shall have been filed with the Town Clerk. Such plan shall be in accordance and consistent with the provisions of Section 12 of these Regulations. Existing buildings, structures or uses that have never received a Special Permit with Design Review that are proposed to be altered or enlarged may be considered by the commission as a minor change in accordance with the criteria in Section 12.9.

4.14.4 — Required Lot Area

Every parcel to be used for a use or uses permitted in the PE Zone shall have a minimum lot area of forty thousand (40,000) square feet, except that smaller legal lots of record under separate ownership may be developed and used for a permitted use provided by Town Plan and Zoning Commission finds that the Plan of Development for such lots has been formulated and integrated in a proper manner, taking into consideration the criteria set forth in Section 12 of these Regulations. Nothing herein is intended to limit the number of smaller lots that may be combined and developed under a single Plan of Development.

4.14.5 — Lot Frontage

Every lot shall have a minimum lot frontage of not less than one hundred fifty (150) feet, except that the provisions set forth in 4.8.4 above for smaller lots shall also apply herein to lot frontage.

4.14.6 — Lot Coverage

All principal structures, with their accessory structures, shall cover not more than twenty percent (20%) of the area of the lot for buildings designed for office, general and/or professional use. All principal and accessory structures designed for uses other than office may cover thirty percent (30%) of the area of the lot. In addition to compliance with all other sections of the Glastonbury Building Zone Regulations, all buildings expanding their coverage or changing their use shall be subject to a Special Permit with Design Review in accordance with Section 12 of these Regulations.

4.14.7 — Front Yard

There shall be a minimum front yard of fifty (50) feet for every principal building, provided, however, that if the required parking spaces are located to the rear or side of the building, the Commission may permit a front yard of not less than twenty five (25) feet.

4.14.8 — Side Yards

There shall be a minimum of two (2) side yards for every principal building with each side yard having a minimum width of twenty five (25) feet, except that where, in the judgment of the Town Plan and Zoning Commission, the integration of development of adjoining lots may best be accomplished by consolidated development of such lots, the Commission may modify or waive the side yard requirements, provided that:

- a.— a Plan of Development for the consolidated parcel shall have the minimum side yards at each side lot line of the consolidated parcel; and
- b.— where required, rights of access shall be mutually granted; and
- e.— satisfactory agreements from the owners of such lots, in recordable form, are provided to insure the continued compliance of the consolidated parcel with these Regulations.

4.14.9 — Rear Yard

There shall be a minimum rear yard of twenty five (25) feet for every principal building.

4.14.10 — Maximum Height Limit

No building shall exceed a height of four (4) stories or fifty seven (57) feet. For the purpose of this section, the first story shall be the lowermost story entirely above grade plane. *Amended 1/4/21*

4.14.11 — Required Open Space

Open space shall be provided and set aside as follows:

~~On lots with buildings designed for office, general and/or professional uses; a MINIMUM OF 35% OF THE LOT AREA. On lots with buildings designed for uses other than office; a MINIMUM OF 30% of the lot area.~~

All open space areas shall be landscaped and planted and shall be adequately protected and separated from paved areas. Parking areas, loading areas, and access driveways shall not be counted in the determination of required open space.

4.14.12 — Minimum Distance And Screening From A Residential Zone Or Use

All business and industrial buildings, structures and uses shall be located a minimum distance of at least one hundred (100) feet from the boundary line of any residential zone, and all parking areas shall be located a minimum distance of at least fifty (50) feet from the boundary line of any residential zone. Screening and landscaping of the open space adjoining any residential zone or residential use may be required by the Commission.

4.15—Planned Commerce Zone PC—effective 04-14-04

4.15.1—Permitted Uses

Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the uses or use categories listed in the list below of special permit uses and indicated in the PC column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and the PC column of the Table of Permitted Uses and in the Special Requirements column of said Table.

Permitted Uses and Use Categories

Unless otherwise indicated, all uses and use categories require a special permit with design review approval by the Town Plan and Zoning Commission in addition to any other review that may be required.

Prmt—Uses and use categories permitted as a matter of right subject to the conditions of the PC Zone and any other applicable provisions of these Regulations.

- Dwelling, single family, if existing on (the effective date of these Regulations) (no special permit)
- Dwelling, two family, if existing on (the effective date of these Regulations) (no special permit)
- Farm (17) (no special permit)
- Parks (37) (no special permit)

(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Sp — Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

- Auditorium or coliseum
- Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or organization
- Broadcasting studio, message center or office
- Bus garaging and equipment maintenance
- Business services, except warehousing and storage and motor vehicle rental services
- Construction services—contract, indoor and outdoor, except salvage and wrecking services
- Day Care Center EFFECTIVE AUGUST 16, 1988
- Earth products, excavation and filling or removal of (Special Requirements, Section 6.2)
- Finance, insurance and real estate services
- Governmental services
- Health, Fitness and Recreational Uses — Indoor — EFFECTIVE JANUARY 30, 1995
- Historic and monument sites (20)
- Manufacturing—Apparel and their finished products excepting corrosive, poisonous and malodorous acids and chemicals and excepting glue, size, gelatin, fertilizer, fat rendering explosives (other than firearms or small arms ammunition), printing ink and carbon black — manufacturing
- Manufacturing—Food and kindred products, except abattoir and slaughter house
- Manufacturing—Lumber and wood products
- Manufacturing—Printing, publishing and allied industries
- Manufacturing—Professional, scientific and controlling instruments; photographic and optical goods; watches and clocks
- Manufacturing—Stone, clay and glass products, except abrasive, asbestos and miscellaneous non-metallic mineral products—manufacturing, and concrete gypsum and plaster products—manufacturing, and structural clay products — manufacturing
- Manufacturing—Textile mill products
- Manufacturing—Miscellaneous, excepting that which is dangerous by reason of fire, radiation or explosion, or injurious, noxious or detrimental to the surrounding neighborhood by reason of the

possible emission of excessive dust, odor, fumes, gas, smoke wastes, refuse matter, noise, vibration or because of any other objectionable feature, or is presently or in the future is likely to be a hazard or nuisance to adjacent property or the community at large, as determined by the Zoning Enforcement Officer, Fire Marshal, or Director of Health

Motor freight transportation terminal and garage

Motor vehicle car wash (Special Requirements Sec. 6.3)

Motor vehicle limited repair and service (31) (Approval of location by ZBA) (Special Requirements Sec. 6.4)

Motor vehicle general repair and service (29) (Approval of location by ZBA) (Special Requirements, Sec. 6.4)

Office, general or professional

Professional services, except convalescent, nursing or rest homes or sanitarium

Recreation uses, non-profit

Skating rink, ice and/or roller, indoor

Tennis court, indoor

Transmitting exchange or receiving station

Utility—electric, gas and water

Vocational or Trade Schools (EFFECTIVE APRIL 2, 1985)

Warehousing

Wholesale Trade

NOTES: As to single and two-family dwellings existing on (the effective date of these Regulations) the area, frontage, yard, coverage and height requirements shall be those of the A Residence Zone.

4.15.2—Permitted Accessory Uses

Customary accessory uses are permitted and those permitted in accordance with the list below and with the PC column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the PC column of said Table.

Permitted Accessory Uses and Use Categories

(0)——Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc——Uses and use categories permitted as an accessory use.

Customary accessory uses (2)
 Garage, parking (18)
 Parking area, private (35)

In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

4.15.3—Plan Of Development

For the purpose of assuring orderly and integrated development in a Planned Commerce Zone, PC, no building, structure, use or other form of development shall be established or constructed and no existing building, structure or use, other than existing single and two-family dwellings, shall be enlarged or altered until a Plan of Development shall have been approved as part of the special permit with design review approval by the Town Plan and Zoning Commission and shall have been filed with the Town Clerk. Such plan shall be in accordance and consistent with the provisions of Section 12 of these Regulations. Existing buildings, structures or uses that have never received a Special Permit with Design Review that are proposed to be altered or enlarged may be considered by the commission as a minor change in accordance with the criteria in Section 12.9.

4.15.4 — Required Lot Area

Every parcel to be used for a use or uses permitted in the PC Zone shall have a minimum lot area of forty thousand (40,000) square feet, except that smaller legal lots of record under separate ownership may be developed and used for a permitted use provided by Town Plan and Zoning Commission finds that the Plan of Development for such lots has been formulated and integrated in a proper manner, taking into consideration the criteria set forth in Section 12 of these Regulations. Nothing herein is intended to limit the number of smaller lots that may be combined and developed under a single Plan of Development.

4.15.5 — Lot Frontage

Every lot shall have a minimum lot frontage of not less than one hundred fifty (150) feet, except that the provisions set forth in 4.8.4 above for smaller lots shall also apply herein to lot frontage.

4.15.6 — Lot Coverage

All principal structures, with their accessory structures, shall cover not more than twenty percent (20%) of the area of the lot for buildings designed for office, general and/or professional use. All principal and accessory structures designed for uses other than office may cover thirty percent (30%) of the area of the lot. In addition to compliance with all other sections of the Glastonbury Building-Zone Regulations, all buildings expanding their coverage or changing their use shall be subject to a Special Permit with Design Review in accordance with Section 12 of these Regulations.

4.15.7 — Front Yard

There shall be a minimum front yard of fifty (50) feet for every principal building, provided, however, that if the required parking spaces are located to the rear or side of the building, the Commission may permit a front yard of not less than twenty-five (25) feet.

4.15.8 — Side Yards

There shall be a minimum of two (2) side yards for every principal building with each side yard having a minimum width of twenty-five (25) feet, except that where, in the judgment of the Town Plan and Zoning Commission, the integration of development of adjoining lots may best be accomplished by consolidated development of such lots, the Commission may modify or waive the side yard requirements, provided that:

- a.— a Plan of Development for the consolidated parcel shall have the minimum side yards at each side lot line of the consolidated parcel; and
- b.— where required, rights of access shall be mutually granted; and
- c.— satisfactory agreements from the owners of such lots, in recordable form, are provided to insure the continued compliance of the consolidated parcel with these Regulations.

4.15.9 — Rear Yard

There shall be a minimum rear yard of twenty-five (25) feet for every principal building.

4.15.10 — Maximum Height Limit

No building shall exceed a height of four (4) stories or fifty-seven (57) feet. For the purpose of this section, the first story shall be the lowermost story entirely above grade plane. (Amended 1/4/21)

4.15.11 Required Open Space

Open space shall be provided and set aside as follows:

On lots with buildings designed for office, general and/or professional uses; a MINIMUM of 35% OF THE LOT AREA. On lots with buildings designed for uses other than office; a MINIMUM OF 30% of the lot area.

All open space areas shall be landscaped and planted and shall be adequately protected and separated from paved areas. Parking areas, loading areas, and access driveways shall not be counted in the determination of required open space.

4.15.12 Minimum Distance And Screening From A Residential Zone Or Use

All business and industrial buildings, structures and uses shall be located a minimum distance of at least one hundred (100) feet from the boundary line of any residential zone, and all parking areas shall be located a minimum distance of at least fifty (50) feet from the boundary line of any residential zone. Screening and landscaping of the open space adjoining any residential zone or residential use may be required by the Commission.

4.16

4.7 South Glastonbury Village Commercial (VC) Zone and South Glastonbury Village Residential (VR) Zone effective December 29, 2004

4.16.1 4.7.1 Purpose and Intent:

In accordance with CGS § 8-2, the Zoning Authority declares that the purpose and intent of the South Glastonbury Village Commercial and Village Residential Zones is to encourage a diversity of compatible uses that will perpetuate and reinforce the historic and mixed use characteristics of the Village of South Glastonbury. Land uses which are oriented to and consistent with existing village development and are inviting to visitors to the area are encouraged. Such land uses are vital to the continuation of the village's unique character and place in Glastonbury history and will foster its growth and viability as a neighborhood commercial and residential village.

Future development and expansion of existing development and uses shall emphasize the pedestrian scale, historic quality and natural and human resources of the village. The village shall have an infrastructure of sufficient capacity to support efficient use of land for mixed uses, and a variety of commercial and residential uses. Due to the unique characteristics of the village and the desire to create and perpetuate an attractive environment, these regulations are intended to be flexible in order to encourage development and redevelopment of appropriate scale, safe and convenient pedestrian and vehicular access, attractive building scale and massing, appropriate architectural detailing, proportional signage, shared parking and common entrances, reduced number of curb openings, landscape elements and maintenance of the historic streetscape.

4.16.2 4.7.2 Village Zones

The village area shall be divided into two zoning districts, Village Commercial (VC) and Village Residential (VR).

Development or redevelopment within the VC Zone shall be in accordance with the requirements of Section 4.16.3 and development or redevelopment within the VR zone shall be in accordance with the

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requirements of Section 4.16.7.4. All existing land uses in both zones as of the effective date of this regulation shall be deemed to be conforming.

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All projects requiring a Special Permit with Design Review, in both village zones, with the exception of building additions less than 10% of the existing floor area, shall be designed by a registered architect.

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4.16.3 4.7.3 Village Commercial Zone (VC Zone)

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4.16.3.a Uses Permitted by Special Permit in accordance with Section 12 within the VC Zone

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- Athletic or health club
- Broadcasting or recording studio
- Business services, except warehousing or storage
- Community center
- Day care center, only if existing on the date of these regulations (any expansion, extension or enlargement shall require a Special Permit in accordance with Section 12).
- Dwelling(s) located on the 2nd floor of a building with retail, personal service or business service use(s) on the 1st floor. The maximum size of any single dwelling unit shall be 950 sq. ft. of floor area. Purpose — to allow for convenient owner-occupied or rental units of modest size that foster the goal of village workers living proximate to their place of business.
- Finance, insurance or real estate services
- Government services
- Library
- Motor vehicle gasoline or service station, only if existing on the effective date of these Regulations (Any expansion, extension or enlargement shall require a Special Permit in accordance with Section 12)
- Office, general or medical
- Personal services
- Place of worship
- Professional services
- Religious quarters
- Retail trade — apparel and accessories
- Retail trade — eating and drinking without curbside or drive-through service (Special requirements of Section 6.1 and 6.6)
- Retail trade — food (Special requirements of Section 6.1)
- Retail trade — furniture, home furnishings
- Retail trade — general merchandise
- Retail trade — hardware
- Schools
- Temporary bazaars, festivals — nonprofit
- Tourist home (inns, bed & breakfast)

a. Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the Permitted (Prmt), Special Permit with Design Review (Sp) or Special Exception (Sx) uses or use categories indicated in the VC column of the Table of Permitted Uses (Section 5.4), subject to such standards as may be referred to in the VC column of the Table of Permitted Uses and in the Requirements (Req.) column of said Table.

In addition to compliance with all requirements of Section 12, a Plan of Development shall demonstrate conformity to and compliance with the purposes herein stated by way of appropriate exterior architectural treatments, landscaping, streetscape preservation, buffering, building orientation and massing, parking capacity, location and convenience designed to preserve and enhance the character and viability of the village. Due to the unique characteristics of the village and the desire to create and perpetuate an attractive environment, these regulations are intended to be flexible in order to encourage development and redevelopment of appropriate scale, safe and convenient pedestrian and vehicular access, attractive building scale and massing, appropriate architectural detailing, proportional signage, shared parking and common entrances, reduced number of curb openings, landscape elements and maintenance of the historic streetscape.

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4.16.3.b-2 Land Use Criteria for Development, Redevelopment Projects

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4.16.3.b-1) Lot Standards

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There shall be no minimum lot area, lot frontage, building setback, side yard, rear yard or lot coverage (green space) requirements, provided however that after the date of adoption of this Regulation no parcel may be divided or subdivided to create parcels less than 20,000 square feet or with less than 100 feet of frontage after division. Nothing herein is intended to limit the number of smaller lots that may be combined and developed under a single Plan of Development. No variance may be granted to reduce the minimum area or frontage requirements as provided herein.

4.16.3.b-2 Building Coverage

No single building shall exceed 20,000 square feet in land coverage. No variance may be granted to permit any building to exceed said limitation.

4.16.3.b-3 Building Height

Two and one-half (2 1/2) stories or thirty-five and one-half (35 1/2) feet maximum amended 1/4/21

4.16.3.b-4

2) Streetscape Preservation

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The layout and site design of development shall include the use/reuse and restoration of existing buildings. Accordingly, demolition or relocation of existing buildings shall not be permitted unless a new development or redevelopment project is deemed by the Commission as one that provides enhanced or improved village amenities. Demolition approved by the Commission shall also be subject to the demolition delay ordinance. It is the intention of the above criteria to provide development opportunities that will enhance and improve the village setting.

4.16.3.b-5) Parking

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Parking shall meet building use requirements established by Section 9 – parking may be located on adjoining parcels subject to a formal agreement between property owners. As part of a Section 12 Special Permit with Design Review, minimum parking requirements may be reduced not more than 30% to account for pedestrian consumer traffic.

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4.16.3.b.6) Changes to Plans

Changes to existing uses and structures shall be approved in accordance with Section 12.9 or Section 12.10 of the Regulations.

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4.16.4 4.7.4 Village Residential Zone (VR Zone)

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4.16.4.a Uses. Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the Permitted by (Prmt), Special Permit in accordance with Design Review (Sp) or Special Exception (Sx) uses or use categories indicated in the VR column of the Table of Permitted Uses (Section 12 within the VR Zone

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- Community center
- Day-care center (family, group)
- Government services
- Library
- Museum — EFFECTIVE OCTOBER 13, 2009
- Place of Worship
- Religious quarters
- Schools
- Supervised group quarters
- Temporary bazaars, festivals — nonprofit
- Tourist home (inns, bed & breakfast)

4.16.4.b Uses permitted as a matter of right 5.4), subject to the conditions and provisions of this Regulation

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Dwelling, single-family (12)
Dwelling, two-family (13) — on any piece or parcel of land which satisfies the such standards of a Residence A Zone lot, provided all bulk requirements as may be referred to in the VR column of the Table of Permitted Uses and in the Requirements (Req.) column of the Residence A Zone are satisfied. No variances from said standards shall be permitted to establish a new two-family residential use on a lot that does not meet the Residence A Zone standards. (See Section 4.14.4.d) for additional requirements Table.

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- Farm (17)
- Parks (37)

4.16.4.c Single family residential use lot requirements within the VR Zone

Lot area: — Every parcel used for a single-family dwelling in the sector shall have a minimum lot area of 10,000 square feet. No variances may be granted to permit the creation of any new lot of an area less than the minimum of 10,000 square feet.

Lot frontage: — Every lot shall have a minimum lot frontage of not less than 75 feet. No variance may be granted to create a new lot with less than the minimum of 75 feet of frontage.

Lot coverage: — All principal structures shall cover not more than 20% of the area of the lot.

Front yard: — There shall be a minimum front yard of not less than 20 feet for every principal building.

Side yards: — There shall be a minimum of two side yards for every principal building, with each side yard having a minimum width of 10 feet.

Rear yard: — There shall be a minimum rear yard of not less than 30 feet for every principal building.

Building height: — No single family residential building shall exceed 2 ½ stories or thirty-five and one-half (35 1/2) feet in height. *Amended 1/4/21*

4.16.4.d — Two family residential uses within the VR Zone

New two family residential uses shall be permitted only on lots that meet all requirements of the Residence A Zone and shall require a Special Exception from the Zoning Board of Appeals in accordance with Section 13 of the Regulations. No variances to the requirements of the Residence A Zone requirements shall be permitted.

Additions are permitted on existing structures provided the above minimum requirements for existing setbacks are met.

4.16.4.e-b. Permitted Accessory Uses

Customary accessory uses (Acc) are permitted in accordance with the VR column of the Table of Permitted Uses (Section 5.4), subject to such standards as may be referred to in the VR column of the Table of Permitted Uses and the Requirements (Req.) column of said Table.

- Customary accessory uses
- Customary home occupations
- Garage, parking
- Guest house
- Parking area, private

All accessory uses and structures shall conform to the provisions set forth in Section 7 of the Regulations.

~~All projects requiring a Special Permit with Design Review, in both village zones, with the exception of building additions less than 10% of the existing floor area, shall be designed by a registered architect.~~

4.178 ADAPTIVE REDEVELOPMENT ZONE (ARZ) effective September 11, 2012

4.178.1 Purpose

To facilitate the reuse and redevelopment of property containing underutilized or distressed historic buildings that require renovation/redevelopment and/or environmental remediation. This zone change/site development plan approval regulation shall apply only to properties that present unique development and redevelopment opportunities but include particularly challenging building and site conditions requiring a flexible regulation that can permit innovative development while protecting the general health, safety and welfare. Successful projects will create a rejuvenated property that contains land and/or building uses consistent with the adopted Plan of Conservation and Development. Expected benefits would include appropriate environmental remediation, environmental enhancement and natural resource protection, new economic development and/or housing opportunities and the adaptive reuse of historic buildings and the preservation of historic property features. Mixed use projects shall be designed in a manner that ensures consideration of the character of the surrounding and underlying district and its suitability for the proposed uses and adequate availability of infrastructure and services.

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4.17.1.8.2 Definitions

a. Tandem Parking Space: The placement of no more than 2 parking spaces one behind the other, so that the space nearest the driveway or street access serves as the only possible means to access the other space. ~~EFFECTIVE~~~~EFFECTIVE~~ APRIL 25, 2017.

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4.17.2.3 Standards

4.17.2 (a) Permitted Land/Building Uses

Residential: Single family, two-family and multiple-family dwellings in detached or attached format

Commercial: ~~—~~ Office - general or professional, personal services, restaurants, recreation uses, day care facilities, health and fitness uses.

A mix of residential and commercial land uses listed above shall be permitted only within underlying non-residential zoning districts. Only residential uses and day care facilities shall be permitted within underlying residential zones.

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4.17.2 (b) Existing Property, Building(s)

To be eligible for a Change of Zone to ARZ and concurrent approval of a Site Development Plan the subject property shall meet the following standards:

- Shall contain a building(s) with a substantial portion at least 75 years old with a minimum floor area of 7,500 square feet of usable floor area (excluding unfinished basements and attics and incomplete full-sized floors such as garrets, eaves and any garages, barns, storage buildings or other accessory structure(s)).
- Shall provide for the substantial reuse of a building in a manner that preserves historically relevant and significant building components and facades and/or significant site features including, but not limited to such features as stone and brick facades, cornices, lintels, unique architectural features of the historic period or historic use of the property, stacks, chimneys, mill ponds, dams, waterfalls, hydropower waterways, environmental and natural features and assets, historical signage, and architectural embellishments.
- Shall enhance the overall economic sustainability of the property.
- Shall be served by public water and sanitary sewer.

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4.17.2 (c) Development Intensity

i. Floor Area Ratio

The Floor Area Ratio (FAR = total building floor area between exterior walls/total lot area) in the ARZ shall not exceed 0.5 unless the FAR of existing structure(s) exceeds 0.5 in which case the

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total new redevelopment FAR shall not exceed the existing FAR. For example, a 20,000 square foot site containing an existing building with a floor area of 7,000 square feet would have a FAR (7,000/20,000) of 0.35. In this scenario, redevelopment would allow for an increase to a total of 10,000 square feet for a FAR (10,000/20,000) of 0.5. A 20,000 square foot site containing an existing building with a floor area of 12,000 square feet would have a FAR (12,000/20,000) of 0.6. Under this scenario, redevelopment could not allow for an increase in floor area above the existing FAR.

The total lot area calculation shall not include the area of any of the following natural features: Inland wetlands and/or watercourses, slopes with an incline of 25% or greater or 100 year flood hazard area (Zone A/AE). This is the buildable area calculation.

ii. Parking Calculation

The Development Intensity Calculation shall be further limited by the ability of the site to provide adequate off-street parking that shall be not less than 1.5 parking spaces per residential unit and parking spaces meeting the requirements of Section 9 of the Building-Zone Regulations for all non-residential uses. Provided however, the Zoning Authority zoning authority, may reduce the number of residential and non-residential parking spaces by up to 10%, if warranted, based on evidence including, at least, an actual parking count study of similar facilities located in Glastonbury.

In the case of proposed tandem parking, as defined in Section 4.17.1(a)8.2, each proposed tandem parking space, if approved, shall be considered one (1) parking space in determining compliance with the parking requirements. All parking spaces shall be otherwise designed to meet the general standards of Section 9 of the Building-Zone Regulations.

Notwithstanding the above specified Development Intensity Calculation requirements, the maximum number of dwellings allowed on that portion of an ARZ property in excess of 5 buildable acres shall not exceed the number allowed by an FAR of 0.25 or 15 dwelling units/acre, whichever is less. EFFECTIVE APRIL EFFECTIVE DATE April 25, 2017,

4.17.2 (d) Building Height

Buildings shall not exceed a height of forty-two and three-fourths (42 3/4) feet as measured in accordance with the Building-Zone Regulations and shall not exceed three stories of living space, except that any existing building that exceeds that height may remain and utilize existing stories, even if greater than the new construction limitation of three stories.
Amended 1/4/21

4.17.2 (e) Open Space

Open space set aside or established as part of the Site Development Plan shall be made available for public use if deemed to be a public benefit and if required by the Town Council as part of the Site Development Plan. If not so dedicated, adequate provisions shall be made for the maintenance and upkeep of such open space, including any recreational facilities provided therein, by an organization established by the developer with the power to obtain assessments through enforceable covenants against privately owned land within the development. Nothing set forth above shall be construed either as a

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requirement or obligation on the part of the Town of Glastonbury to make any repairs or improvements to any property subject to these covenants and restrictions or to enforce any covenant or restriction contained herein.

4.17.38.4 Procedure and Application

An application for Change of Zone to ARZ shall be made in accordance with the provisions of Section 16 of the Building-Zone Regulations and shall include Site Development Plans containing the following data/information:

1. Location and zone of property and nature of owner's interest, including a boundary map certified to State of Connecticut A-2 map survey standards, which map is to be adopted as description of the zone boundaries.
2. Present and proposed land and building uses, categorized as residential, non-residential, or both; wetland and watercourses, topography and grading plan.
3. Development intensity pursuant to Section 4.17.28.3 (c) above, including use, dimensions and locations of proposed structures and structures to remain.
4. Proposed vehicular and pedestrian circulation patterns, including location and dimension of private and public streets and common drives.
5. Location of proposed off-street parking areas with dimensions, including location, size and number of parking spaces, access routes, parking barriers and walkways.
6. Proposed pedestrian walks, malls and other paths, public and private.
7. Proposed open space such as parks, lawn areas, and recreational facilities, and such proposed covenants, easements and other provisions relating to dimensions, location and density of such building units and public facilities as are necessary for the welfare and maintenance of the development and are not inconsistent with the best interests of the Town.
8. Landscaping, present and proposed, including major tree and shrub area, present and proposed water elements, and related treatment of open space, screening, present and proposed topography.
9. Proposed utilities, including water supply, sanitary sewers, electrical, gas, exterior lighting and stormwater management infrastructure.
10. Building plans, including floor plans and exterior elevations with exterior material specifications.
11. Relation to existing and future land uses in the surrounding area.
12. Priority schedule of construction of the various units, buildings, landscaping, and other elements of the plan.
13. Future division of property among landowners either by building or other reasonable separations.
14. Any other information which the Commission may reasonably require or the applicant may wish to submit.

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15. A traffic survey of the area as it may be affected by the proposed development, including present and anticipated traffic counts, flow patterns, and capacity analysis of present and proposed interchanges, intersections and entrances serving the development shall be done by a professional engineer licensed to practice in the State of Connecticut. In addition, a report on these items and other security-related items shall be submitted from the Chief of Police (Legal Traffic Authority).
16. A statement from the Fire Marshal concerning the adequacy of layout and design as it pertains to fire prevention and protection.
17. A statement from the Health Director concerning any public health matters
18. A statement from the Town Engineer in reference to adequacy of drainage, public street design, the design of elements to be maintained by the Town, and the engineering validity, as the design relates to the roads and utilities of the Town.
19. A statement from the Water Pollution Control Authority on the adequacy of the sanitary sewer service.
20. A statement from the Community Beautification Committee on the adequacy and design of proposed planting and landscaping plans and implementations program thereof.
21. A statement from the Conservation Commission on the environmental impact of the proposed development. The Conservation Commission shall be authorized to require the submittal of an Environmental Impact Report completed by the applicant.
22. A statement from any other advisory committee whose opinion is deemed appropriate by the Town Plan and Zoning Commission and Town Council.

Review and recommendation following a public hearing by the Town Plan and Zoning Commission prior to final action by the Town Council shall include a finding that a complete Site Development Plan has been submitted.

The Town Council (Zoning Authority) may require additional documents to be submitted and explanatory statements or descriptive material to be appended. The Zoning Authority shall approve or disapprove the Zone Change and Site Development Plan as one single motion after a public hearing in the manner as required by law for a change of zone. Approval of the Site Development Plan may include such changes, limitations, restrictions or conditions, as the Zoning Authority shall consider necessary to protect the public health, safety, convenience and property values. Adherence to applicable standards and requirements of Section 12.4 of the Building-Zone Regulations shall be required. ~~EFFECTIVE APRIL~~EFFECTIVE April 25, 2017,

A certified mylar of the approved Site Development Plan, shall be filed in the Office of the Town Clerk by the owner at his expense within one hundred and eighty (180) days following approval by the Zoning Authority and any Development Plan not so filed within this time frame shall be void.

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4.17.48.5 Findings Required

Because the intent of this ordinance is to approve a Zone Change to ARZ only when a Site Development Plan is approved concurrently, the zone change to ARZ and the Site Development Plan will be approved or denied as one motion. The Town Plan and Zoning Commission may recommend and the Zoning Authority may approve a creation of an ARZ provided that finding is made that the facts submitted with the application establish that:

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- a. All standards and requirements of this regulation (Section 4.17.8) as well as all applicable standards and requirements of Section 12.4 have been met.
- b. The developer has provided, as necessary and appropriate, for the sustained maintenance of the development in general, and also for any open space created in accordance with Section 4.17.2 (8.3 (c)) above.
- c. Utilities, drainage and other infrastructure have been designed in a manner that ensures satisfactory operation for the life of the project, and components that have a shorter useful life have been designed in accordance with sound engineering practice, state and local requirements and guidance documents to ensure satisfactory operation.
- d. The streets and drives will be suitable to carry anticipated traffic and increased densities will not generate traffic in such amounts as to overload the street network in the area.
- e. The development is consistent with the adopted Plan of Conservation and Development and is in accordance with the comprehensive plan (Building-Zone Regulations).
- f. The development protects public health, safety, welfare, commerce and property values.
- g. The development preserves and substantially reuses historic buildings located on the site, and retains their historic structural elements, exterior appearance and visual setting as seen from surrounding public viewpoints.

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4.17.58.6 Project Phasing

The Zoning Authority may establish reasonable phasing time limits with such time limits controlling the completion of the development or phases within. Each phase shall contain an approximately proportional amount of new construction and preservation of the historic buildings on site. Such time limits may be revised by resolution of the Zoning Authority following a review and a finding that said revision will provide for the successful completion of the project.

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In addition to any time limits imposed above, all work on an approved ARZ development (including all phases thereof) must be completed within five years of the effective date of approval, provided the Town Council may, upon application prior to the expiration date, approve extensions of one year for up to a maximum of five additional years. The Town Council, when considering an application for extension, may refer the matter to the Town Plan and Zoning Commission for a report and recommendation. Failure to complete all of the work required under an ARZ approval prior to the expiration date shall result in automatic expiration of the approval with respect to the remaining unfinished work and forfeiture of the bond provided under Section 4.17.78.8. In addition, the Town Council as the zoning authority may file a notice of expiration on the land records but is not required to do so. Any future improvements after the expiration date shall require a new application and will not be considered a minor change.

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The Town Council's resolution of initial approval shall state (1) the five year deadline and (2) any other phasing time limits controlling the completion of the development or phases within such development, (collectively the

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“deadlines”). All deadlines shall start to run from the effective date of approval by the Town Council unless otherwise specified in the resolution of approval. The deadlines in the resolution of approval shall be included on the Final Development Plan. ~~EFFECTIVE APRIL~~EFFECTIVE APRIL 25, 2017.

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4.17.68.7 Approved Site Development Plan Changes

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a. Minor changes to an approved Site Development Plan may, with the written approval of the Town Manager, be made, provided such changes shall not substantially affect the overall architectural and site design of the Adaptive Redevelopment Zone. Such changes shall in no way affect overall density, impact or nature of the development. Such minor changes may include but are not limited to, the locations of catch basins, manholes and other technical aspects of drainage, slight alteration of the location of roads, sidewalks, structures or buildings due to unforeseen topographic or geologic features, slight alteration of finished contours, minor re-arrangement of lighting standards, benches and other incidental street furniture. If the Town Manager shall have any questions to whether such a proposed change is minor or not, such change shall require the review and written approval of the Town Council, after receiving a report of its recommendation from the Town Plan and Zoning Commission.

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b. Since the ARZ is approved by the Town Council as permitting only those uses and improvements as proposed by the application, a change in an Approved Final Development Plan which is not considered to be a minor change as permitted in Section ~~4.17.6a~~8.7a above, shall be considered and processed as a completely new application for a change of zone to ARZ. ~~EFFECTIVE~~EFFECTIVE APRIL 25, 2017.

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4.17.78.8 Financial Guarantee

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Prior to the issuance of a building permit, the developer shall submit acceptable financial guarantees to ensure the installation of any incomplete public improvements. The financial guarantee shall be in an amount approved by the Town Engineer and in a form authorized by Connecticut General Statutes and approved by the Town Plan and Zoning Commission. Upon completion of public improvements, the financial guarantee shall be released by the Town Plan and Zoning Commission as recommended by the Town Engineer. The Town Plan and Zoning Commission may require that up to 5% of the financial guarantee be retained for a period of 1 year to ensure against any defects.

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4.189 Town Center Mixed Use Zone (TCMU)

4.189.1 Purpose and Intent

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To authorize and encourage continued residential and modest commercial uses by maintaining the existing building scale and residential neighborhood characteristics, and preserving historic structures in the Curtisville National Historic District. A primary objective of this zone is to utilize/reuse existing structures for residential, commercial use(s), or a mix of residential and commercial use(s) while maintaining the overall existing appearance of the area. Further, maintenance of the existing streetscape by orienting parking to the side and/or rear of structures is an important standard. When combining

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parcels for development purposes, the scale of new structures will be an important design detail. Pedestrian and bicycle circulation improvements, including safer access to the Town Center, are also encouraged.

14.184.9.2 Permitted Uses

a. Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged, or used only for one or more of the Permitted (Prmt), Special Permit with Design Review (Sp) or Special Exception (Sx) uses or use categories listed below and indicated in Section 5: the TCMU column of the Table of Permitted Uses of these Regulations (Section 5.4), subject to such standards as may be referred herein.

Permitted Use (Prmt) and Special Permit with Design Review Use (SP) Categories

Prmt — to in the TCMU column of the Table of Permitted Uses and use categories permitted as a matter of right subject to the conditions of the TCMU Zone and any other applicable provisions of these regulations.

— Dwelling, single-family

*Dwelling, two-family — if existing on the effective date of these regulations —

— Parks

SP — Uses and use categories permitted following approval of Special Permit with Design Review by the Town Plan and Zoning Commission in accordance with in the provisions of Section 12 of these Regulations Requirements (Req.) column of said Table.

— Bed and breakfasts/Inns

— Business services; except for warehousing and motor vehicle rental services

— Day care centers

— Dwellings, multiple (3 or more units, not to exceed 6 dwelling units/acre)

— Dwellings, two-family

— Governmental services

— Office, general, medical and professional

— Personal services

— Places of worship/religious quarters

**Additions to existing two-family residential only dwellings that result in no increase in dwelling units, and meet all applicable development standards shall be a permitted use. Section 14.17.4(i) shall not apply.*

— Mixed use development —

— Veterinary services

Any special permit use legally existing within the TCMU Zone on the date of adoption of the TCMU Zone is deemed to have been granted a Special Permit for such use.

Permitted Accessory Uses

Accessory-b. Customary accessory uses (Acc) are permitted in accordance with the list below and as indicated in TCMU column of the Table of Permitted Uses (Section 5: Table of Permitted Uses of these

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~~Regulations, 4), subject to such standards as may be referred herein to in the TCMU column of the Table of Permitted Uses and the Requirements (Req.) column of said Table, Permitted Accessory Uses and Use Categories~~

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~~(0) — Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.~~

~~Acc — Uses and use categories permitted as an accessory use.~~

~~Accessory uses (2)
Garage, Parking (18)~~

~~Parking area, private (35)~~

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In addition, all accessory uses shall conform to the provisions set forth in Section 7 of these regulations.

~~(0) — Numbers in parenthesis indicate the subsection of Section 2 which defines the use or use category.~~

~~4.189.3~~ Development Plan

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~~For the purpose of assuring orderly and integrated development in the TCMU, no building, structure, use or other form of development shall be established or constructed and no existing building, structure or use, other than existing single and two-family dwellings, shall be enlarged or altered until a special permit with design review approval by the Town Plan and Zoning Commission has been filed with the Town Clerk. Such plan shall be in accordance and consistent with the provisions of Section 12 of these regulations. The Section 12 Special Permit requirement shall not apply to buildings or uses that are permitted as a matter of right (Prmt) as listed above in the Table of Permitted Uses (Section 5.1).~~

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~~4.189.4~~ Development Standards

~~Development standards are generally as indicated in the Table in Section 4.0.0, except:~~

~~a) Lot Area~~

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~~The minimum lot area for all SP uses and for two family dwellings shall be 10,000 square feet. Smaller legal lots of record may be developed with a single family dwelling.~~

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The maximum area of any new lot created by the merger of smaller lots shall be 40,000 square feet in order to maintain the existing building scale and character of district.

~~b) Lot Frontage~~

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~~Every lot shall have a minimum lot frontage of seventy-five (75) feet on a public highway, except that legal lots of record with reduced frontage on a public highway may be developed with a permitted (Prmt) or Special Permit (SP) use or uses in accordance with the standards set forth in of these regulations.~~

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~~c) Building Coverage~~

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~~All principal and accessory structures shall cover not more than twenty-percent (20%) of the area of the lot, except in accordance with Section 14.17.4. (i)~~

d) Yard Setbacks

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1. Front Yard

~~There shall be a minimum front yard of twenty (20) feet for every new building.~~ Parking for commercial uses and multiple dwellings is not permitted within the front yard and must be located to the side or rear of any principal building with frontage on a public highway.

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2. Side Yards

~~There shall be two (2) side yards for every principal building. The combined width of the two side yard setbacks shall be at least twenty (20) feet, with a minimum setback of eight (8) feet on one side, except in accordance with Section 14.17.4.(i).~~

3. Rear Yard

~~There shall be a minimum rear yard of thirty (30) feet for every principal building, except in accordance with Section 14.17.4.(i).~~

e) Maximum Height Limit

No building shall exceed 2 ½ stories or a height of thirty-five and one-half (35 1/2) feet. Amended 1/4/21

f) d. Required Open Space

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Open space for Special Permit (SP) use properties shall be at least equal to the area of the principal building's footprint.

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g) Required Parking

~~Parking for all uses shall be provided in accordance with the provisions of Section 9 of the Building Zone Regulations.~~

h) e. Floor Area Maximum

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The maximum floor area of any new building shall not exceed 4,000 square feet. For the purposes of this section, floor area is defined as the total square foot area of all floors (excluding unfinished basements) as measured from exterior wall to exterior wall.

i) f. Mixed Use

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A unified development consisting of commercial use(s) combined with a residential use (with up to two dwelling units) shall be permitted in accordance with the provisions of Section 12 of these regulations. Modified standards/incentives in connection with the adaptive reuse of existing buildings are permitted in accordance with Section 12 of these regulations and the following:

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1. Special Provisions for Adaptive Reuse of Existing Buildings

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a.) Side Yards

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The combined width of the two side yards shall be at least ten (10) feet, with a minimum yard of four (4) feet on one side.

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b.) Rear Yard

There shall be a minimum rear yard of twenty (20) feet.

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c.) Floor Area Maximum

Existing buildings may be expanded to a maximum of 5,000 square feet in order to comply with current building codes (such as new stair wells, emergency access, handicapped access); and where the architectural style and scale of additions are consistent with the architectural style and scale of the building and the neighborhood.

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d.) Building Coverage

All principal and accessory structures shall not cover more than twenty-five percent (25%) of the area of the lot.

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The above modified development standards shall only be permitted where a minimum of fifty percent (50%) of the floor area (as defined in Section 4.179.4.b.c) of the existing building is being preserved, and the development is consistent with the Purpose and Intent (Section 4.179.1) of this regulation.

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SECTION 5 TABLE OF PERMITTED USES

5.1 ~~Uses~~ Use Categories

Land and water areas shall be used for and buildings and structures shall be erected, altered, enlarged or used only for one or more of the uses or use categories listed in the following Table of Permitted Uses (Section 5.4) and only within ~~thesethe~~ zones specified in said Table of Permitted Uses, except that any use or use category listed in the ~~following~~ Table of Permitted Uses, together with its customary accessory use(s), may be permitted in a Planned Area Development Zone PAD subject to and in accordance with the conditions and requirements set forth in Section 4.12 of these Regulations, and except that any use or use category listed in the Table of Permitted Uses, together with its customary accessory Use(s), may be permitted in a Central District Zone CD subject to and in accordance with the conditions, limitations and requirements set forth in Section 4.13 of these Regulations.

Unless otherwise indicated, the Table of Permitted Uses designates only the principal or primary uses permitted, and all accessory uses customarily incidental to the actual principal use are permitted on the same lot with such principal use.

~~5.2~~ Standard Land Use Code

~~The categories set forth in the Table of Permitted Uses are based, in large part, upon the Standard Land Use Code, A Standard System for Identifying and Coding Land Use Activities (SLUC), Department of Housing and Urban Development, Washington, D.C. The first level use category is fully capitalized on the Table. The third level use category is in lower case lettering on the Table. The Town Building Official and Zoning Board of Appeals shall use the SLUC Manual to resolve questions regarding substantial similarity.~~

~~5.3~~

5.2 Interpretation

In the interpretation of the following Table of Permitted Uses, where a use is not specifically listed in the Table ~~and on the basis of the SLUC Manual is not included within a second level use category listed in the Table,~~ its status under this section shall, upon application, be determined by the Zoning Board of Appeals by reference to that listed use or ~~second level~~ use category, 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.

If the Zoning Board of Appeals determines that the use in question is substantially similar to a use or ~~second level~~ use category specifically listed in the Table, such use shall be permitted in the zones in the same manner as the substantially similar listed use or ~~second level~~ use category and subject to the same conditions and requirements controlling said substantially similar listed use or ~~second level~~ use category.

If the Zoning Board of Appeals determines that the use in question is not substantially similar to a use or ~~second level~~ use category specifically listed in the Table, such use may be permitted and added to the Table only by amending these Regulations as provided for in Section 16.

In determining the status of the use in question, the Zoning Board of Appeals shall also consider all other codes, ordinances, laws and statutes.

5.4 — ~~Table Of Permitted Uses~~ 5.3 Land Use Categories

The Table of Permitted Uses in Section 5.4 is divided into first, second and third level use categories, the first and second level use categories are meant to assist in determining whether a use not specifically listed is substantially similar to a use or use category.

5.4 Table of Permitted Uses

The following abbreviations are used in the Table.

<u>RESIDENTIAL ZONES</u>		<u>COMMERCIAL/ INDUSTRIAL ZONES</u>		<u>MIXED-USE AND OTHER ZONES</u>	
CR	Country Residence	PBD	Planned Business Development	ARZ	Adaptive Redevelopment Zone
RR	Rural Residence	PE	Planned Employment	PAD	Planned Area Development
AAA	Residence AAA	PC	Planned Commerce	F	Flood
AA	Residence AA	PT	Planned Travel	RL	Reserved Land
A	Residence A	PI	Planned Industrial	TC	Town Center
VR	South Glastonbury Village Residential	VC	South Glastonbury Village Commercial	TCMU	Town Center Mixed Use

Prmt – Means that the use or use category is permitted as a matter of right in the designated zones, subject to the requirements of the zones in which the use is located.

Sp - Means that the use or use category is permitted as a ~~special permit~~ **Special Permit** in the designated zones with design review approval by the Town Plan and Zoning Commission in accordance with the provision set forth in the section or sections referred to in the ~~Required Conditions (RC)~~ **Requirements (Req.)** column of the Table.

Sx - Means that the use or use category is permitted as a special exception in the designated zones, with approval by the Zoning Board of Appeals in accordance with the provisions set forth in the section or sections referred to in the ~~Required Conditions (RC)~~ **Requirements (Req.)** column of the Table.

Acc – Means that the use or use category is permitted as an accessory use in the designated zones but is subject to the conditions set forth in the section referred to in the ~~Required Conditions (RC)~~ **Requirements (Req.)** column of the Table.

NOTES

1. ~~RC~~ **Req. Column.** The sections set forth in this column designate the additional required conditions for the particular use or use category over and above the regular zoning provisions for the particular use or use category for the zone or zones in which the particular use or use category for the zone or zones in which the particular use or use category is or is to be located.
2. ~~PKG Column.~~ Letters in this column designate the parking requirements, if any, for the particular use or use category as set forth in Section 9 of these Regulations.
3. ~~For definitions and explanations of uses~~ **Uses** or use categories ~~followed~~ **indicated** by numbers in parenthesis, see Section 2.
2. ~~While the Table of Permitted Uses is divided into first, second and third level use categories, the following first and second level use categories[†] are listed for the reader's information (the first level categories are capitalized).~~ **defined in Section 2.**

Agriculture	1,4
Farm	1,4
Earth products, excavation and filling or removal of	1,4
Forestry production, commercial	1
Greenhouses, commercial	1
Nurseries, commercial	1

RESIDENTIAL USES

Accessory Residential Uses	1
Household Units	1,4
Group Quarters	1,4
Transient lodgings	2,4

OFFICES, GENERAL AND PROFESSIONAL USES 2,4

SERVICES USES

Business Services	2,4
Cemeteries	5
Contract Construction Services	5
Educational Services	5
Finance, Insurance and Real Estate Services	5
Governmental Services	2,5
Personal Services	5
Professional Services	5
Repair Services	5
Miscellaneous Services	2,5

SHEET NO.

TRADE USES

Retail Trade Apparel and Accessories	5
Retail Trade Automotive, Marine Craft, Aircraft and Accessories	5
Retail Trade Building Materials and Farm Equipment	5
Retail Trade Eating and Drinking	5
Retail Trade Food	5
Retail Trade Furniture, Home Furnishing and Equipment	5
Retail Trade General Merchandise	5
Retail Trade Hardware	5
Retail Trade Other	6
Wholesale Trade and Warehousing	6

MANUFACTURING USES

Apparel and other Finished Products, Mfg.	6
Food and Kindred Products, Mfg.	6
Furniture and Fixtures, Mfg.	6
Lumber and Wood Products, Mfg.	6
Printing, Publishing and Allied Industries, Mfg.	6
Professional, Scientific and Controlling Instruments, Mfg.	6
Photographic and Optical Goods, Mfg.	6
Watches and Clocks, Mfg.	6
Stone, Clay and Glass Products, Mfg.	6
Textile Mill Products, Mfg.	6
Miscellaneous Manufacturing	6

CULTURE, ENTERTAINMENT AND RECREATIONAL USES

Amusements	2,7
Cultural Activities	2,7
Parks	2,7

Public Assembly	7
Recreational Activities	2,3,7

TRANSPORTATION, COMMUNICATION AND UTILITY USES

Aircraft Landing Field	8
Automotive Parking	3,8
Communications	3,8
Motor Vehicle Transportation	3,8
Utilities	3,8

RESIDENTIAL ZONES PERMITTED USES ————— Sheet #1

<i>PERMITTED USES</i>	<i>ZONE CATEGORIES</i>							TC	MU
	CR	RR	AAA	AA	A	VR			
RESOURCE PRODUCTION & EXTRACTION USES									
—Agriculture (3)	Aee	Aee	Aee	Aee	Aee				
—Farm (17)	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt			
—Earth Products, Excavation And Filling Or Removal Of	Sp	Sp	Sp	Sp	Sp				
—Forestry Production, Commercial, Including On-Premises Saw Mills	Sp	Sp							
—Greenhouses, Commercial	Sp	Sp		Sp*	Sp*				
—Nursery, Commercial	Sp	Sp		Sp*	Sp*				
RESIDENTIAL USES									
—Accessory Residential Uses									
— Customary Accessory Uses (2)	Aee	Aee	Aee	Aee	Aee	Aee			
— Customary Home Occupation	Aee	Aee	Aee	Aee	Aee	Aee			
— Guest House (19)	Aee/Sx	Aee/Sx	Aee/Sx	Aee/Sx	Aee/S*	Aee/S*			
HOUSEHOLD UNITS									
—DWELLINGS									
— Single Family (12)	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt		
— Two family (13)	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*Sx	Prmt	Prmt*	Sx	
— Multiple (14)	PAD	PAD	PAD	PAD	PAD			Sp	
GROUP QUARTERS									
—Boarding, rooming or lodging houses (4)									
—1-2 persons	Aee	Aee		Aee	Aee				
—3-6 persons	Sp	Sp		Sp	Sp				
—Convalescent, nursing or rest home or sanitarium (9)	Sp	Sp	Sp	Sp	Sp				
—Religious quarters	Sp	Sp	Sp	Sp	Sp	Sp			
—Supervised group quarters (41)	Sp	Sp	Sp	Sp	Sp	Sp			
—Agricultural Group quarters, Seasonal	Sp	Sp							
TRANSIENT LODGINGS									
—Tourist home (42)	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	

*If existing on the effective date of these Regulations. Extensions or enlargements of existing greenhouses or nurseries require special permits

PRMT — Permitted Use or Use Category ————— Sp — special permit use/category —————
 Aee — accessory use or use/category ————— Sx — special exception use/category —————

RESIDENTIAL ZONES PERMITTED USES

Sheet #2

<i>PERMITTED USES</i>	<i>ZONE CATEGORIES</i>						TCMU
	CR	RR	AAA	AA	A	VR	
CEMETERY	Sp	Sp	Sp	Sp	Sp		
EDUCATIONAL SERVICES							
–Day care center	Sp	Sp	Sp	Sp	Sp	Sp	Sp
–Schools—public, private & parochial, university, college, jr. college & professional Education	Sp	Sp	Sp	Sp	Sp	Sp	
GOVERNMENTAL SERVICES	Sp	Sp	Sp	Sp	Sp	Sp	
MISCELLANEOUS SERVICES							
–Clubs, non-profit	Sp	Sp					
–Dog Kennel, commercial	Sp	Sp					
–Places of Worship	Sp	Sp	Sp	Sp	Sp	Sp	Sp
–Veterinarian service	Sp	Sp					Sp
TRADE USES							
CULTURAL, ENTERTAINMENT AND RECREATIONAL USES							
AMUSEMENTS							
–Bazaars, festivals, carnivals and circuses sponsored by a non-profit corporation or organization	Sp	Sp	Sp	Sp	Sp	Sp	
CULTURAL ACTIVITIES							
–Historic and monument sites (20)	Prmt	Prmt	Prmt	Prmt	Prmt		
–Library	Sp	Sp	Sp	Sp	Sp	Sp	
–Museum or Planetarium	Sp	Sp	Sp	Sp	Sp		
–Parks	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	
PUBLIC ASSEMBLY							
–Community Center	Sp	Sp	Sp	Sp	Sp	Sp	
RECREATIONAL ACTIVITIES							
–Golf course	Sp	Sp	Sp	Sp	Sp		
–Recreational Uses, non-profit	Sp	Sp	Sp	Sp	Sp		

*(if existing on the effective date of these Regulations—extensions or enlargement to existing stations require special permit)

PRMT— Permitted Use or Use Category

Sp— special permit use/category

Acc— accessory use or use/category

Sx— special exception use/category

RESIDENTIAL ZONES PERMITTED USES

Sheet #3

<i>PERMITTED USES</i>	<i>ZONE CATEGORIES</i>						TCMU
	CR	RR	AAA	AA	A	VR	
*Platform tennis, indoor and outdoor Riding Stable	Sp	Sp					
TRANSPORTATION, COMMUNICATION AND UTILITY USES							
AIRPORT LANDING FIELD	Sp	Sp					
AUTOMOBILE PARKING							
-Garage, parking (18)	Aee	Aee	Aee	Aee	Aee	Aee	Aee
-Private area (35)	Aee	Aee	Aee	Aee	Aee	Aee	Aee
COMMUNICATIONS							
-Transmitting exchange or receiving station	Sp	Sp					
-Towers, transmitting and relay	Sp	Sp					
MOTOR VEHICLE TRANSPORTATION							
UTILITIES							
-Sewage and solid waste disposal	Sp	Sp					
-Utility Electric, Gas and Water	Sp	Sp	Sp	Sp	Sp		

PRMT Permitted Use or Use Category

Sp special permit use/category

Aee accessory use or use/category

Sx special exception use/category

COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES — Sheet #4

PERMITTED USES	ZONE CATEGORIES									
	TC	PBD	PE	PC	PT	PI	RL	F	VC	TCMU
RESOURCE PRODUCTION & EXTRACTION USES										
—Agriculture (3)		Acc			Acc	Acc	Acc	Prmt*		
—Farm (17)		Prmt*	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*		
—Earth Products, Excavation And Filling Or Removal Of		Sp	Sp	Sp	Sp	Sp	Sp	Sp		
RESIDENTIAL USES										
—HOUSEHOLD UNITS										
—DWELLINGS										
—Single Family (12)	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*			Sp*	Prmt
—Two family (13)	Prmt*	Prmt*	Prmt*	Prmt*						Prmt*
—Multiple (14)	Sp	PAD	PAD							Sp
GROUP QUARTERS										
—Boarding, rooming or lodging houses (4)										
—1-2 persons		Sp	Sp							
—3-6 persons		Sp	Sp							
—Convalescent, nursing or rest home or sanitarium (9)	Prmt*	Sp								
—Religious quarters		Sp							Sp	
—Supervised group quarters (41)										
—Agricultural Group quarters, Seasonal										
TRANSIENT LODGINGS										
—Hotel/Motel/Inn (22)					Sp					
—Tourist home (42)	Sp								Sp	Sp
NON RESIDENTIAL USES										
OFFICE, GENERAL AND/OR PROFESSIONAL USES	Sp	Sp	Sp	Sp	Sp				Sp	Sp
SERVICE USES										
BUSINESS SERVICES, except warehousing and storage and motor vehicle rental services	Sp	Sp	Sp	Sp	Sp				Sp	Sp

*(if existing on the effective date of these Regulations — VC Zone 2nd fl dwelling requires special permit, see regulations)

Prmt — Permitted Use or Use Category ————— Sp — special permit use/category
 Acc — accessory use or use/category ————— Sx — special exception use/category

COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES — Sheet #5

PERMITTED USES	ZONE CATEGORIES										TCMU
	TC	PBD	PE	PC	PT	PI	RL	F	VC	TCMU	
CEMETERY							Sp				
CONTRACT CONSTRUCTION SERVICE , indoor and outdoor, except salvage and wrecking services				Sp		Sp					
EDUCATIONAL SERVICES											
Day care center	Sp	Sp	Sp	Sp	Sp	Sp			Sp*	Sp	
Schools—public, private & parochial, university, college, jr. college & professional Education									Sp		
Schools—vocational or trade (4-2-85)			Sp	Sp		Sp					
FINANCE, INSURANCE & REAL ESTATE SERVICES	Sp	Sp	Sp	Sp	Sp	Sp			Sp		
GOVERNMENTAL SERVICES	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	
PERSONAL SERVICES	Sp	Sp			Sp				Sp	Sp	
PROFESSIONAL SERVICES , except convalescent, nursing or rest home or sanitarium (in PT/PI)	Sp	Sp	Sp	Sp	Sp	Sp			Sp	Sp	
REPAIR SERVICES											
MOTOR VEHICLE REPAIR AND SERVICES											
Carwash		Sp		Sp	Sp						
General repair and service (29)				Sp		Sp					
Limited repair and service (30)		Sp		Sp	Sp						
Gasoline and/or service station		Sp*			Sp				Sp*		
MISCELLANEOUS SERVICES											
—Ambulance Service		Sp			Sp						
—Places of Worship	Sp	Sp							Sp	Sp	
—Veterinarian service										Sp	
TRADE USES											
—RETAIL TRADE—apparel and accessories	Sp	Sp			Sp				Sp		
—RETAIL TRADE—automotive, marine—craft, aircraft, and accessories	Sp	Sp			Sp						
—RETAIL TRADE—building materials and farm equipment	Sp	Sp				Sp					
—RETAIL TRADE—eating and drinking without drive-in or curb service	Sp	Sp			Sp				Sp		
—RETAIL TRADE—food	Sp	Sp			Sp				Sp		

RETAIL TRADE—furniture, home furnishing and equipment	Sp	Sp			Sp				Sp		
RETAIL TRADE—general merchandise	Sp	Sp			Sp				Sp		
RETAIL TRADE—hardware	Sp	Sp			Sp				Sp		

~~*(if existing on the effective date of these Regulations—Extension or enlargement may require special permit)~~

~~Prmt—Permitted Use or Use Category~~

~~Sp—special permit use/category~~

~~Ace—accessory use or use/category~~

~~Sx—special exception use/category~~

COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES — Sheet #6

PERMITTED USES	ZONE CATEGORIES								
	TC	PBD	PE	PC	PT	PI	RL	F	VC
RETAIL TRADE—other	Sp	Sp			Sp				
WHOLESALE TRADE AND WAREHOUSING			Sp	Sp		Sp			
APPAREL AND OTHER FINISHED PRODUCTS—MANUFACTURING excepting corrosive, poisonous or malodorous acids and chemicals and excepting glue, size, gelatin, fertilizer, fat rendering, explosives (other than firearms, or small arms or ammunition) printing ink and carbon black mfg.				Sp		Sp			
FOOD AND KINDRED PRODUCTS—MANUFACTURING except abattoir and slaughter houses				Sp		Sp			
FURNITURE AND FIXTURES—MANUFACTURING						Sp			
LUMBAR AND WOOD PRODUCTS—MANUFACTURING				Sp		Sp			
PRINTING, PUBLISHING AND ALLIED INDUSTRIES—MANUFACTURING			Sp	Sp		Sp			
PROFESSIONAL, SCIENTIFIC AND CONTROLLING INSTRUMENTS; PHOTOGRAPHIC & OPTICAL GOODS: Watches and clocks—Manufacturing			Sp	Sp		Sp			
STONE, CLAY AND GLASS PRODUCTS—MANUFACTURING except abrasive, asbestos and miscellaneous non-metallic mineral products—manufacturing and concrete gypsum and plaster products manufacturing and structural clay products.				Sp		Sp			
TEXTILE MILL PRODUCTS—MANUFACTURING				Sp	Sp	Sp			
MISCELLANEOUS MANUFACTURING excepting that which is dangerous by reason of fire, radiation or explosion, or injurious or detrimental to the surrounding			Sp	Sp	Sp	Sp			

Recreational Uses, non-profit	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp
Health, Fitness and Recreational Uses indoor Effective January 30, 1995	Sp		Sp	Sp		Sp			Sp

~~Prmt Permitted Use or Use Category Sp special permit use/category~~
~~Acc accessory use or use/category Sx special exception use/category~~

PERMITTED USES	ZONE CATEGORIES									
	TC	PBD	PE	PC	PT	PI	RL	F	VC	TCMU
Platform tennis, indoor and outdoor Riding Stable					Sp					
Skating rink, ice and/or roller, indoor	Sp	Sp	Sp	Sp	Sp	Sp				
Tennis courts, indoor	Sp	Sp	Sp	Sp	Sp	Sp				
TRANSPORTATION, COMMUNICATION AND UTILITY USES										
Airport Landing Field								Sp		
AUTOMOBILE PARKING										
Garage, parking (18)	Aee	Aee	Aee	Aee	Aee	Aee				Aee
Private (36)	Aee	Aee	Aee	Aee	Aee	Aee	Aee	Aee		Aee
Public (37)	Sp	Sp			Sp					
COMMUNICATIONS										
Radio, television, telegraph, telephone or other communications										
Broadcasting studio, message center or office		Sp	Sp	Sp	Sp	Sp			Sp	
Transmitting exchange or receiving station		Sp	Sp	Sp	Sp	Sp				
Towers, transmitting and relay										
MOTOR VEHICLE TRANSPORTATION										
Bus transportation										
Garaging and equipment maintenance				Sp		Sp				
Passenger terminal		Sp			Sp					
Motor freight transportation terminal and garage			Sp			Sp				
Transportation center		Sp			Sp					
UTILITIES										
Sewage and solid waste disposal							Sp	Sp	Sp	
Utility Electric, Gas and Water	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	

Prmt — Permitted Use or Use Category — Sp — special permit use/category
Aee — accessory use or use/category — Sx — special exception use/category

TABLE OF PERMITTED USES IN RESIDENTIAL ZONES

PERMITTED USES	Req.	ZONE						
		CR	RR	AAA	AA	A	VR	TCMU
RESOURCE PRODUCTION & EXTRACTION USES								
Agriculture ⁺		Acc	Acc	Acc	Acc	Acc		
Farm ⁺		Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	
Earth Products, Excavation And Filling Or Removal Of	6.2	Sp	Sp	Sp	Sp	Sp		
Saw Mills		Sp	Sp					
Greenhouses, Commercial		Sp	Sp		Sp*	Sp*		
Nursery, Commercial		Sp	Sp		Sp*	Sp*		

* Extensions or enlargements of existing facilities only

RESIDENTIAL USES								
ACCESSORY RESIDENTIAL USES								
Customary Accessory Uses ⁺	7.1	Acc	Acc	Acc	Acc	Acc	Acc	Acc
Customary Home Occupation	7.1	Acc	Acc	Acc	Acc	Acc	Acc	
Guest House ⁺		Sx	Sx	Sx	Sx	Sx	Acc	
DWELLINGS								
Single-Family ⁺		Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt
Two-family ⁺ *						Sp	Sx*	Prmt** and Sp
Multiple ⁺	4.5 and 4.9	PAD	PAD	PAD	PAD	PAD		Sp^
Accessory Dwelling Unit	6.11	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt

* Two-family dwellings shall meet Residence A zone area, frontage, yard, coverage and site requirements. No variance from said standards shall be allowed. Additions are permitted on existing structures provided minimum setbacks for Residence A Zone are met.

** Existing two-family dwellings may be enlarged as of right, provided no increase in dwelling units and all development standards are met.

^ Not to exceed 6 dwelling units per acre

GROUP QUARTERS								
Boarding, rooming or lodging houses ⁺	7.1							
1-2 persons		Acc	Acc		Acc	Acc		
3-6 persons		Sp	Sp					
Convalescent, nursing or rest home or sanitarium ⁺		Sp	Sp	Sp	Sp	Sp		
Religious quarters		Sp	Sp	Sp	Sp	Sp	Sp	Sp
Supervised group quarters ⁺	6.9	Sp	Sp	Sp	Sp	Sp	Sp	
Agricultural Group quarters, Seasonal ⁺	6.10	Sp	Sp					
TRANSIENT LODGINGS								
Bed and Breakfast ⁺		Sp	Sp	Sp	Sp	Sp	Sp	Sp

TABLE OF PERMITTED USES IN RESIDENTIAL ZONES (Continued)

PERMITTED USES	Req.	ZONE						
		CR	RR	AAA	AA	A	VR	TCMU
INSTITUTIONAL AND COMMERCIAL USES								
CEMETERY		Sp	Sp	Sp	Sp	Sp		
EDUCATIONAL SERVICES								
Day care center		Sp	Sp	Sp	Sp	Sp	Sp	Sp
Schools - public, private & parochial, university, college, jr. college & professional		Sp	Sp	Sp	Sp	Sp	Sp	
GOVERNMENTAL SERVICES		Sp	Sp	Sp	Sp	Sp	Sp	Sp
MISCELLANEOUS SERVICES								
Clubs, non-profit		Sp	Sp					
Dog Kennel, commercial		Sp	Sp					
Places of Worship		Sp	Sp	Sp	Sp	Sp	Sp	Sp
Business services except warehousing and motor vehicle rental								Sp
Office, general, medical and professional								Sp
Mixed-use development								Sp
Personal services								Sp
Veterinarian service		Sp	Sp					Sp
CULTURAL, ENTERTAINMENT AND RECREATIONAL USES								
AMUSEMENTS								
Bazaars, festivals, carnivals and circuses sponsored by a non-profit corporation or organization		Sp	Sp	Sp	Sp	Sp	Sp	
CULTURAL ACTIVITIES								
Historic and monument sites ⁺		Prmt	Prmt	Prmt	Prmt	Prmt		
Library		Sp	Sp	Sp	Sp	Sp	Sp	
Museum or Planetarium		Sp	Sp	Sp	Sp	Sp	Sp	
Parks ⁺		Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt
PUBLIC ASSEMBLY								
Community Center		Sp	Sp	Sp	Sp	Sp	Sp	
RECREATIONAL ACTIVITIES								
Golf course		Sp	Sp	Sp	Sp	Sp		
Recreational Uses, non-profit		Sp	Sp	Sp	Sp	Sp		
Riding Stable		Sp	Sp					

TABLE OF PERMITTED USES IN RESIDENTIAL ZONES (Continued)

PERMITTED USES	Req.	ZONE						
		CR	RR	AAA	AA	A	VR	TCMU
TRANSPORTATION								
Aircraft landing field		Sp	Sp					
Automobile Parking								
Garage ⁺	7.1	Acc	Acc	Acc	Acc	Acc	Acc	Acc
Private area ⁺		Acc	Acc	Acc	Acc	Acc	Acc	Acc
COMMUNICATIONS								
Transmitting exchange or receiving station	3.21	Sp	Sp					
Towers, transmitting and relay	3.21	Sp	Sp					
UTILITIES								
Sewage and solid waste disposal		Sp	Sp					
Utility- Electric, Gas and Water		Sp	Sp	Sp	Sp	Sp		

TABLE OF PERMITTED USES IN COMMERCIAL/INDUSTRIAL, MIXED USE AND OTHER ZONES

PERMITTED USES	Req.	ZONE								
		TC	PBD	PE	PC	PT	PI	RL	F	VC
RESOURCE PRODUCTION & EXTRACTION USES										
Agriculture ⁺			Acc			Acc	Acc	Acc	Prmt	
Farm ⁺			Ex.*	Ex.*	Ex.*	Ex.*	Ex.*		Prmt ⁺	
Earth Products, Excavation And Filling Or Removal Of	6.2		Sp	Sp	Sp	Sp	Sp			

* If existing on the effective date of these Regulations

+ Excluding a dwelling, or premises used for the keeping of livestock

RESIDENTIAL USES										
Single-Family ⁺		Ex.**		Ex.*	Ex.*		Ex.*			Sp*
Two-family ⁺		Ex.**		Ex.*	Ex.*		Ex.*			
Multiple ⁺		Sp	PAD	PAD						
Accessory Dwelling Units	6.11									

*Single and two-family dwellings existing on the effective date of these Regulations shall meet Residence A zone area,

** Existing on or before January 1, 2014

GROUP QUARTERS										
Boarding, rooming or lodging houses (4)	7.1									
1-2 persons			Sp	Sp		Sp				
3-6 persons			Sp	Sp		Sp				
Convalescent, nursing or rest home or sanitarium (9)		Prmt**	Sp							
Religious quarters			Sp							Sp
Supervised group quarters (42)	6.9									
Agricultural Group quarters, Seasonal (51)	6.10									

** If existing on or before January 1, 2014 - expansions require Special Permit with Design Review

TRANSIENT LODGINGS										
Hotel/Motel/Inn ⁺						Sp [^]				
Bed and breakfast ⁺		Sp								Sp
MIXED USE DEVELOPMENT	4.13.2	Sp								Sp*

*2nd story dwellings with retail, personal service or business service use(s) on the 1st floor are permitted.

[^] Area, frontage, yard coverage and height requirements shall be those of the PBD zone.

NON-RESIDENTIAL USES										
OFFICE, GENERAL AND/OR PROFESSIONAL USES		Sp	Sp	Sp	Sp	Sp	Sp			Sp

SERVICE USES										
Business, except warehousing and storage and motor vehicle rental services		Sp	Sp	Sp	Sp	Sp	Sp			Sp
Cemetery								Sp		
Contract construction, indoor and outdoor, except salvage and wrecking services					Sp		Sp			

EDUCATIONAL SERVICES										
Day care center		Sp	Sp	Sp	Sp	Sp	Sp			Ex. [^]
Schools - public, private & parochial, university, college, jr. college & professional Education								Sp*		Sp
Schools - vocational or trade				Sp	Sp		Sp			

*Public schools only.

[^]Existing only - expansions, extension or enlargements shall require special permit.

TABLE OF PERMITTED USES IN COMMERCIAL/INDUSTRIAL, MIXED USE AND OTHER ZONES (Continued)

PERMITTED USES	Req.	ZONE								
		TC	PBD	PE	PC	PT	PI	RL	F	VC
FINANCE, INSURANCE & REAL ESTATE SERVICES		Sp	Sp	Sp	Sp	Sp	Sp			Sp
GOVERNMENTAL SERVICES		Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp
PERSONAL SERVICES		Sp	Sp			Sp				Sp
PROFESSIONAL SERVICES , except convalescent, nursing or rest home or sanitarium (in PT/PI)		Sp	Sp	Sp	Sp	Sp	Sp			Sp
MOTOR VEHICLE REPAIR AND SERVICES										
Carwash	6.3		Sp		Sp	Sp				
General repair and service ⁺	6.4				Sp		Sp			
Limited repair and service ⁺	6.4		Sp		Sp					
Gasoline and/or service station	6.5		Sp*			Sx**				Sp*
* Extensions or enlargements of existing facilities only.										
** See Section 6.5 for lot area requirements										
MISCELLANEOUS SERVICES										
Ambulance Service			Sp			Sp				
Places of Worship		Sp	Sp							Sp
Veterinarian service										
TRADE USES										
RETAIL TRADE										
Apparel and accessories		Sp	Sp			Sp				Sp
Automotive, marine craft, aircraft, and accessories		Sp	Sp			Sp [^]				
Building materials and farm equipment		Sp	Sp				Sp			
Eating and drinking without drive-in or curb service	6.1, 6.6	Sp	Sp			Sp [^]				Sp
Food	6.1	Sp	Sp			Sp				Sp
Furniture, home furnishing and equipment		Sp	Sp			Sp				Sp
General merchandise		Sp	Sp			Sp				Sp
Hardware		Sp	Sp			Sp				Sp
Other	6.1	Sp	Sp			Sp				
WHOLESALE TRADE AND WAREHOUSING				Sp	Sp		Sp			

[^] Frontage, yard, coverage and height requirements for these uses shall be those of the PBD zone.

TABLE OF PERMITTED USES IN COMMERCIAL/INDUSTRIAL, MIXED USE AND OTHER ZONES (Continued)

PERMITTED USES	Req.	ZONE								
		TC	PBD	PE	PC	PT	PI	RL	F	VC
MANUFACTURING USES										
MANUFACTURING										
Apparel and other finished products – excepting corrosive, poisonous or malodorous acids and chemicals and excepting glue, size, gelatin, fertilizer, fat rendering, explosives (other than firearms, or small arms or ammunition) printing ink and carbon black mfg.					Sp		Sp			
Food and kindred products – except abattoir and slaughter houses					Sp		Sp			
Furniture and fixtures							Sp			
Lumber and wood products					Sp		Sp			
Printing, publishing and allied industries				Sp	Sp		Sp			
Professional, scientific and controlling instruments; photographic & optical goods; watches and clocks				Sp	Sp		Sp			
Stone, clay and glass products, including concrete gypsum and plaster products, and structural clay products –except abrasive, asbestos and miscellaneous non metallic mineral products.					Sp		Sp			
Textile mill products					Sp		Sp			
Miscellaneous - excepting that which is dangerous by reason of fire, radiation or explosion, or injurious or detrimental to the surrounding neighborhood by reason of the possible emission of excessive dust, odor, fumes, gas, smoke wastes, refuse matter, noise, vibration or because of any other objectionable feature, or is presently or in the future is likely to be a hazard or nuisance to adjacent property or the community at large, as determined by the Building Official, Fire Marshal or Director of Health				Sp	Sp		Sp			

TABLE OF PERMITTED USES IN COMMERCIAL/INDUSTRIAL, MIXED USE AND OTHER ZONES (Continued)

PERMITTED USES	Req.	ZONE								
		TC	PBD	PE	PC	PT	PI	RL	F	VC
CULTURAL, ENTERTAINMENT AND RECREATIONAL USES										
AMUSEMENTS										
Bazaars, festivals, carnivals and circuses sponsored by a non-profit corporation or organization			Sp	Sp	Sp	Sp	Sp		Sp	Sp
Billiard and pool hall			Sp			Sp				
Golf driving range									Sp	
Golf, miniature			Sp			Sp				
CULTURAL ACTIVITIES										
Historic and monument sites ⁺		Sp	Sp	Sp	Sp	Sp	Sp	Sp	Prmt	
Library		Sp	Sp							Sp
Museum or Planetarium		Sp	Sp							
Parks ⁺		Prmt	Prmt	Prmt	Prmt	Prmt	Prmt		Sp	
PUBLIC ASSEMBLY										
Auditorium or coliseum			Sp	Sp	Sp	Sp	Sp			
Community Center			Sp							Sp
Theater, legitimate and/or motion picture		Sp	Sp			Sp				
RECREATIONAL ACTIVITIES										
Archery range, indoor		Sp	Sp			Sp				
Athletic Clubs		Sp	Sp			Sp				Sp
Bowling		Sp	Sp			Sp				
Firing range indoor		Sp	Sp			Sp				
Golf course								Sp	Sp	
Marina									Sp	
Recreational Uses, non-profit		Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	
Health, Fitness and Recreational Uses indoor		Sp		Sp	Sp		Sp			Sp
Skating rink, ice and/or roller, indoor		Sp	Sp	Sp	Sp	Sp	Sp			
Tennis courts, indoor		Sp	Sp	Sp	Sp	Sp	Sp			

TABLE OF PERMITTED USES IN COMMERCIAL/INDUSTRIAL, MIXED USE AND OTHER ZONES (Continued)

PERMITTED USES	Req.	ZONE								
		TC	PBD	PE	PC	PT	PI	RL	F	VC
TRANSPORTATION, COMMUNICATION AND UTILITY USES										
Aircraft landing field									Sp	
AUTOMOBILE PARKING										
Garage ⁺		Acc	Acc	Acc	Acc	Acc	Acc			
Private ⁺		Acc	Acc	Acc	Acc	Acc	Acc	Acc	Acc	
Public ⁺		Sp	Sp			Sp				
COMMUNICATIONS										
Radio, television, telegraph, telephone or other communications										
Broadcasting studio, message center or office			Sp	Sp	Sp	Sp	Sp			Sp
Transmitting exchange or receiving station			Sp	Sp	Sp	Sp	Sp			
Towers, transmitting and relay										
MOTOR VEHICLE TRANSPORTATION										
Bus transportation										
Bus garaging and equipment maintenance					Sp		Sp			
Passenger terminal			Sp			Sp [^]				
Motor freight transportation terminal and garage					Sp		Sp			
Public and private roads									Sp	
Transportation center			Sp			Sp [^]				
<i>[^] Frontage, yard, coverage and height requirements for these uses shall be those of the PBD zone.</i>										
UTILITIES										
Sewage and solid waste disposal								Sp	Sp	Sp
Utility- Electric, Gas and Water		Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp

SECTION 6 SPECIAL REGULATIONS FOR PERMITTED USES

~~The sale of alcoholic liquors is a permitted use in the Central District CD Zone and shall not be controlled by the provisions of this Section within said zone. The sale of alcoholic liquors is also a permitted special permit use in the Planned Business and Development PBD Zone and the Planned Travel PT Zone, and a permitted accessory use to a club in the Country Residence CR Zone and Rural Residence RR Zone, and a permitted accessory use to a full-sized golf course of nine (9) holes or larger in the Country Residence CR, Rural Residence RR, Residence AAA, AA, A, Reserved Land RL, and Flood F Zones, subject to the requirements of those zones, the requirements of Section 12 of these Regulations, and any other review and approval which the particular uses may require by these Regulations, and in addition, the following conditions:~~

6.1 Alcoholic Liquors, Sale Of

~~The sale of alcoholic liquors is a permitted use in the Town Center (TC) Zone ~~Central District CD Zone~~ and shall not be controlled by the provisions of this Section within said zone. The sale of alcoholic liquors is also a permitted special permit use in the Planned Business and Development (PBD) Zone and the Planned Travel (PT) Zone, and a permitted accessory use to a club in the Country Residence (CR) Zone and Rural Residence (RR) Zone, and a permitted accessory use to a full-sized golf course of nine (9) holes or larger in the Country Residence (CR), Rural Residence (RR), Residence AAA, AA, A, Reserved Land (RL), and Flood (F) Zones, subject to the requirements of those zones, the requirements of Section 12 of these Regulations, and any other review and approval which the particular uses may require by these Regulations, and in addition, the following conditions:~~

- a. In the Planned Business and Development (PBD) Zone and the Planned Travel (PT) Zone, no building or premises shall be used and no building shall be erected or altered which is used or is arranged, intended or designed to be used as a place where alcoholic liquors are or are to be sold for consumption on the premises if that portion of said building or premises actually used or arranged, intended or designed to be used for the sale and/or consumption of alcoholic liquor is located.
 1. Within one thousand (1,000) feet, measured by a straight line as established by the Town Plan and Zoning Commission, Zoning Board of Appeals or Building Official, whichever the case may be, from that portion of any other building or premises constituting a use of the same use category wherein the sale and/or consumption of alcoholic liquor on the premises is carried on;
 2. Within five hundred (500) feet, measured by a straight line as established by the Town Plan and Zoning Commission, zoning Board of Appeals or Building or Building Official, whichever the case may be, from any part of any building or premises used for a college, place of worship, hospital, library, park or playground;
 3. Within five hundred (500) feet, measured along the street line or lines, from any zone boundary line of any residential zone (CR, RR, AAA, AA, A).

The foregoing distance limitations set forth in this subsection 6.1a may be decreased by the Town Plan and Zoning Commission in the case of a permitted hotel, motel or full-service restaurant where alcoholic liquors are sold for consumption on the premises under a hotel permit or a restaurant permit (as defined in the State Liquor Control Act) in the Planned Business and

Development (PBD) Zone and in the Planned Travel (PT) Zone, provided that said Commission, after a public hearing and having taken into consideration the provisions of Section 12 of these Regulations and the proximity of said hotel, motel or restaurant to other buildings or premises used for the sale of alcoholic liquors for consumption on the premises or as a college, school, place of worship, hospital, library, park or playground, and to the zone boundary line of any residential zone, shall find that such sale of alcoholic liquors.

- a.) Shall be subordinate and incidental to the principal use of the premises as a restaurant where the patrons are primarily persons seated at tables where hot meals are served or as a hotel or as a motel;
- b.) Shall not conflict with the general purpose of these Regulations as it relates to the area;
- c.) Shall not adversely affect the health, safety or morals of persons attending any nearby college, school, place of worship, hospital, library, park or playground or residing in any nearby residential zone; and
- d.) Shall not hinder the appropriate development and use of adjacent land and buildings or cause traffic hazards.

b. In the Planned Business and Development (PBD) zone and the Planned Travel (PT) Zone, no building or premises shall be used and no building shall be erected or altered which is used or is arranged, intended or designated to be used as a place where alcoholic liquors are or are to be sold for consumption off the premises if that portion of said building or premises actually used or arranged, intended, designed to be used for the sale of alcoholic liquors is located.

- 1. Within one thousand (1,000) feet, measured by a straight line as established by the Town Plan and Zoning Commission, Zoning Board of Appeals or Building Official, whichever the case may be, from that portion of any other such building or premises used for the sale of alcoholic liquors for consumption off the premises;
- 2. Within five hundred (500) feet, measured by a straight line as established by the Town Plan and Zoning Board of Appeals or Building Official, whichever the case may be, from any part of any building or premises used for a college, school, place of worship, hospital, library, park or playground.
- 3. Within five hundred (500) feet, measured along street lines, from any zone boundary line of any residential zone (CR, RR, AA, AA or A).

The sale of ale, beer and lager when a part of and incidental to a bona fide grocery store for consumption off the premises under a grocery store beer permit (as defined in the State Liquor Control Act) is a permitted accessory use in the Planned Business and Development (PBD) Zone and Planned Travel (PT) Zone and shall not be subject to the foregoing distance limitations set forth in this subsection 6.1.b.

c. The foregoing distance limitations set forth in this Section 6.1 shall not be deemed to be retroactive, except that any location actually being used for the sale of alcoholic liquors on (the effective date of these Regulations), whether or not conforming to the provisions of these Regulations, and at which location the selling of alcoholic liquors is discontinued for a period of six (6) consecutive months, shall not be permitted to be used again for the sale of alcoholic liquors except in conformity with the provisions of this Section 6.1.

6.2 Excavation And Filling Or Removal of Earth Products

6.2.0 The excavation and filling or removal of earth products is a permitted special permit use in all zones, subject to the requirements of the specific zone or zones in which the excavation operations are located, the provisions of Section 12 of these Regulations, and any other review and approval which may be required by these Regulations, including the conditions, standards and requirements set forth in this Section 6.2.

6.2.1 Authorization For Special Permit For Excavation And Filling Or Removal Of Earth Products

Pursuant to Section 7-148 of the Connecticut General Statutes, the Town Plan and Zoning Commission is authorized to grant a special permit for the excavation and filling or removal of earth products in the Town of Glastonbury, and the Town Building Official is authorized to enforce these Regulations and any conditions connected with any such special permit.

6.2.2 Purpose

The purpose of these Regulations is to:

- a. Regulate the conditions and operations of excavating, grading, filling and removal of earth, sand, stone, gravel, soil, minerals, loam, fill, clay, peat moss and any other earth products;
- b. Prevent conditions detrimental to the public health, safety and general welfare, including but not limited to, erosion, creation of dangerous open pits, stagnant water bodies, nuisances, or permanent damage to the landscape;
- c. Conserve and preserve wetlands, watercourses and water storage areas, the value of adjoining and surrounding properties, and the land itself for future useful purposes;
- d. Assure continuity of operations at a given location until a deposit is fully utilized in conformance with these Regulations; and
- e. Minimize or eliminate any deleterious effects on adjacent or nearby land uses and prevent the emergence of any blighting influences.

6.2.3 Definition

For the purpose of these Regulations:

ACCESS ROAD. The phrase “access road” shall mean a road conforming to the criteria of Section 6.2 of these regulations that provides a means of ingress and egress from a public road or right of way to the permitted area on a premises where there are excavation operations taking place.

- b. **EXCAVATION OPERATIONS.** The phrase “excavation operations” shall include the following:
 - (i). Any operations involving excavating, grading, filling or removal of earth, sand, stone, gravel, soil, minerals, loam, fill, clay, peat moss, and any other earth products, including

the storage of those earth products, in a permitted area located in the Town of Glastonbury,;

- (ii). The transportation on land or roads, public or private, in the Town of Glastonbury of any such products from such an operation, if it is (A) located within the Town of Glastonbury or (B) located in a town contiguous or adjacent to Glastonbury, and has, as its sole means of direct ingress and egress, private land or public or private roads in the Town of Glastonbury.

PERMITTED AREA. The phrase “permitted area” shall mean the limits of the area within the premises for which a permit or permits exist or are requested for excavation operations as defined in Section 6.2.3.b.i of these Regulations, storage area, and processing of earth materials.

PREMISES. “premises” shall mean the entire parcel of land within which the permitted area is proposed.

WATERCOURSES. “Watercourses” shall mean rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, public or private, which are contained within, flow through or border upon the Town of Glastonbury, or any portion thereof, not regulated pursuant to Sections 22a-28 to 22a-35 of the Connecticut General Statutes .

WETLANDS. “Wetlands” shall mean land, including submerged land, not regulated pursuant to Sections 22a-28 to 22a-35 of the Connecticut General Statutes, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and flood plain by the National Cooperative Soils Survey, as may be amended from time to time, of the Soil Conservation Service of the United States Department of Agriculture.

6.2.4 Requirements For Special Permit For Excavation Operations

Excavation operations shall begin or continue only after the owner of the premises has received a special permit in accordance with the provisions of these Regulations. A special permit for excavation operations shall be required except in the case of the following operations:

- a. Excavation operations within the actual rights-of-way of public streets or highways of either the Town of Glastonbury or the State of Connecticut or within the streets or roads as shown on a subdivision map or a plan of development map approved by the Town Plan and Zoning Commission.
- b. Excavation operations within a premises as directed and approved by the Town Building Official as a result of bona-fide construction operations, such as building erection, for which operation a building permit has been issued by the Town Building Official.
- c. Excavation operations completely within a premises as a result of bona-fide landscaping, agricultural, or construction operation for which operation no building permit is required from the Town of Glastonbury, as directed and approved by the Town Building Official, provided that no such excavation operation shall result in removal or filling in of more than six hundred (600) cubic yards of earth products for each individual premises.
- d. Excavation operations conducted in accordance with and pursuant to a special permit granted by the Town Plan and Zoning Commission prior to (the effective date of these Regulations).

The permittee or owner of any premises or rights-of-way falling within the provisions of Sections 6.2.4 a, b, c, or d above, from or into which any earth products have been removed or filled, shall, within thirty (30) days after the completion of such excavation operations or any substantial portion thereof, grade and cover any exposed areas where removal or filling takes place with not less than four (4) inches of topsoil or loam removed from such premises or rights-of-way and seed with a suitable cover crop or cultivation acceptable to the Town Building Official. Any such seeding shall be sowed at a rate not less than three (3) pounds of seed for every one thousand (1000) square feet of area covered. This requirement may be held in abeyance during the months of November, December, January and February.

Notwithstanding Sections 6.2.4a, 6.2.4b, and 6.2.4c above, a special permit in accordance with the provisions of these Regulations shall be required for any excavation operations (except those described in Section 6.2.4d above) within one hundred (100) feet of the high water level (line) of any watercourses or wetlands. HOWEVER, EXCAVATION OPERATIONS CONDUCTED IN ACCORDANCE WITH SECTIONS 6.2.4A, 6.2.4B OR 6.2.4C, WHICH HAVE RECEIVED A WETLANDS PERMIT FROM THE GLASTONBURY INLAND WETLANDS AND WATERCOURSE AGENCY, SHALL NOT ALSO REQUIRE A SECTION 6.2 SPECIAL PERMIT. In addition, excavation operations as such phrase is used in Sections 6.2.4a, 6.2.4b, and 6.2.4c above shall not include the operation of disposing of said earth products after removal or the operation of obtaining said earth products prior to filling in. Said disposition and/or obtaining of earth products shall require a special permit in accordance with the provisions of these Regulations. EFFECTIVE JANUARY 29, 1996.

6.2.5 Permitted Stipulations With Special Permit For Excavation

The Town Plan and Zoning Commission may, after applying these Regulations in harmony with their purposes, stipulate such restrictions as appear to the Commission to be reasonable to protect the rights of individuals, property values in the area as a whole, and the public health, safety and welfare and which promote sound land use and resource excavation practices.

6.2.6 Criteria For Evaluating A Special Permit For Excavation.

The Town Plan and Zoning Commission shall evaluate each and every application for a special permit for excavation operations and shall consider the provisions of this Section 6.2 in light of the following criteria (at a minimum):

- a. **APPROPRIATENESS OF LOCATION.** The compatibility of the proposed excavation operations with the adopted Town Plan of Conservation and Development, and the specific zone and neighborhood, including but not limited to property values, noise levels, traffic, odor, dust, general appearance and surrounding development, both existing and proposed.
- b. **CONFORMANCE.** Conformance with the Glastonbury Building- Zone Regulations, other applicable Town Codes or ordinances, and the purposes of these Regulations as set forth in Section 6.2.2.
- c. **SAFETY.** Accessibility for emergency vehicles and equipment; potential for increased fire or traffic hazards; potential for damage to Town roads, bridges or other public facilities.
- d. **HISTORIC AND SCENIC.** Potential for destroying or defacing historic areas or scenic landmarks or otherwise being detrimental to a neighborhood or altering a neighborhood's essential characteristics.

- e. TRAFFIC. Impact of anticipated additional ~~vehicular~~vehicular traffic generated by the excavation operation on local access, town and state roads. This impact will be evaluated in conjunction with the impact of truck traffic generated by all of the excavation operations at the time of application for the permit.

6.2.7 Required Standards For A Special Permit For Excavation Operations

Prior to approving any application for a special permit for excavation operations, the Town Plan and Zoning Commission shall consider each such operation in terms of the criteria set forth in the preceding Section 6.2.6 and shall determine whether such operations conform to the following standards. Failure of the operations to properly satisfy the criteria set forth in Section 6.2.6 or to conform to any of the following standards shall be sufficient reason for the Commission to deny or withhold the special permit.

The following standards are minimum requirements for excavation operations and the Town Plan and Zoning Commission may require additional or stricter provisions for particular excavation operations based on the criteria set forth in Section 6.2.6.

a. Excavation Operation Standards

1. OPERATION SIZE. There shall be no minimum or maximum permitted area size for excavation operations, except that the Commission may fix a maximum and/or minimum permitted area size based on the criteria in Section 6.2.7 of these Regulations. Prior to the issuance of any special permit for excavation operations, boundaries of the permitted area and premises shall be clearly surveyed and marked with permanent monuments by a Connecticut Registered Land Surveyor. AMENDED EFFECTIVE APRIL 23, 1974.
2. MINIMUM SETBACKS. The permitted area shall be located at least fifty (50) feet from any property line, public street, road or highway right-of-way, and shall be arranged and aligned to minimize traffic dangers and nuisance to surrounding properties and the general public. In evaluating minimum setback distances for an excavation operation, the Commission shall consider the criteria in Section 6.2.6 of these Regulations.

The Town Plan and Zoning Commission will require a landscape plan to provide adequate screening of a permitted area that is located up to one-hundred (100) feet from any property line, public street, road or highway right-of-way to ensure minimal impact on surrounding property owners. In evaluating the landscape plan and screening options, the Commission shall consider the criteria in Section 6.2.6 of these Regulations.

3. ACCESS ROADS. All vehicular access to any permitted area shall be arranged and aligned to minimize traffic dangers and nuisance to surrounding properties and the general neighborhood. All access roads shall be a minimum of 50 feet in length and shall have a minimum setback of 50 feet from any abutting property line, except that the Town Plan and Zoning Commission based on the criteria established in Section 6.2.6 may increase the minimum setback of these Regulations. All access roads shall be finished with a properly bound material so as to provide a durable and anti-tracking surface to the public street from the work area and shall be so designated on the site plan map required by Section 6.2.8.b of these Regulations.

Any authorized access road to an excavation operation with a valid special permit approved by the Town Plan and Zoning Commission as of December 1, 2018 shall be exempt from the minimum setback requirement for access roads established by Section 6.2.7.a provided there are no changes to such access roads. All new special permit applications seeking approval for

excavation operations that did not have a valid permit on December 1, 2018, shall be subject to the minimum setback requirement for access roads in Section 6.2.7.a and all other criteria of Section 6.2.

The Town Plan and Zoning Commission will require a landscape plan to provide adequate screening of access roads located up to one-hundred (100) feet from any property line, public street, road or highway right-of-way to ensure minimal impact on surrounding property owners. In evaluating such other locations and the landscape plan and screening options, the Commission shall consider the criteria in Section 6.2.6 of these Regulations.

4. **FENCES.** All access points to any excavation operation shall be barred by an appropriate fence and/or gate.
5. **BUILDINGS AND STRUCTURES.** No buildings or structures related to excavation operations shall be permitted or erected on the premises during the excavation operation unless approved by the Town Plan and Zoning Commission after consideration of the criteria in Section 6.2.6 of these Regulations and subject to any conditions set forth by the Commission.

All such buildings and structures shall be located a minimum distance of one hundred (100) feet from any residential zone or any residential property in any zone.

Any permitted buildings and structures shall be properly maintained and shall conform to all applicable codes and ordinances of the Town of Glastonbury. Any such building or structure that has not been used for a period of one continuous year shall be removed from the premises by the permittee, and all buildings and structures related to the excavation operations shall be dismantled and removed from the premises by the permittee not later than sixty (60) days after termination of the excavation operations or expiration of the special permit.

- 6.6. **MACHINERY AND EQUIPMENT.** No fixed machinery or equipment shall be permitted, erected or maintained on the premises, and no screening, sifting, washing, crushing or other forms of processing shall be conducted on the premises, except as may be permitted by the Town Plan and Zoning Commission after consideration of the criteria in Section 6.2.6 of these Regulations and subject to any conditions set forth by the Commission.

All fixed equipment and machinery shall be located a minimum distance of three hundred (300) feet from any residential zone or any residential property in any zone, except as may otherwise be permitted by the Commission.

All equipment and machinery, whether fixed or not, shall be properly maintained and stored and shall be dismantled and removed from the premises by the owner or permittee not later than sixty (60) days after the termination of the excavation operations or expiration of the special permit.

b. Operating Standards

1. **HOURS OF OPERATION.** Operating hours for excavation operations shall be restricted to weekdays (Monday through Friday), between the hours of 7 a.m. and 4 p.m., except that shorter hours may be required by the Town Plan and Zoning Commission after considering the criteria in Section 6.2.6 of these Regulations. Excavation operations shall not be allowed on legal State holidays with the exception of Columbus Day and Veterans Day. Equipment startup and/or engine idling on or adjacent to the premises shall not be permitted prior to the approved hours of operation.

2. **EQUIPMENT AND MACHINERY.** All equipment and machinery shall be maintained in good repair and operated in such a manner as to minimize noise, vibration, smoke dust, unsightly conditions and any other nuisance.
3. **DUST AND WIND EROSION.** All storage areas, yards, access roads, service roads or other untreated open areas within the premises shall be improved with proper landscaping, paving or other appropriate materials to minimize dust, other windblown air pollutants and wind erosion.
4. **SPILLAGE/VEHICLE AND EQUIPMENT IDENTIFICATION.** To prevent spillage from vehicles or equipment and windblown air pollution, any truckload of earth material which is to travel on a public street shall be covered with tarpaulin or other suitable material. All commercial haulers shall utilize vehicles clearly marked with the hauler's name and an identification number. Vehicles or equipment with a hauling capacity of less than 8 cubic yards shall be exempt from the above marking/identification requirements.
5. **DRAINAGE AND WATER EROSION.** The permittee shall provide proper drainage, as approved by the Town Plan and Zoning Commission, at all stages during and after completion of the excavation operations to prevent the collection and stagnation of water, interference with or disturbance of the flow, banks or bed of any watercourse, the erosion of the premises or adjoining properties or any other harmful effects to adjoining properties or the future use of the premises.
6. **NATURAL WATER OR DRAINAGE AREAS.** No watercourse, wetland or drainage area shall be altered in any way until and except as approved by the Glastonbury Inland Wetlands and Watercourses Agency and the Town Plan and Zoning Commission, subject to any conditions set forth by the Agency and Commission. No waste products or process residues from any excavation operations shall be disposed of in any watercourse, wetland or drainage area. Particular concern and precaution shall be taken in the case of watercourses, wetlands and drainage areas regarding filtration, sedimentation, stabilization and grading.
7. **LATERAL SUPPORT.** Adequate provisions, as approved by the Town Plan and Zoning Commission, shall be provided for the lateral support and stabilization of all banks and slopes. No bank, both during the operation (except during the time of actual active excavation or filling in a particular location) and upon completion of the operation, shall exceed a slope of one (1) foot of vertical rise in three (3) feet or horizontal distance (i.e., 3:1), except that in any case the acceptable slope shall be determined by the Commission after consideration of the criteria in Section 6.2.6 of these Regulations.

In appropriate instances, as determined by the Commission, terracing of banks to achieve a proper slope and insure adequate support and stabilization of such banks, may be permitted subject to any conditions or limitations set forth by the Commission.

8. **STOCKPILING AND OVERBURDEN.** All overburden shall be stockpiled in windows or concentrated piles and stabilized (and appropriately covered, if necessary) in a manner acceptable to the Town Plan and Zoning Commission so as to prevent its erosion by either wind or water and so that it does not become a source of dust or other windblown air pollutants.

There shall be no stockpiling of materials within one hundred (100) feet of any property line.

9. **TOPSOIL PRESERVATION.** At a minimum the top four (4) inches of soil shall be set aside on the premises for re-spreading over the excavated area in accordance with these Regulations. Such

topsoil stockpiles shall not be sold or removed from the premises and shall be treated to prevent the effects of erosion by wind or water, which treatment shall be approved by the Town Plan and Zoning Commission.

10. **LOAMING AND SEEDING.** No later than sixty (60) days after expiration of the special permit or completion of the excavation operations or any substantial portion thereof, any exposed area where filling or removal has taken place shall be covered to a depth of not less than four (4) inches with topsoil or loam and seeded with a suitable cover crop acceptable to the Town Plan and Zoning Commission and the Town Building Official. This requirement may be held in abeyance during the months of November, December, January and February.
11. **SCREENING AND LANDSCAPING.** The Town Plan and Zoning Commission may require excavation premises and/or operations to be properly screened from adjoining properties or public streets because of the location, size, extent or intensity of the operations, particularly in the case of any permitted structures, buildings or fixed equipment and machinery.
12. **CURBS AND SIDEWALKS.** It shall be the responsibility of the operator of the excavation operations to repair, immediately, any damage to any sidewalks, curbs, surface drains or other improvements or utilities that may be caused as a result of the excavation operations.
13. **SAFETY.** Proper safety measures for within the premises and for the surrounding area shall be clearly set forth and strictly adhered to at all times to protect the health, welfare and safety of all individuals and property.

All operations shall be conducted in a safe manner to prevent hazards to persons, physical damage to adjacent land or improvements, and damage to any road, street, highway or property because of slides, sinking or collapse.

6.2.8 APPLICATION FOR SPECIAL PERMIT FOR EXCAVATION OPERATIONS.

Every application for a special permit for excavation operations shall be made in a form and in accordance with procedures established by the Town Plan and Zoning Commission. If the applicant is not the owner of the premises, the owner's written consent shall be required at the time the application is filed. At a minimum, the application shall also include the following supporting documentation:

- a. A properly certified key map of the general area at a scale of 1" = 200' showing:
 1. boundary and owner of record of the premises in question;
 2. boundaries and owners of record of all adjacent properties;
 3. topography and contours of the premises and all land within five hundred (500) feet of the boundaries of the premises, with the contour interval being two (2) feet if the ground slope is three (3) percent or less and five (5) feet if the ground slope is more than three (3) percent;
 4. existing land use(s) on the premises and within five hundred (500) feet of the boundaries of the premises;
 5. all natural watercourses, wetlands and drainage areas on the premises and within five hundred (500) feet of the boundaries of the premises;
 6. all public and private roads which provide access to the premises; and

7. all existing utilities and easements on the premises.
- b. A properly certified site plan map, in triplicate, at a scale not smaller than 1" = 100' conforming, at a minimum, to the requirements of Class A-2 Transit Surveys as set forth in the Code of Recommended Practice for Standards of Accuracy in Maps, and showing:
1. the entire boundary and acreage of the premises, and permitted area boundary;
 2. the number of cubic yards of earth products to be involved in the excavation operations, differentiating between fill and removal;
 3. all information shown on the key map as it relates to the premises;
 4. proposed contours and finished grades of the permitted area at the completion of the excavation operations, and for any interim stages, contour intervals to be the same as for the key map;
 5. acres of active operation and stockpiling, differentiating between removed topsoil stockpiling and stockpiling of other materials;
 6. means of vehicular access to the permitted area on the premises, including but not limited to all access roads;
 7. average thickness of overburden in the area proposed for any excavation operations;
 8. any staging of active areas of excavating operations;
 9. location of any proposed buildings and structures and fixed equipment and machinery; and
 10. such additional information so as to clearly indicate complete compliance with the required standards for a special permit for excavation operations set forth in Section 6.2.7.
- c. Performance bond, with adequate surety, in accordance with the provisions set forth in Section 6.2.10.

The Town Plan and Zoning Commission may require the applicant to provide additional information in sufficient detail to enable the Commission to clearly evaluate the proposed excavation operations in terms of the criteria set forth in Section 6.2.6 and in order to determine compliance with the standards set forth in Section 6.2.7.

In addition, the Commission shall require the review and advisory report of the Glastonbury Conservation Commission as to the environmental impact of the proposed operations and may require the review and advisory report of other agencies and officials, including but not limited to the Soil and Water Conservation District, particularly when natural water areas or drainage basins may be involved in the excavation operations.

The applicant may, at his discretion, unless otherwise required by the Commission, submit additional appropriate and accurate information such as vertical aerial photographs at a scale 1" = 200" to support his documentation.

6.2.9 Public Hearing

After receipt of the application and accompanying maps and supporting documents, the Town Plan and Zoning Commission shall hold a public hearing after notice has been published at least once, not less than five (5) days nor more than fourteen (14) days prior to the date of the hearing, in a newspaper having a substantial circulation in the Town of Glastonbury. The Commission shall require the applicant to provide written notice to all adjacent property owners on the same schedule as the published notice. The notice shall state, at a minimum, the time and place of the hearing; the name of the applicant and owner of the premises, if different; the premises for which the excavation operations are proposed; and the number of cubic yards of earth products which the applicant proposes to fill and/or remove. The applicant shall provide the Commission with certificates of mailing prior to the start of the public hearing.

6.2.10 Performance Bond

Prior to the issuance of any special permit for excavation operations, the owner of the premises or the applicant, shall post a performance bond with and in favor of the Town of Glastonbury, in an amount and with surety approved by the Town Engineer and Director of Planning and Land Use Services, sufficient to guarantee complete conformity with the provisions and standards of these Regulations or any supplemental agreement called for by the Town Plan and Zoning Commission, with the approved finish grades as shown on the site plan map submitted with the application, and with any approved interim stage grade requirements shown on the site plan map or required by the Commission. The agreement filed with the bond shall, among other things, grant the Town the right of access to perform all necessary rehabilitation of bonded property in the event of forfeiture of the performance bond. No such performance bond shall be released by the Town Plan and Zoning Commission until and after all provisions, conditions and requirements set forth herein have been completely met and fulfilled.

6.2.11 Special Permit Requirements

After the public hearing and after the necessary performance bond(s) required by Section 6.2.10 of these Regulations is properly secured and provided the Town Plan and Zoning Commission is satisfied that the proposed excavation operations completely conforms to the purposes, criteria and standards of these Regulations, the Commission may issue a special permit for the excavation operations, subject to conditions including the following:

a. Time Period. The Commission may grant a special permit for excavation operations for a limited period of time, but in no case shall a special permit be issued for a period longer than 24 months.

In fixing the period of time for the special permit, the Commission shall consider the size and location of the area proposed for excavation operations, the overall magnitude of the operations, and the character and development of the surrounding neighborhood, both existing and proposed.

b. Monthly Reports. All excavators shall submit monthly reports to the Town Plan and Zoning Commission which specify the number of vehicle trips completed during that month. Additionally, the Commission may require that an updated site plan map be completed during the term of an excavation if it is deemed necessary to determine the operation's compliance with these Regulations.

c. Expiration Of Permit. Any special permit for excavation operations shall expire and become null and void at the time the excavation operations are completed to the limits shown on the approved application and site plan map.

d. Change Or Extension Of Permit. Nothing herein shall prevent the applicant from filing a revised site plan map, modifying, expanding or reducing the scope and area of the excavation operations originally approved by the Town Plan and Zoning Commission, except that any such expansion of the operations beyond the limits approved by the Commission shall be considered a new application and shall require complete conformance with all the requirements of these Regulations.

e. Compliance With Special Permit. All excavation operations shall comply with all the standards and conditions set forth in its special permit as approved by the Town Plan and Zoning Commission. Failure to comply with all such standards and conditions shall make the special permit null and void in accordance with Section 11 of these Regulations and a new application shall be required in conformance with the provisions of these Regulations for any continued operation of the excavation operations.

The Town Building Official may, at his discretion and after inspection of the premises, permit minor deviations from the approved application and site plan map during the operation of the excavation operations which may be necessary to allow normal operation of field equipment and machinery, provided such minor deviations shall not affect in any way the final results, grading, contours, and the like of the premises as shown on the approved application and site plan map.

6.2.12 Earth Product Processing

No gravel stone, sand or other earth products may be processed on the premises, such processing requiring stone crushers or other machinery not needed for actual excavation operations, except as approved by the Town Plan and Zoning Commission after consideration of the criteria in Section 6.2.6 of these Regulations, or except for the continuation of pre-existing processing operations carried on as permitted nonconforming uses.

6.2.13 Penalties For Violation

Whosoever violates these Regulations by operating without the special permit required by these Regulations is subject to a fine of \$100 a day for every day during which excavation operations are carried on without the required special permit. In addition to the foregoing, any failure and refusal by a permittee to grade, recover with topsoil, and seed as required by these Regulations shall be grounds for suspending any and all special permits for excavation operations held by the permittee. In the event the permittee is not reachable, the Town reserves the right to treat the owner of the premises as the permittee for purposes of assessing fines under these Regulations. **AMENDED EFFECTIVE FEBRUARY 18, 2019**

6.3 Motor Vehicle Car Wash

Motor vehicle car washes of the self-service, automatic or semi-automatic type, as distinguished from a car washing service consisting primarily of hand washing by service station personnel utilizing hoses and rages or sponges, are a permitted special permit use in the Planned Business and Development (PBD) Zone, the Planned Travel (PT) Zone, **and the Planned Commerce (PC) Zone EFFECTIVE 04-14-04** subject to the requirements of those zones, and any other review and approval which may be required by these Regulations and, in addition, the following conditions:

- a. There shall be a minimum of one thousand (1,000) square feet of lot area, excluding exit drives, for each bay of a single car bay type car wash for storage area for waiting motor vehicles; and a

minimum of three thousand (3,000) feet of lot area, excluding exit drives, for each by of a tunnel type car wash for storage area for waiting motor vehicles.

- b. The entrance and exit of the premises shall be from and to a public street.
- c. Entrances and exit driveways shall have a minimum width at the curb cut of ten (10) feet.
- d. Functions shall be limited to the washing of motor vehicles and customary accessory uses thereto.
- e. Vacuum equipment and cashier's booth may be located outside the principal structure, but no less than twenty-five (25) feet from any property lines, except as provided in f. below.
- f. All portions of buildings used for the washing of cars must be located not less than seventy-five (75) feet from the zone boundary line of any residential zone (CR, RR, AAA, AA, A) or the property line of any residential property in any zone, and not less than one hundred and twenty-five (125) feet from the street line of the street upon which the premises fronts.
- g. All areas for the washing, drying, vacuuming and parking of motor vehicles or any other use of the premises, shall be surfaced with an asphaltic, bituminous, cement or other properly bound pavement so as to provide a durable and dustless surface, and shall be so graded and drained as to dispose of all surface water accumulation within the area.
- h. Every motor vehicle car wash and its premises shall be properly lighted, such lighting to be so arranged as to reflect the light away from any public street or right-of-way and from any adjoining premises located in a residential zone or any premises used for residential purposes in any zone.
- i. Every motor vehicle car wash shall be screened from any adjacent residential property and/or residential zone by a suitable opaque fence (which shall bear no advertising), or planting screen, not less than six (6) feet in height and providing year round screening.
- j. All washing facilities shall be enclosed in a permanent building constructed of masonry, porcelainized steel or other material equal in durability and appearance.
- k. Any trash or storage area shall be enclosed by a suitable opaque fence not less than six (6) feet in height.
- l. In no case shall a car wash facility of the self-service, automatic or semi-automatic type be considered part or accessory to a motor vehicle or gasoline service station or otherwise permitted without complying with the provisions of this section. When a motor vehicle car wash is part of or accessory to a motor vehicle or gasoline service station, it shall be located within the principal service station building and shall abide by the conditions set forth for service stations in Section 6.5 of these Regulations.
- m. All site and floor drains which may receive detergent, oil or other chemicals shall be connected to the sanitary sewer system, water recycling equipment or any other equipment satisfactory to the Town Sanitarian. Such drainage shall not in any case be directed to storm sewers or natural water courses.

6.4 Motor Vehicle Limited And General Repair

Motor vehicle limited repair is a permitted special permit use in the Planned Business and Development (PBD) Zone, the Planned Travel (PT) Zone, and the Planned Commerce (PC) Zone EFFECTIVE 04-14-04 and motor vehicle general repair is a permitted special permit use in the Planned Industrial (PI) Zone and the Planned Commerce (PC) Zone EFFECTIVE 04-14-04 subject to the requirements of those zones, and any other review and approval which the particular uses may require by these Regulation and, in addition, the following conditions:

- a. There shall be no building on a lot or premises used for motor vehicle limited and/or general repair located within fifty (50) feet of another building.
- b. There shall be no products displayed for sale in the front yard or side street, if any.
- c. There shall be no more than one free-standing identification sign per frontage.
- d. There shall be no streamers, banners or pennants on the lot or structures.
- e. All signs shall abide by the sign regulations of the Glastonbury Building Zone Regulations.
- f. Every premises used for motor vehicle limited and/or general repair shall be screened from any adjacent residential property and/or residential zone by a suitable opaque fence (which shall bear no advertising), or planting screen, not less than six (6) feet in height and providing year-round screening.
- g. All areas for the parking and storage of operable motor vehicles, including customer and employee vehicles, shall be surfaced with an asphaltic, bituminous, cement or other properly bound pavement so as to provide a durable and dustless surface, and shall be so graded and drained as to dispose of all surface water accumulation within the area. All parking of vehicles shall be in a neat and orderly manner, preferably in individual spaces permanently marked on the pavement surface.
- h. There shall be no storage of motor vehicles in the front yard or side street yard, if any.
- i. There shall be no outside storage of inoperable motor vehicles or motor vehicle parts.
- j. Any lighting used to illuminate any sign or any area of the premises shall be so arranged as to reflect the light away from any public street or right-of-way and from any adjoining premises located in a residential zone or any premises used for residential purposes in any zone.
- k. Any trash or storage area shall be enclosed by a suitable opaque fence not less than six (6) feet in height.
- l. All repair work shall be conducted within the principal building on the lot.
- m. When a motor vehicle limited repair is part of or accessory to a motor vehicle or gasoline service station, it shall be located within the principal service station building and shall abide by the conditions set forth for service stations in Section 6.5 of these Regulations.
- n. Approval of location for premises to be used for motor vehicle limited and/or general repair is required by the Zoning Board of Appeals as set forth in Section 13 of these Regulations.

- o. All site and floor drains which may receive detergent, oil or other chemicals shall be connected to the sanitary sewer system, water recycling equipment or other equipment satisfactory to the Town Sanitarian. Such drainage shall not in any case be directed to storm sewers or natural water courses.

6.5 Motor Vehicle Or Gasoline Service Station

Motor vehicle and/or gasoline service stations, if existing on (the effective date of these Regulations), are a permitted special permit use in the Planned Travel (PT) Zone and in the Planned Business and Development (PBD) Zone, and extensions or enlargements of such existing stations in the PT or PBD Zones shall be subject to the requirements of the Zone in which they are situated, any other review and approval which may be required by these Regulations, and in addition, to subsections a.1 and a.2 and subsections b through r of this Section 6.5; motor vehicle and/or gasoline service stations constructed after (the effective date of these Regulations) are a permitted special permit use in the Planned Travel (PT) Zone, subject to the requirements of the PT Zone, any other review and approval which may be required by these Regulations, and, in addition, the following conditions:

- a. All motor vehicles and/or gasoline service stations shall be located on a lot which shall:
 - 1. have a minimum lot area of fifteen thousand (15,000) square feet for a station with a single pump island, with an additional three thousand (3,000) square feet of lot area being required for each additional pump island; and
 - 2. have a minimum lot frontage of one hundred fifty (150) feet, which frontage, in the case of a new station, unless such station is within a permitted shopping center, shall be on a street which intersects with an entrance and/or exit ramp of a limited access highway; and
 - 3. have its minimum lot frontage, unless such station is within a permitted shopping center, located within two hundred twenty-five (225) feet from the intersection of the street on which said lot fronts and the nearest such entrance and/or exit ramp to such lot, as measured along said street line; and
 - 4. have no portion of such located within five hundred (500) feet, measured in a straight line as established by the Town Plan and Zoning Commission, from any part of any lot, building or premises used for a college, school, place of worship, hospital, library, theater, park, playground or other similar place of public gathering.
- b. There shall be a minimum distance of forty (40) feet between any two curb cuts used for entrances and/or exits to the station.
- c. There shall be a minimum distance of fifteen (15) feet between any two curb cuts used for an entrance and/or exit to the station and the nearest side line of the lot on which the station is located.
- d. There shall be no products displayed in the front yard or side street yard, if any, except that automobile products such as lubrication oil customarily sold for retail as part of the operation of the service station may be displayed on the pump islands, and coin operated dispensing machines for soft drinks, milk, ice and the like may be located in the front yard or side street yard, if any, if such machines are situated immediately adjacent to the principal building on the lot, and provided further that there shall be a maximum of two (2) such machines per lot.

- e. A landscaped area at least fifteen (15) feet in width shall be provided between the pump island area(s) and the front lot line and side street line, if any, for the full length of the frontage(s), excluding the area required for the station entrances and/or exits curb cuts.
- f. There shall be no more than one free-standing identification sign per lot.
- g. There shall be no streamers, banners or pennants on the lot or structures.
- h. All signs shall abide by the sign regulations of these Glastonbury Building Zone Regulations.
- i. Every motor vehicle or gasoline service station shall be screened from any adjacent residential property and/or residential zone by a suitable opaque fence (which shall bear no advertising), or planting screen, not less than six (6) feet in height and providing year round screening.
- j. All areas of the parking and storage of vehicles, including customer and employee vehicles, shall be surfaced with an asphaltic, bituminous, cement or other properly bound pavement so as to provide a durable and dustless surface, and shall be so graded and drained as to dispose of all surface water accumulation within the area. All parking of vehicles shall be in a neat and orderly manner, preferably in individual spaces permanently marked out on the pavement surface.
- k. There shall be no outside storage of inoperable motor vehicles or motor vehicle parts.
- l. There shall be no storage or parking of vehicles in the front yard or side street yard, if any.
- m. Any lighting used to illuminate any sign or any area of the gasoline services station and its premises shall be so arranged as to reflect the light away from any public street or right-of-way and from any adjoining premises.
- n. Any trash or storage area shall be enclosed by a suitable opaque fence not less than six (6) feet in height.
- o. All repair work shall be conducted within the principal building on the lot.
- p. The Town Plan and Zoning Commission may require, if it deems such action appropriate to reduce the potential noise and visual impact of the station on surrounding development, that the entrances to the stations' service bays be located on a particular side of the station's service building.
- q. Approval of location for motor vehicle or gasoline service stations is required by the zoning Board of Appeals as set forth in Section 13 of these Regulations.
- r. All site and floor drains which may receive detergent, oil or other chemicals shall be connected to the sanitary sewer system, water recycling equipment or other equipment satisfactory to the Town Sanitarian. Such drainage shall not in any case be directed to storm sewers or natural water courses.

6.6 Retail Trade

Eating And Drinking Without Drive-In Or Curb Service

Retail Trade – eating and drinking without drive-in or curbside service is a permitted special permit use in the Planned Business and Development (PBD) Zone and the Planned Travel (PT) Zone, subject to the requirements of those zones, and other review and approval which may be required by these Regulations and, in addition, the following conditions:

- a. No building shall be erected or altered which is used or is arranged, intended or designed to be used for retail trade - eating and drinking without drive-in or curbside service if that service, if that portion of said building or premises actually used or arranged, designed or intended to be used for retail trade - eating and drinking without drive-in or curbside service is located
 1. Within one thousand (1,000) feet, measured by a straight line as established by the Town Plan and Zoning Commission, from that portion of any other building or premises actually used or arranged, designed or intended to be used for the same or similar purpose; except that the Town Plan and Zoning Commission may, in its discretion and for good cause in the case of a comprehensive Plan of Development with due consideration to vehicular traffic movement, pedestrian safety and overall site layout, waive this particular distance requirement.
- b. Food service shall be primarily to customers seated at tables or at counters within a closed building.
- c. There shall be no window counter service, outdoor seating or eating at or on the premises, except that the Town Plan and Zoning Commission may in its discretion and for good cause in the case of a comprehensive Plan of Development with due consideration for litter, public health, insect pests and overall site considerations, permit an outdoor café with service to customers seated at table only as an accessory use to a retail trade - eating and drinking facility.
- d. Take-out service or food to be consumed off the premises shall be permitted as an accessory use.

6.7 Open Space Subdivisions

The Town Plan and Zoning Commission may permit the establishment of Open Space Subdivisions subject to the provisions of Section 14 of these Regulations and any other review and approval which may be required by these Regulations, and in addition, the conditions, standards and requirements set forth in this Section 6.7.

6.7.1 Purpose

The Commission, whether upon application of a subdivider or otherwise, may require or permit dedication of land as open space in a subdivision when it deems that such land will conserve natural or scenic resources; protect open space, and recreational areas; meet recreational needs of present and projected population in the area; save historic sites, wildlife sanctuaries, and outstanding forests; preserve ridges, ravines, ledge outcroppings, and other unusual physical features; or promote orderly community development. It is the purpose of this Section 6.7 to provide for controlled flexibility of lot sizes so that the number of dwelling units contemplated by the minimum lot requirements in each zone is maintained on an overall basis and desirable open space, recreation areas, tree cover, greenbelts, scenic vistas, and other natural features are preserved.

6.7.2 Area

In addition to any other open space which may be required in a subdivision under appropriate provisions of the Glastonbury Subdivision and Re-subdivision Regulations, the area of the open space which may be required or permitted to be dedicated in return for the reduction of lot sizes under this Section 6.7, some or all of which shall be buildable land, shall be at least equal to the difference between the area of lots as permitted in the zone in which the proposed subdivision is located and the area of reduced lots as permitted herein, provided that the number of lots as reduced shall not exceed the number of unreduced lots which would have been permitted in the zone for the subdivision.

6.7.3 Within Master Sewer Plan Area

In open space subdivision approved hereunder and located within the limits shown on the last master sanitary sewer plan accepted by the Glastonbury Sewer Commission, lot area, yard and frontage requirements may be reduced to not less than the minimum lot area, yard and frontage requirements of the next higher density residential zone, except that lot area and frontage requirements in an A residence zone may be reduced to not less than 12,000 square feet and 80 feet respectively, and the front yard, side yard and rear yard requirements in an A residence zone may be reduced to not less than forty (40) feet, fifteen (15) feet and forty (40) feet, respectively. The sequence of zones from lowest to highest density shall be: I-CR, II-RR and AAA, III-AA, IV-A.

6.7.4 Beyond Master Sewer Plan Area

In open space subdivision approved hereunder and located beyond the limits of said master sanitary sewer plan, lot area, yard and frontage may be reduced as hereinabove limited in 6.7.3 only if the Town Sanitarian has determined that each lot has sufficient area for replacing the septic field twice soils have a percolation rate of five (5) minutes or less per inch, and the conditions of ledge and water tables are suitable, or if the subdivider has provided for a suitable package treatment plant for the entire subdivision, the location, construction and agreement for the operation and maintenance of which must be approved by the Town Sanitarian and Sewer Commission.

6.7.5 Procedure

The subdivider shall submit, in addition to the subdivision plan and other documentation as required in the Subdivision and Re-subdivision Regulations a plan showing the layout of lots and streets in conformance with the zone in which the proposed subdivision is located. In such plan, land not suitable for development purposes, such as power line easements and existing bodies of water, shall be excluded.

6.7.6 Other Lands of Subdivider

In determining the total open space to be dedicated, the Commission may consider not only the tract or tracts to be subdivided immediately but also any other adjacent tract owned, controlled, or under agreement to buy or optioned by the subdivider or corporation controlled or owned by the subdivider.

6.7.7 Referrals

The Commission shall refer the subdivision plan and proposal for dedication of open space to the Conservation Commission, the Sewer Commission, and the Soil Conservation Service or any other agency or organization which the Commission deems may have an interest in said plan and proposal for review and comment.

6.7.8 Public Open Space

The Commission may accept or require, in a form and manner prescribed by it, open space to be dedicated perpetually to the Town, provided that it determines the public interest would be served by such dedication. In making such determination, it shall consider, among other things the relationship of the open space to the Town Plan of Development, access to and use of the open space by the general public, and restrictions of and purposes of the open space.

6.7.9 Common Open Space

If the Commission determines that the dedication of open space to the Town would not be in the public interest, it may cause the open space to be transferred either to an association of homeowners or the owners of the lots in the subdivision as tenants in common, or to another entity where the owner of each lot in the subdivision shall own an undivided interest in the open space or in the association or other entity proportionate to the total number of lots in the subdivision. Such transfer shall be in accordance with the standards established by the Commission which may include the following:

- a. Creation of the homeowners association before any lots are sold;
- b. Mandatory membership by the original homeowner and any subsequent buyer;
- c. Powers to assess and collect from each homeowner a fair share of associated costs;
- d. Restrictions on the use and development of such open space;
- e. Responsibility for providing adequate maintenance, including insurance;
- f. Possible maintenance by Town, including ability to use homeowners' assessment for such purposes, in the event of default by those primarily responsible for maintenance;
- g. Recordable declaration of restrictions of covenant and/or deed restrictions, enforceable by Town;
- h. Approval of articles of incorporation, declaration of restrictions and covenants, and/or deed restrictions by the Town Attorney.

6.7.10 Dissolution of Association

The articles of incorporation of the homeowners association may provide for dissolution of the association by a majority of all its members, but not without the consent of the Town of Glastonbury, acting by the Town Manager. Upon dissolution of the association, the open space may revert to the Town if so directed by the Town, which may take action, through its Town Council, to retain or dispose of said open space, provided, however, that such open space shall be subject to a conservation easement and shall be used only for purposes consistent with the provision of such easement.

~~6.7.11 House Size Reduction~~

~~The subdivider or subsequent owner, with the permission of the Town Plan and Zoning Commission, may reduce the size of any dwelling unit built within an open space subdivision approved hereunder by up to fifteen (15) percent of the minimum house size established for the zone in which the proposed subdivision is located.~~

6.7.121 Condition of Open Space

Any land to be dedicated as public open space shall be left in its natural state by the subdivider, except for improvements which may be required and approved by the Commission, and except for public utilities, and shall not be graded, cleared or used as a repository for stumps, brush, earth, building materials or debris.

6.7.132 Final Approval

The Commission may give final approval to the subdivision if it finds that the purposes, procedure, standards and conditions set forth herein have been met. Nothing herein shall be deemed to waive other requirements of final plans for subdivision.

6.8 Rear Lots AMENDED EFFECTIVE AUGUST 9, 1996

6.8.1 Authorization

In accordance with the provisions of this section, the Town Plan and Zoning Commission may grant special permits to allow the construction of dwellings with permitted accessory buildings on rear lots in residential zones.

6.8.2 Definition of Rear Lot

A lot which does not meet the frontage requirements of these regulations for the underlying zones.

6.8.3 Re-subdivision Limitation

A Section 6.8 Special Permit shall not be granted for any rear lot that is created by the re-subdivision of any numbered and approved lot in any subdivision approved after the effective date of this ordinance (3/9/87).

Furthermore, any driveway that has the potential to, or is anticipated to access "other land of", as defined under Section 6.6(c) of the Glastonbury Subdivision and Re-subdivision Regulations, shall be labeled "possible future access drive to undeveloped land" on final development plans. No rear lot shall be approved without compliance with this paragraph.

6.8.4 Requirements for Rear Lots

A special permit authorizing single-family dwelling construction on rear lot(s) may only be granted following satisfactory demonstration to the Town Plan and Zoning Commission that the following criteria have been met:

- a. Construction of dwelling(s) will not impair the health, safety, general welfare of future occupants, abutting landowners; and will not impair future land use, and road layouts anticipated by the Plan of Conservation and Development.
- b. A rear lot shall have a minimum area of 80,000 square feet. The Commission may issue a special permit for smaller rear lots of record existing as of October 22, 1973.
- c. A principal dwelling on a rear lot shall not be located further than 1,000 feet from the street line of the Town street to which access is provided; measured along the centerline of the rear lot

access driveway. The Commission may waive the 1,000 foot driveway limit to allow a rear lot driveway up to 1,500 feet in length measured along the centerline.

- d. There shall be a maximum a one single-family dwelling with permitted accessory buildings or uses on a rear lot. The Commission may grant special permits allowing the construction of single-family dwellings on up to two adjacent or contiguous rear lots serviced by a single common access drive. Notwithstanding the foregoing, the Commission may permit a maximum of three lots to be served by a single common access drive provided that an acceptable standard of safety of persons and property is demonstrated by the applicant and confirmed by the reports described in Section 6.8.5, and provided that the applicant demonstrates that:
1. No public road is capable of being extended beyond the subject property due to one or more of the following:
 - a.) ownership of adjacent properties by a government agency or a public utility, whose property is being used for a public or utility purpose;
 - b.) the presence of existing residential development which cannot legally or physically interconnect with such a road; or
 - c.) the potential for significant environmental degradation due to the existence of wetlands and watercourses and/or the presence of severe topography (slopes greater than 15%), and
 2. prudent or feasible access alternatives to adjacent properties exist elsewhere, and
 3. all applicable standards and criteria, found under Section 12.4.a, 12.4.b., and 12.4.c. of the Glastonbury Building-Zone Regulations are met.

The final plans shall contain a notation stating: "rear lot served by a private driveway must be maintained and repaired by the lot owners. The Town of Glastonbury will provide no maintenance or repair services to private driveways."

Adjacent rear lot driveways shall be separated by an 8 foot minimum vegetative buffer or a 4 foot minimum landscaped island.

- e. EXCEPT AS PROVIDED IN SECTION 6.8.4.i, the owner(s) of each rear lot or lots shall own a PERPETUAL INDEFEASIBLE INTEREST in a right-of-way at least 20 feet wide; provided, however, that the Commission may, in its discretion, waive the FOREGOING requirements, as long as property over which said right-of-way passes shall have frontage on a Town road in excess of 20 feet over the minimum frontage required in the underlying zone or shall be property to which frontage requirements are not applicable. AMENDMENT EFFECTIVE JANUARY 2, 1992.
- f. All access driveways serving one or two rear lots shall have a minimum unobstructed width of 16 feet. All access driveways serving three rear lots shall have a minimum unobstructed width of 20 feet, for that portion of the common driveway serving three lots. All access driveways with an average grade in excess of 8% shall be paved with 2 inches of compacted bituminous concrete and constructed with appropriate storm water control to minimize washouts. All access drives shall have a surface base of 10 inches of compacted bank run gravel or stone. No rear lot access

drive shall contain any grade in excess of 15%. The Commission may require additional driveway standards based upon actual field conditions.

- g. All rear lots shall be provided with a vehicular turnaround at the dwelling in order to accommodate emergency vehicles. The Town street entrance to the rear lot access driveway shall be posted with a house number identification sign with numbers at least 6" high.
- h. Each rear lot shall comply in all respects with the requirements of the underlying zone as established in Section 3 and 4 of the Building Zone Regulations, except for frontage requirements. For purposes of determining compliance with this subsection, the lot line from which the access driveway leads shall be considered the front line of any proposed rear lot.
- i. In the case of any existing or proposed lot(s) that is served or to be served by a private road approved for Town maintenance, as described in the Glastonbury Town Code 17-32, the Commission may waive any of the foregoing requirements of Section 6.8.4 (with the exception of subsections a. and b.) with which such lot(s) cannot reasonably comply if the Commission determines that such private road can serve such lot(s) without impairing the health, safety, or general welfare of existing or proposed residents on such private road. In reaching its determination, the Commission shall consider, among other factors, the width, length, condition or storm water drainage, and other characteristics of such private road; the number of residences currently served and to be served by such private road; and the environmental impact, if any, of extending or improving any such private road. The applicant shall present evidence that it has the legal right of record to access the affected lot(s) via such private road. Access shall be restricted to property(ies) having such right of access. AMENDED EFFECTIVE JANUARY 2, 1992.
- j. A standardized perpetual maintenance agreement in accordance with Appendix A of the Building-Zone Regulations shall be provided and recorded on the Glastonbury Land Records for all common driveways (serving more than one lot).

6.8.5

The following written reports shall be provided to the Commission and made available to the Office of Community Development prior to the Public Hearing:

Reports from the Police and Fire Marshal as to:

- a. The feasibility of ready access by emergency vehicles to each dwelling, and
- b. The demonstration by the applicant of an acceptable standard of overall design regarding the safety of persons and property. Such standards may include but not be limited to: fire prevention and suppression, crime prevention and detection, occupancy and visitor access and interior vehicular movement.

6.8.6 Permitted Stipulations with Special Permit for Rear Lot Approval

The Commission, in approving a rear lot special permit after applying these Regulations in harmony with their general intent, may stipulate such restrictions as appear to the Commission to be reasonable to protect or promote the rights of individuals, property values and the environment in the areas as a whole, the public health, safety or welfare, sound planning and zoning principles, improved land use, site planning and land development, or better overall neighborhood compatibility. Such restrictions may concern, without limitation, the components of the site plan and layout, distribution of and relationship

between uses and structures, vehicular and pedestrian circulation, parking, open space, landscaping, screening and dwelling location.

6.9 Supervised Group Quarters

Supervised Group Quarters are a permitted special exception in the Country Residence CR, Rural Residence RR, Residence AAA, Residence AA, and Residence A Zones, subject to the requirements of those zones, the provisions of Section 13, of these Regulations, any other review and approval which may be required by these Regulations and, in addition, the following conditions:

- a. Character of Neighborhood, Supervision and Number of Residents: No supervised group quarters shall be permitted in any neighborhood unless the Zoning Board of Appeals shall first take into consideration the existence of any other use of like kind or character in the area and the effect thereof on the neighborhood; the suitability of the subject lot; the suitability of the building or structure in view of the intensity of the use to be made of it, especially with regard to consideration of health and safety; and the recommendations of a Board composed of the Social Service Division, the Director of Youth and Family and the Chief of Police regarding such matters as the number and qualifications of necessary supervisory personnel and the number of persons who may reside in said quarters. Any special exception for a supervised group quarters shall be subject, in addition to such other conditions or restrictions as the Zoning Board of Appeals may stipulate, to a limitation on the number of appropriately trained supervisory personnel who must reside therein.
- b. Occupancy Permit: No building or structure may be used as supervised group quarters until an occupancy permit for that purpose is obtained from the Town Building Official.
- c. Operation: Any supervised group quarters which has been granted a special exception under this special regulation shall operate at all times in compliance with the terms, conditions and restrictions of said special exception and with all applicable Federal and State laws and regulations, and shall be satisfactorily staffed and properly equipped so that the operation of said quarters, and all functions necessary to be performed therein, are carried on at all times in a manner which will insure the preservation of the character of the neighborhood and the preservation and protection of the health, safety and morals of all persons within said quarters and surrounding neighborhood.
- d. Non-Compliance Revocation: Said Board composed of the Social Service Division, the Director of Youth and Family and the Chief of Police shall review each such supervised group quarters on a continuing basis and shall determine the compliance thereof with the provisions of paragraph c. of this special regulation. In the event it is determined by said Board that any of the provisions of this special regulation are being or have been violated by any such supervised group quarters, when the Board shall notify the Town Building Official of such violation whereupon the Town Building Official shall issue a written order to remedy such violation within such reasonable time as he shall determine and state in such order, and if such violation is not remedied as ordered, the Town Building Official shall revoke the occupancy permit for such supervised group quarters. Such revocation shall not become effective until fifteen (15) days after notice thereof has been sent by certified mail to the holder of the occupancy permit, during which time the holder may appeal from the action of the Town Building Official to the Zoning Board of Appeals. If such appeal is made, revocation shall be stayed until such time as the Zoning Board of Appeals, after public hearing, shall affirm, or overrule or overrule with conditions, the action of the Town Building Official. Any person aggrieved by any action of the Zoning Board of Appeals shall have the right to appeal such action under appropriate General Statutes.

6.10 Trailers – Special Regulations

6.10.1 Permitted Trailers or Mobile Homes

- a. Residential Trailers or Mobile Homes, Occupied: A trailer or mobile home used, occupied or intended to be used or occupied for single-family residential or living purposes on the premises on which such trailer or mobile home is parked may be permitted in the Country Residence CR Zone and in the Rural Residence RR Zone, subject to the requirements of that zone, and any other review and approval which may be required by these Regulations and, in addition, the provisions of this Section 6.10. Such trailer or mobile home occupied for residential or living purposes shall be considered to be a principal use of the property. Trailers occupied in accordance with Section 6.10.3.d.1.c shall not be considered a principal use of the property. EFFECTIVE JULY 1, 1983.
- b. Residential Trailer or mobile Home, Unoccupied: A trailer or mobile home parked or stored on premises and used, occupied or intended to be used of occupied for residential, living or recreational purposes off such premises shall be considered to be an accessory use and shall be subject to the requirements of Section 7 of these Regulations.
- c. Construction Trailers: Trailers or semi-trailers used, occupied or intended to be used or occupied for field office or storage purposes on the premises of a bona fide and active construction job may be permitted on such premises of such construction job in any zone, subject to the conditions of the particular zone in which the trailer is parked, and any other review and approval which may be required and, in addition, the provisions of this Section 6.10.
- d. No trailer or mobile home camp shall be established, maintained or conducted in the Town of Glastonbury.

6.10.2 Occupancy of Trailers or Mobile Homes

No trailer, mobile home or semi-trailer used or intended to be used or occupied for residential or living purposes in any instance or for field office or storage purposes on a construction site shall be so used and occupied unless and until a property temporary or regular occupancy permit has been issued by the Town Building Official.

6.10.3 Occupancy Permits

- a. The Town Building Official may issue a temporary or regular occupancy permit to allow a trailer or mobile home to be used or occupied for residential or living purposes in the Rural Residence or Country Residence Zones or for a trailer or semi-trailer to be used of occupied for field office or storage purposes on the premises of a bona fide and active construction job in any zone. The Building Official shall determine whether to issue a temporary or regular occupancy permit on the basis of the purpose for which the trailer or mobile home is to be used or occupied, the period of time it is to be used or occupied and the location at which it is to be parked.
- b. An individual occupancy permit shall be required for each individual trailer, mobile home or semi-trailer on each lot.
- c. All occupancy permits shall state the location at which the trailer, mobile home or semi-trailer is to be parked, the purpose for which it is to be used and the number of occupants, if any.

- d. In the case of a trailer or mobile home used, occupied or intended to be used or occupied for residential or living purposes:
1. A temporary occupancy permit:
 - a.) Shall be valid for a period of only thirty (30) days from its date of issuance and may be renewed for one additional period of thirty (30) days, after which it may not again be renewed for a period of six (6) months; and
 - b.) May be issued only to an applicant who does or is going to occupy the trailer or mobile home for which the permit is sought and who shall own or lease such trailer or mobile home or own the land upon which such trailer or mobile home is to be parked.
 - c.) May be issued to an applicant who has received a Special Permit with Design Review from the Town Plan and Zoning Commission to locate one trailer or mobile home on a farm in the Rural Residence or Country Residence Zone; specifically for the purpose of housing seasonal agricultural workers. The temporary occupancy permit shall be for a period not to exceed 240 days* in any one year; and shall be strictly limited to the growing and harvest period of the primary agricultural product. Seasonal agricultural group quarters shall be permitted only on farms where agricultural production is the principal means of livelihood as defined by Section 12-91 of the Connecticut General Statutes and recorded with the Town Assessor. Also, prior to the issuance of a temporary occupancy permit, the applicant shall provide evidence satisfactory to the Building Official that verifies participation in a bona fide migrant farm worker program. EFFECTIVE JULY 1, 1983 * AMENDED EFFECTIVE APRIL 6, 1987.
 2. A Regular Occupancy Permit:
 - a.) Shall be valid for a period of one (1) year from its date of issuance and may be renewed for two (2) additional and consecutive one (1) year periods subject to the provisions of Section 6.10.3.d.3, State Statues, and local ordinances; and
 - b.) May be issued only to an applicant who does or is going to occupy the trailer or mobile home for which the permit is sought and who owns or leases such trailer or mobile home or the land upon which such trailer or mobile home is to be parked.
 3. A regular occupancy permit for a trailer or mobile home used, occupied or intended to be used or occupied for residential or living purposes may be granted only if and after a bona fide application has been filed with the Town Building official for a construction permit covering the construction of a permanent residence on the same premises on which such trailer or mobile home is parked.
 4. Prior to issuance by the Town Building Official, each and every occupancy permit, including renewals, for a trailer or mobile home used, occupied or intended to be used or occupied for residential or living purposes shall have the written approval of the Town health Official certifying compliance with the sanitary regulations of the State of Connecticut and the Town of Glastonbury.

- e. In the case of a trailer or semi-trailer used, occupied or intended to be used or occupied for field office or storage purposes on the premises of a bona fide and active construction job:
 - 1. A temporary occupancy permit shall be valid for a period of not in excess of thirty (30) days from its date of issuance and may be renewed for one additional period of thirty (30) days after which it may not again be renewed for a period of six (6) months.
 - 2. A regular occupancy permit shall be valid for a period of one (1) year from its date of issuance or the duration of construction activity, whichever is shorter. If construction activity on such premises continues for a period exceeding one (1) year, such permit may be renewed for a maximum of two (2) consecutive one-year periods following the first year, provided that any such renewal shall automatically cease upon the cessation of construction activity. If such permit is not renewed for an additional one (1) year period, the trailer or semi-trailer shall promptly be removed by the owner from the premises.
 - 3. Any such temporary or regular occupancy permit may be issued to either the prime contractor of such construction job or the owner of the premises of such construction job, or both, provided that no such permit shall be issued until and after a valid binding permit has been issued covering such construction, or a portion thereof, on such premises.

6.10.4 Location

- a. Any trailer or mobile home used, occupied or intended to be used or occupied for residential or living purposes in the Rural Residence or Country Residence Zones shall be located in the rear yard, or the rear half of the lot, and shall be a minimum of one hundred (100) feet from any street line, fifty (50) feet from any dwelling on the same lot, twenty-five (25) feet from any side lot line fifty (50) feet from the rear lot line, five hundred (500) feet from any public building, and two hundred (200) feet from any dwelling on any other lot, except as may otherwise be required or permitted by the Town Building Official because of the topography or location of the premises, adjacent properties and surrounding development, existing or proposed.
- b. Any trailer, mobile home or semi-trailer used, occupied or intended to be used or occupied for field office or storage purposes on the premises of a construction job in any zone shall be located only as approved by the Building Official, who shall consider the location of the premises, adjacent properties, surrounding development, both existing and proposed, and the purpose for which such trailer, mobile home or semi-trailer is or is to be used or occupied.

6.10.5 Fees

- a. For a trailer or mobile home used, occupied or intended to be used or occupied for residential or living purposes, the fee for each temporary occupancy permit, or any renewal thereof, shall be \$10 and the fee for each regular occupancy permit, or any renewal thereof, shall be \$50. Such annual renewal fee of \$50 shall be waived for occupants over sixty-five (65) years of age.
AMENDED EFFECTIVE JULY 8, 1975.

The fee for a temporary occupancy permit or any renewal thereof, issued for the purposes of housing seasonal agricultural workers shall be \$50 for 180 days and \$75 for 240 days.
AMENDED EFFECTIVE APRIL 6, 1987.

- b. For a trailer, mobile home or semi-trailer used, occupied or intended to be used or occupied for field office or storage purposes on the premises of a construction job; the fee for each temporary occupancy permit, or any renewal thereof, shall be \$25, and the fee for each regular occupancy permit, or renewal thereof, shall be \$75.

6.10.6 Changes or Additions

No person shall make structural changes or erect additions to a trailer, mobile home or semi-trailer for the purposes of converting it into a tenement or permanent dwelling, nor shall any occupied trailer, mobile home or semi-trailer be dismantled.

6.10.7 Compliance

Any occupancy permit shall be voided upon the failure of the permittee to conform to these Regulations, any conditions of the permit or to the State or Town sanitary regulations. A voided occupancy permit shall not be reinstated. AMENDED EFFECTIVE JULY 1, 1983.

6.11 ~~Special Permit For An Accessory Apartment Within A Single Family Dwelling~~ Accessory Dwelling Units (ADU)

6.11.1 Statement of Purpose

The Town of Glastonbury recognizes the ~~public need for the provision of a variety of housing types including efficient and affordable housing for singles, couples, single parents with one child, elderly and new households~~ need to increase affordable and diverse housing choices within the community. Throughout the Town, opportunities exist ~~within underutilized and or large single family dwellings~~ to create small accessory apartments to help meet these needs. To accomplish this purpose and to protect the health, safety and welfare of existing neighborhoods, the following regulation is enacted.

6.11.2 Permitted Zones for ADUs

~~The Town Plan and Zoning Commission may grant a Special Permit to allow the construction of, addition to, renovation of, and use and occupancy of a single family dwelling in any zone, in order to create one subordinate accessory apartment unit as an integrated part of said single family dwelling, in accordance with the following performance standards.~~ ADUs shall be permitted on each lot that contains a single-family dwelling.

6.11.3 Performance Standards

a. ADU Types. An accessory dwelling unit may be created through the following methods:

1. Converting existing living area within a principal dwelling, including basement or attic space.
2. Adding floor area (i.e. addition).
3. Constructing a new principal dwelling with an internal or detached ADU.
4. Converting or adding onto an existing accessory structure on a lot, such as a garage or other outbuilding.
5. Constructing a new ADU within a separate detached structure.

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- b. Prohibition on Use of Recreational Vehicles as ADUs: Recreational vehicles, travel trailers and any other wheeled or transportable structure shall not be used as an accessory dwelling unit.
- c. Prohibition of Use of ADU as a Short Term Rental: Accessory Dwelling Units shall not be used as a short term rental as defined in these regulations.
- d. Maximum Size: The ADU shall not exceed 30% of the livable floor area of the principal dwelling or 1,000 square feet, whichever is less.
- e. Floorplan: The ADU shall include a distinct kitchen or kitchen area containing a sink, refrigerator, stove or stovetop, oven, cabinets, and adequate counter space for food preparation and serving; and a bathroom containing toilet, sink and shower or bathtub.
- f. Building and Fire Code Compliance: The finished space shall conform to all applicable Town ordinances as well as the Building and Fire codes with regard to egress and the use of basements as habitable space;
- g. Public Health: The Health Department shall review and approve the adequacy of onsite sewage disposal and well water supply, if used.
- h. Parking: One additional off-street parking space shall be provided for the ADU.
- i. Utilities: An ADU may have common utilities with the principal dwelling or it may have separate metering devices.
- a. ~~Each accessory apartment unit shall have a maximum floor area of 800 sq. ft. and shall contain at a minimum, a cooking area to include a kitchen sink, one full bathroom and not more than one bedroom. Enlargements of existing apartments, to a maximum of 800 sq. ft., that only involve interior modifications, shall be subject to Section 12.10 of the Building Zone Regulations. Those enlargements involving exterior modifications/enlargements shall be subject to Section 12.9 of the Building Zone Regulations. AMENDED EFFECTIVE AUGUST 1, 2008~~
- b. ~~Each accessory unit shall be limited to a maximum occupancy of three persons, not more than two of whom may be adults.~~
- c. ~~The resultant two dwelling units may have common utilities and may have separate metering devices.~~
- d. ~~A minimum of one additional off street parking space shall be provided for use by the occupant(s) of said accessory apartment.~~
- e. ~~The property owner shall reside on the premises in either the primary single family dwelling or in the accessory apartment unit.~~
- f. ~~An approval notice from the Health Department on the adequacy of onsite sewage disposal and well water supply, if utilized, shall be required.~~
- g. ~~Accessory Apartment Forms~~
 - 1. ~~Basement Accessory Apartments — Basements may be converted to an accessory apartment subject to the following conditions:~~

i.) ~~The finished space shall conform to all applicable Town ordinances, as well, as the Building and Fire codes with regard to egress and the use of basements as habitable space;~~

ii.) ~~One internal access, while not required, may be provided between the accessory apartment and the primary dwelling.~~

2. ~~Semi-Detached Accessory Apartments~~ For the purposes of this section, “a semi-detached accessory apartment” shall mean a unit that is outside of the existing footprint of the primary residence, which unit shares a common wall with the primary residence in accordance with these regulations. ~~Semi-detached accessory apartments are permitted subject to the following conditions.~~

i.) ~~The semi-detached accessory apartment unit shall be externally and internally constructed and maintained in such a manner as to retain the appearance and character of the structure as a single-family dwelling and shall be structurally and architecturally compatible to the existing single-family dwelling in terms of style and design;~~

ii.) ~~The scale of the semi-detached accessory apartment shall be secondary to that of the primary residence;~~

iii.) ~~Building materials, including siding, exterior walls and roofs, shall be compatible with the primary dwelling in terms of style, design, texture and pattern;~~

iv.) ~~The placement and design of windows, doors, and any decorative architectural elements shall follow a compatible style as the primary structure~~

v.) ~~One internal access, while not required, may be provided between the accessory apartment and the primary dwelling.~~

vi.) ~~The finished space shall conform to all applicable Town ordinances as well as the Building and Fire codes with regard to egress.~~

6.11.4 Approval Process

~~The Town Plan and Zoning Commission shall consider and apply the criteria set forth in Section 12 of these Regulations in the consideration and granting of a Special Permit. Additionally, the applicant shall provide notice to all abutters within 100 feet of the premises by regular mail with certificates of mailing no less than 10 days prior to the public hearing. The Office of Community Development shall review and approve all Zoning Permit applications for ADUs in accordance with these Regulations, and may consult with the Health and Buildings Departments in doing so.~~

6.11.5

~~The owner and occupant of said primary single family dwelling shall, initially and every two years thereafter and when the dwelling is sold, execute and file an affidavit with the Zoning Enforcement Officer stating that the owner continues to occupy the main dwelling or accessory apartment. AMENDED EFFECTIVE JULY 13, 2019~~

ADOPTED: 2-26-91
EFFECTIVE: 3-19-91

SECTION 7 ACCESSORY USES AND STRUCTURES

7.1 Accessory Uses and Structures

Accessory uses and structures associated with residential uses located in the residence zones or on lots in non-residence zones on which permitted or non-conforming residential uses are situated shall be subject to the condition that no such use or structure shall involve the conduct of a business or sale of a project, or a service, except ~~a home occupation, a boarding, rooming or lodging house or a roadside stand, all~~ as hereinafter limited, and to the following conditions:

- a. Customary Accessory Uses and Structures
 1. Permitted customary accessory uses and structures. Customary accessory uses and structures are permitted in the residence zones and on lots on non-residential zones on which permitted or non-conforming residential uses are situated, and may include but are not limited to: dog house, greenhouse, tool shed or storage building, children's playhouse, tennis court, laundry room, hobby room or mechanical room, playground or recreation area, and garden.
 2. Height and location of customary accessory structures. AMENDED EFFECTIVE JULY 27, 1976.
 - a.) Except as provided in the following two paragraphs, any customary accessory structure shall conform to the same front, rear and side yard requirements as apply to a principal building for the zone in which the accessory structure is located.
 - b.) Any customary accessory structure fifteen (15) feet or less in height and located seventy-five (75) feet or more back from the street line may be located a minimum distance of five (5) feet from any rear lot line and minimum distance of five (5) feet from any side lot line.
 - c.) On corner lots, all customary accessory structures shall be located a minimum of fifty (50) feet from any street line. AMENDED EFFECTIVE AUGUST 14, 1981.
 3. Maximum floor area of customary accessory structures. AMENDED EFFECTIVE JUNE 13, 1975.
 - a.) Maximum floor area. Customary accessory structures, except pools and private automobile parking garages, shall have a combined maximum floor area not greater than twenty-five (25) percent of the floor area of the principal building on the same lot as such accessory structures. In determining the floor area of the principal building for the purpose of this section, basement and attic floor area shall not be included. AMENDED JUNE 13, 1975*. All accessory structures existing as of the date of this amendment and used specifically for the storage of farm products and/or farm equipment shall be allowed on lots with at least 80,000 square feet. The use of these structures shall be limited to those person(s) engaged in agricultural operations as defined by Section 12-91 of the Conn. General Statutes and recorded with the Town Assessor. * EFFECTIVE AUGUST 1, 1987

b. Special Accessory Uses and Structures

1. Permitted special accessory uses and structures. Special accessory uses and structures are permitted in the residence zones and on lots in non-residence zones on which permitted on non-conforming residential uses are situated as set forth in Section 4 of these Regulations and shall be subject to such additional conditions as are set forth herein. Special accessory uses and structures shall include: customary home occupation, garage or carport and the parking of a commercial vehicle, the parking or storage of a boat, trailer or mobile home, guest house, bathing or swimming pool and bath house, roadside stand, the stabling of horses (and) the keeping and housing of livestock or poultry for domestic purposes on, ~~and~~ traditional professional medical/dental care facility, and storage containers. EFFECTIVE ~~OCTOBER 11, 1992~~ MARCH 15, 2003.
2. Conditions for special accessory uses and structures. In addition, the requirements for height, location and maximum land area for customary accessory uses and structures, special accessory uses and structures shall be subject to the following conditions:
 - a.) Customary home occupation. A customary home occupation is permitted with a Zoning Permit and shall be subject to the following provisions:
 1. A customary home occupation shall be carried on entirely within the dwelling unit or within a completely enclosed permitted accessory building on the same lot as the dwelling unit.
 2. A customary home occupation shall be carried on by the inhabitants of such dwelling unit and shall involve the employment on the premises of only any member of the immediate family residing in such dwelling unit plus one person, full or part time, not residing in such dwelling unit.
 3. A customary home occupation shall be clearly incidental and secondary to the use of such dwelling unit and lot for residential purposes.
 4. A customary home occupation shall not change the residential character of such dwelling unit and lot.
 5. A customary home occupation, whether contained in a dwelling unit or in an accessory building, shall occupy and area not to exceed twenty-five percent (25%) of the gross floor area of such dwelling unit.
 6. A customary home occupation shall not offer, display or advertise any commodity or service for sale or rental on the premises.
 7. A customary home occupation shall not store any materials or products on the premises outside of the dwelling unit or the permitted accessory building in which it is located.
 8. A customary home occupation shall not create any objectionable noise, odor, vibrations or unsightly conditions.
 9. A customary home occupation shall not create a health or safety hazard.

~~10. A customary home occupation shall not create interference with radio and television reception in the vicinity.~~

140. Signs associated with customary home occupation shall be limited to one identification sign per dwelling unit, such sign not to exceed for than two (2) square feet in area.

11. In addition to an application for a Zoning Permit, applicants for a customary home occupation shall submit a narrative description of the proposed business and any plans deemed necessary to demonstrate compliance with these regulations.

12. The Building Official may, at his discretion, for good cause such as a non-customary use, potential excessive noise, storage of materials or parking, refers any question concerning a customary home occupation to the Town Plan and Zoning Commission for its review and recommendations. The Town Plan and Zoning Commission shall have thirty (30) days from its receipt of the application from the Building Official within which to forward its report of findings and recommendations to the Building Official. Said report of the Town Plan and Zoning Commission shall be advisory only, and the failure of the Town Plan and Zoning Commission to submit its report within the prescribed thirty (30) day period shall not prevent the Building Official from reaching a decision on the application for the customary home occupation after the prescribed thirty (30) day time period has expired.

b.) Attached or detached garages and/or carports shall be a permitted use in accordance with the following standards:

1. Dwellings containing less than 4,500 sq. ft. of gross finished floor area (excluding basements) may have a maximum of 3 garages and/or carport bays, except that the Zoning Board of Appeals may, as a special exception, grant approval for 1 additional garage and/or carport.

2. Dwellings containing more than 4,500 sq. ft. of gross finished floor area (excluding basements) may have a maximum of 4 garage and/or carport bays. AMENDED EFFECTIVE 6/12/2002

3. A maximum of one commercial vehicle may be parked on the lot, provided such commercial vehicle shall have a maximum capacity of one and one-half (1 1/2) tons, shall be owned by the owner or permanent resident of the property which it is to be parked and shall be parked in the garage, barn or the rear yard of the property.

c.) Parking or storage of a boat, trailer or mobile home. A maximum of one (1) such vehicle may be parked or stored outside on the lot, provided such vehicle is parked in the rear yard and is owned or leased by the owner or permanent resident of the property on which such vehicle is parked. No such boat, trailer or mobile home shall be occupied for living, sleeping or cooking purposes or for carrying on business except as provided in Section 6.10 of these Regulations.

- d.) Guest House. A guest house shall require a special exception from the Zoning Board of Appeals in accordance with the provisions of Section 13 of these Regulations.
- e.) Boarding, rooming or lodging house. There shall be a combined total maximum of two (2) boarders, roomers or lodgers, whichever the case may be, except that more than two (2) such boarders, roomers or lodgers or any combination thereof may be permitted as a special permit from the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.
- f.) Bathing or swimming pool and bath house. The pool and bath house, if any, shall be located in the rear yard, a minimum of fifteen (15) feet from any side or rear property line. In the case of a corner lot, the side yard abutting the street shall require a minimum yard depth of fifty (50) feet in CR Zone and forty (40) feet in RR, AAA, AA, and A zones. A bathing or swimming pool may be installed and maintained only after the issuance of a proper permit by the Building Official subject to, any and all applicable codes or ordinances regarding safety, sanitation, drainage, and the like. AMENDED EFFECTIVE AUGUST 14, 1981.

~~Town Plan and Zoning Commission Proposed Amendments to Section 7.1.b.2.i.)~~

- g.) Roadside stand. A temporary seasonal road side stand shall be used for the sale of produce or products grown or produced completely on the premises. Such stand shall have a maximum area of one hundred (100) square feet, shall be located a minimum distance of twenty (20) feet from any street and one hundred (100) feet from any street or road intersection. Such roadside stand shall not be a structure and shall also abide by the side yard requirements for a principal building for the zone in which it is located and shall be removed within ten (10) days after its use is discontinued for that particular year.
- h.) Non-Commercial stabling of horses. The non-commercial stabling of horses shall require a special exception from the Zoning Board of Appeals in accordance with the provisions of Section 13 of these Regulations. In addition, such stabling of horses shall meet the following conditions:
 1. The portion of the lot or parcel upon which any horse or horses are stabled, pastured or exercised shall have a minimum area of two (2) acres in addition to the minimum lot area required for the dwelling on the lot or parcel.
 2. Such portion of the lot or parcel shall contain one (1) additional acre for each horse being stabled, pastured or exercised after the first two (2) horses.
 3. If any horse or horses are kept on the premises, an appropriate building shall be provided for the stabling of such horse or horses. Such building shall include an attached or adjacent enclosure, either a pit or structure, visually screened from adjacent properties, to which all stable cleanings shall be confined.

4. All buildings and structures for the stabling and exercising of horses shall be located at a minimum distance of one hundred twenty-five (125) feet from any street line, forty (40) feet from any side or rear property line and, In addition, one hundred (100) feet from any dwelling located on an adjacent property. AMENDED EFFECTIVE APRIL 23, 1974.
- i.) Keeping of livestock or poultry for domestic purposes only (less than five acres). ROOSTERS SHALL NOT BE PERMITTED. If any livestock or poultry are kept on the premises, the following conditions shall be met:
 1. The portion of the lot or parcel upon which livestock are kept or pastured shall have a minimum area of two (2) acres in addition to the minimum lot area required for the dwelling on the lot or parcel. There shall be no minimum lot size for the keeping of poultry provided Sections 3. and 4. below are met. For lots less than one (1) acre, a maximum of ten (10) poultry shall be permitted. For lots between one (1) and five (5) acres, a maximum of fifteen (15) poultry shall be permitted.
 2. Such portion of the lot or parcel shall contain one (1) additional acre for each livestock kept or pastured after the first two (2) livestock.
 3. If any livestock or poultry are kept on the premises, an appropriate building shall be provided for the keeping of such livestock or poultry. Such building shall include an attached or adjacent enclosure, either a pit or structure, visually screened from adjacent properties, to which all clearing shall be confined. Free-range poultry shall be confined to the lot with appropriate fencing.
 4. All areas, buildings and structures for the keeping, housing and pasturing of livestock or poultry shall be located a minimum distance of one hundred twenty-five (125) feet from any street line, forty (40) feet from any side or rear property line and, in addition, one hundred (100) feet from any dwelling located on an adjacent property. EFFECTIVE MAY 17, 2015
 - j.) Traditional professional medical/dental care facility. A traditional professional medical/dental care facility shall be subject to the following provisions:

Said facility shall be operated in accordance with 7.1.b.2 (a) by the inhabitant of such dwelling who shall be a properly licensed medical/dental practitioner. In the event that the facility shall employ a greater number of non-residents than permitted under 7.1.b.2.(a)(2), then such increased personnel shall be permitted only after the issuance of a Special Permit in accordance with Section 12 of the Building-Zone Regulations.

In addition to the standards of Section 12.4, the applicant shall satisfy all of the applicable standards of 7.1.---2:(a) in order to secure said Special Permit. EFFECTIVE OCTOBER 11, 1992.
 - k.) Storage Containers EFFECTIVE MARCH 15, 2003

The use or installation of storage containers shall not be permitted within the Town of Glastonbury except those storage containers that meet one of the following standards:

1. are duly registered and being actively used for the transit of goods on public highways and are located only on a commercial or industrial property
2. are being used for solid waste disposal or recycling and are located only on a commercial or industrial property
3. are located on properties in the Planned Industrial Zone that provide contract construction services
4. are located on properties in Planned Industrial Zone that retail or wholesale farm products that are harvested (straw, hay, or like products, etc.)
5. are located on properties that have an active construction or reconstruction project and only during the term of such construction
6. are located on bona fide farms that are regulated by Sections 7.2.a and 7.2.b of these regulations
7. are located adjacent to Town-owned athletic fields and are utilized for the storage of athletic equipment

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Any storage containers that do not meet one of the above-listed standards shall be permanently removed from the subject property not later than 7 years following adoption of this regulation. In order to maintain a storage container as a legal nonconforming use during this phase-out period, a registration form shall be completed at the Town Building Official's Office no later than 90 days following adoption of this regulation. Any storage containers not registered within this time frame shall be deemed in violation of this regulation and shall be subject to enforcement action by the Town.

For the purposes of this regulation, a storage container is defined as a portable enclosure that is mounted, or can be mounted on wheels or can be transported over a public highway that is utilized for the storage of goods only. EFFECTIVE MARCH 15, 2003

7.2 Accessory Uses & Structures Associated With Principal Farming Uses In Any Zone

- a. Permitted Accessory Uses and Structures. Farm markets, buildings or structures used for the storing, processing and manufacturing of agriculture and forestry products produced on the farm, necessary motor vehicles and equipment used on the farm, and the buildings or structures used for the storage of such vehicles and equipment, and buildings used for the housing of farm animals and poultry.
- b. Location. All buildings and structures containing livestock of poultry shall be located a minimum distance of one hundred (100) feet from any street line or the property line of any property under separate ownership. All other accessory buildings and structures associated with the principal farming uses shall conform to the required side, rear and front yards for that zone. AMENDED EFFECTIVE JUNE 13, 1975.

- c. **Farm Market.** The intent of this section shall be to continue and promote the orderly growth of farming in Glastonbury in accordance with Section 12 of these Regulations. Farm markets shall be located on the premises of a farm. They shall be located a minimum distance of twenty-five (25) feet from any street line and one hundred (100) feet from any street or road intersection. Such farm market shall also meet the side yard requirements for a principal building for the zone in which it is located. Any enlargement or alteration of an existing farm market shall be deemed a minor change as defined in Section 12.9. New farm markets shall be subject to Section 12 of this Regulation and shall sell only perishable items (such as fruits and vegetables) some of which must be grown on the premises of the farm. The addition of non-perishables to a new farm market shall be subject to Special Permit in accordance with Section 12.9 of these Regulations.

Farm markets registered with the Office of Community Development (as of June 30, 1981) shall be considered conforming uses as shown and defined in the application form approved by the Town Plan and Zoning Commission as a Special Permit. AMENDED EFFECTIVE MAY 30, 1981.

7.3 Accessory Uses And Structures Associated With Excavation Operation In Any Zone

Any accessory use or structure associated with excavation operation in any zone shall abide by the conditions set forth in Section 6.2 of these Regulations.

7.4 Principal Non-Residential Uses, Except Excavation Operations, In Residence Zone

Any accessory use or structure associated with any principal non-residential uses in the residence zone (excepting excavation operations) shall abide at a minimum by the requirements set forth in this Section 7 for residential accessory uses and structures and, in addition, to any other conditions which may be required in their review of the principal use by the Town Plan and Zoning Commission or Zoning Board of Appeals, whichever the case may be, because of the nature of such accessory use or structure and the principal use with which it is associated.

7.5 Non-Residence Zones

Any accessory use or structure associated with any principal use in the non-residence zones shall be subject to such conditions as may be required in their review of the principal use by the Town Plan and Zoning Commission or the Zoning Board of Appeals, whichever the case may be, because of the nature of such accessory use or structure and the principal use with which it is associated.

7.6 Attached Accessory Building Or Structure

Any accessory building or structure attached or connected to the principal building by walls or roofs shall be considered a part of such principal building and shall abide by the provisions for principal buildings for the zone in which it is located.

7.7 Height Of Accessory Building Or Structure

Any accessory building or structure, except as provided in Section 3.5 of these Regulations, exceeding a height of fifteen (15) feet shall be considered as a principal building or structure and shall abide by the provisions for principal buildings for the zone in which it is located.

7.8 Accessory Fences And Walls

Accessory fences and walls used as fences with a maximum height of four (4) feet or less, shall be exempt from the provisions of this Section 7 except as may be otherwise required by the Town Plan and Zoning Commission or Zoning Board of Appeals, whichever the case may be.

~~7.9 Review And Approval~~

~~Whenever a principal use or structure is subject to the review and approval of the Town Council, the Town Plan and Zoning Commission or the Zoning Board of Appeals, whichever the case may be, any accessory use or structure associated with such principal use or structure shall be subject to the same review and approval.~~

7.109 Use

No accessory building or structure shall be used for residential, living or cooking purpose except as provided in these Regulations.

7.110 Agribusiness – Special Permit

a. Purpose:

The Town of Glastonbury recognizes that the preservation and support of the limited amount of agricultural lands and business is important to the Town, the State and the Nation, and is also necessary for the provision of adequate, healthful and nutritious foods for present and future citizens. It is also recognized that the survival and process of development of agricultural operations usually requires that several farms be operated or managed as one, and thus the farming activities on one property may be directed from a central office located on another. Therefore, it is the purpose of this regulation to permit the Town Plan and Zoning Commission to grant a Special Permit with Design Review for the construction of, addition to and/or renovation of non-farm buildings on properties where a farm operation is a permitted use under these Regulations.

b. Standards:

The construction of, addition to and/or renovation of non-farm buildings shall be subject to a Special Permit with Design Review in accordance with the criteria established by Section 12 of these Regulations. Non-farm buildings shall include all customary accessory buildings for hatching, breeding, rearing and keeping of poultry/animals; research and development activities related thereto; office and similar uses related to the farm operation; and storage and maintenance of equipment.

Buildings shall meet the yard requirements for a principal building for the zone it is located within and lots shall contain a minimum of fifty (50) acres. Buildings shall not cover more than twenty-five percent (25%) of the property.

c. Duration:

A special permit granted under this Section 7.11 shall be valid only for so long as the use permitted thereby remains related and accessory to an existing farm operation being conducted on the same parcel.

d. Separability:

This regulation shall not supersede or replace the farm-related portions of the existing regulations; and the expansion of farming as presently controlled shall continue under the existing regulations. All farm expansion purely limited to farm operations occurring on said farm shall continue to be a permitted use under existing regulations. EFFECTIVE DATE MAY 8, 1989.

7.11 Outdoor Dining

1) Purpose and Intent: The purpose of this section is to permit outdoor dining and beverage service as an accessory use to a licensed food establishment.

2) Applicability

a) This section applies to any licensed food establishment, in any zone where service of food and beverage for consumption on the premises is a permitted use.

b) This section applies to outdoor dining areas that have full food and beverage service from a wait staff, and outdoor dining areas to which customers bring their food purchased from inside the establishment.

c) Outdoor dining shall be an as-of-right use unless a food establishment is a non-conforming use as defined in Section 8 of these regulations.

3) Review and Approval

a) The Office of Community Development shall review and approve all applications for a new outdoor dining area or modification to an existing outdoor dining area as a Zoning Permit.

b) The Office of Community Development shall consult with the Building Official, Town Engineer, Health Director, Fire Marshal's Office, and Police Department on all outdoor dining applications with regard to health and safety measures.

4) Submission Requirements

a) Applicants for outdoor dining shall submit a narrative and plans that include the following:

(i) Business hours

(ii) Plan for inclement weather

(iii) Alcohol service controls (Transfer of alcohol from preparation area to the patrons).

(iv) Description of smoking or smoke-free policy. If smoking is allowed, tent or canopy cannot be used. Without tent or canopy, 75% of seats need to be smoke-free.

(v) Plan for trash disposal- frequency of emptying, overnight storage of bins

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(vi) Parking lot circulation shall be clearly marked on a plan. Turning radii for emergency vehicle access shall also be identified.

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5) Standards:

a) Location - Outdoor dining areas may be located in the following locations subject to the conditions of this subsection:

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(i) Public sidewalks and other pedestrian pathways abutting the area permitted for principal use and on which vehicular access is not allowed provided:

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a. The pathway is unobstructed for pedestrians and bicyclists.

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b. The pathway is constructed in compliance with physical accessibility guidelines, as applicable, under the federal Americans with Disabilities Act, 42 USC 12101, et seq., as amended from time to time, and

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c. The pathway extends for the length of the lot upon which the area permitted for principal use is located,

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d. The pathway is a minimum four feet in width, not including any area on a street

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(ii) On off-street parking spaces associated with the permitted use, notwithstanding any municipal ordinance or zoning regulation establishing minimum requirements for off-street parking provided:

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a. For outdoor dining areas with up to 10 seats no additional parking is required

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b. For outdoor dining areas with 11 seats or more parking is required in accordance with section 9 of these regulations regarding required off street parking for restaurants.

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c. Protective barriers around outdoor dining area must be present. If outdoor dining area will be used in the evening hours, barriers must have reflective materials.

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d. Parking lot circulation shall be clearly marked. Turning radii for emergency vehicle access shall be identified.

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(iii) On any lot, yard, sidewalk, court or open space abutting the area permitted for principal use, provided:

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a. Such lot, yard, sidewalk, court or open space is located in a zoning district where the operation of food establishments is permitted

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b. Such use is in compliance with any applicable requirements for access or pathways pursuant to physical accessibility guidelines under the federal Americans with Disabilities Act, 42 USC 12101, et seq., as amended from time to time

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- c. The licensee or permittee obtains written authorization to engage in such service from the owner of such lot, yard, sidewalk, court or open space and provides a copy of such authorization to the Office of Community Development. ← **Formatted:** Indent: Left: 1.5", Hanging: 0.5"
- b) Hours of Operation – Outdoor dining shall be permitted between the hours of 6:00am and 9:00 p.m. ← **Formatted:** Indent: Left: 0.5"
- c) Design - All related outdoor dining facilities shall conform to the following standards: ← **Formatted:** Indent: First line: 0.5"
 - (i) Protective barriers shall be made of any combination of decorative fencing, stone walls, structured landscaping, and/or building and architectural features (trellises, awnings). Protective structural elements shall be incorporated to adequately and suitably provide appropriate protection from traffic and other identifiable hazards for the specific location. ← **Formatted:** Indent: Left: 1", Hanging: 0.5"
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 - (ii) The above design features and architectural improvements shall be integrated with site buildings and the physical characteristics of the surrounding neighborhood. Additional structural and landscape screening may be required to buffer adjacent properties and streets from visual, lighting, noise, odor and other potential associated environmental/site impacts as deemed warranted by the Office of Community Development. ← **Formatted:** Indent: Left: 1", Hanging: 0.5"
- d) Cleanliness & Hygiene – Outdoor dining areas shall be cleaned and maintained with removal of trash on a regular basis. ← **Formatted:** Indent: Left: 0.5"
- e) Accessory Components ← **Formatted:** Indent: First line: 0.5"
 - (i) Associated apparatus - The use of portable umbrellas, heating units and other similar elements for the purpose of weather protection may be permitted provided that: ← **Formatted:** Indent: Left: 1", Hanging: 0.5"
 - (a) They are properly maintained in a neat and good working condition and compliant with all applicable building, fire and health code standards and laws. ← **Formatted:** Indent: Left: 0.5", Hanging: 0.5"
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 - (b) Said features shall be adequately stored when not in use with appropriate containment. ← **Formatted:** Indent: Left: 1", Hanging: 0.5"
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 - (c) Said Features shall not have any logos, lettering or images painted or otherwise affixed to them. ← **Formatted:** Indent: Left: 1.5", Hanging: 0.5"
 - (ii) Lighting - Lighting shall be dark sky compliant. ← **Formatted:** Indent: Left: 0.5", First line: 0.5"
 - (iii) Entertainment – Entertainment shall be limited to pre-recorded or live music and shall be subject to the following conditions: ← **Formatted:** Indent: Left: 1", Hanging: 0.5"
 - (a) Pre-recorded music must be directed at seated outdoor dining customers only and played at a low volume ← **Formatted:** Indent: Left: 0.5", Hanging: 0.5"
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(b) Live music shall be limited to non-amplified acoustic music.

(c) All music shall end at 9 p.m.

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