



# *Town of Glastonbury*

## *Community Development*

TO: Town Planning and Zoning Commission

FROM: Gary Haynes; Planner

DATE: July 21, 2023

RE: Main Street Commercial Corridor Flood Zone (MSCC)

### Background

In September of 2008 the Town Council adopted changes to the Flood Zone Regulations to follow the proposed model regulations prepared by the state. Glastonbury has chosen to regulate the flood zone more restrictively than the model regulations to help further protect flood prone areas. Section 4.11 requires structures to be located outside the 500-year flood plain rather than the 100-year flood plain as the model regulation suggests. It also requires that existing buildings proposed for substantial rehabilitation are improved to meet the Flood Zone requirements.

### Proposal

For several years this higher restriction of the flood zone has inhibited redevelopment and building improvements in the commercial corridor from 2735 Main Street to 2815 Main Street. The proposal is to adopt a Main Street Commercial Corridor Flood Zone that allows for non-residential construction to the 100-year flood plain rather than the 500-year flood plain. This would allow for in-fill and redevelopment along the Main Street Commercial Corridor, which now presents a development "gap" between the Village Center Zone and the Planned Business Development Zone located to the North along Main Street.

### Public Comment

Staff has not received any comment from members of the public.

### TPZ Required Action

The Town Council requires a recommendation from the Town Plan and Zoning Commission on all proposed regulation and zoning map changes.

### Attachments:

1. Proposed Regulations
2. Proposed Zoning Map Changes
3. Referral Letter to State NFIP Coordinator Diane Ifkovic

# Town of Glastonbury Building-Zone Regulations

## Flood Zone Text Amendments

### Draft July 2023

Highlights in **yellow** are regulatory standards in the existing Flood Zone and the proposed Main Street Commercial Corridor Flood Zone

#### 4.11 Flood-Prone Area Regulations F effective 09-26-08

##### 4.11.1 Purpose

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.

##### 4.11.2 Definitions

For the purpose of this Section 4.11 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 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 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 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.
26. Start Of Construction – (for other than new construction of substantial improvements under the Coastal Barrier Resources Act (p.l. 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.

4.11.3 General Provisions

- a. Land to which these Regulations apply:

These Regulations shall apply to all property in the Flood Zone.

- 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.

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.

4.11.4 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 of 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 4.11.5.
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 4.11.2e.
  - 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.

4.11.5 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 4.11.6.
3. Elevation (in relation to mean sea level) of the lowest floor (including basement) of all structures;
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 4.11.6;
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.

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 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, 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 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.



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:

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.

4.11.6 Flood Zone Area Requirements:

a. General Requirements:

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 4.11.3.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 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.

4.11.7 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:
  - 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.

- a. 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.
- b. There shall be no more than one free-standing identification sign per lot.
- c. There shall be no streamers, banners or pennants on the lot or structures.
- d. All signs shall abide by the sign regulations of these Glastonbury Building Zone Regulations.
- e. 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.
- f. 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.
- g. There shall be no outside storage of inoperable motor vehicles or motor vehicle parts.

- h. There shall be no storage or parking of vehicles in the front yard or side street yard, if any.
- i. 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.
- j. Any trash or storage area shall be enclosed by a suitable opaque fence not less than six (6) feet in height.
- k. All repair work shall be conducted within the principal building on the lot.
- l. 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.
- m. 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.
- n. 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.

## 4.20 Main Street Commercial Corridor Flood Zone (MSCC)

### 4.20.1 Purpose

The purpose of this zone is to encourage the redevelopment of commercial parcels with Main Street frontage that are located in the floodplain through new construction or substantial improvement, while maintaining FEMA minimum standards for nonresidential construction in a flood zone.

### 4.20.2 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 uses or use categories listed in the list below of special permit uses and indicated in the MSCC column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and 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/Health, Fitness and Recreational Uses - Indoor  
Auditorium or coliseum  
Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or organization  
Billiard and pool hall  
Bowling  
Broadcasting studio, message center or office  
Bus passenger terminal  
Business services, except warehousing and storage and motor vehicle rental services  
Community centers  
Farm (17) (no special permit)  
Finance, insurance and real estate services  
Firing range, indoor  
Golf, miniature  
Governmental services  
Historic and monument sites (20)  
Library  
Motor vehicle carwash (Special Requirements, Section 6.3)  
Motor vehicle gasoline or service station, if existing on **xxxx date** (extensions or enlargements require special permit with design review approval.)  
Motor vehicle limited repair and services (30) (Special Requirements, Section 6.4)  
Museum or 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

#### 4.20.3 Permitted Accessory Uses

Customary accessory uses are permitted in accordance with the list below and with the MSCC 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.

#### 4.20.4 Plan of Development

For the purpose of assuring orderly and integrated development in the Main Street Commercial Corridor Flood Zone, no building, structure, use or other form of development shall be established or constructed and no existing building, structure or use, 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, and consistent with the Flood Zone Area Requirements of Section 4.11.6, except as noted below in Section 4.20.13.

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.

#### 4.20.5 Required Lot Area

Every parcel to be used for a use or uses permitted in the MSCC Zone shall have a minimum lot area of twenty thousand (20,000) 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.

#### 4.20.6 Lot Frontage

Every lot shall have a minimum lot frontage of not less than one hundred (100) feet, except that the provisions set forth in 4.20.5 above for smaller lots shall also apply herein to lot frontage.

#### 4.20.7 Lot Coverage

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

#### 4.20.8 Front Yard

There shall be a minimum front yard of twenty (20) feet for every principal building.

#### 4.20.9 Side Yards

There shall be a minimum of one (1) side yard for every principal building with an aggregate side yard having a minimum width of fifteen (15) 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. 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 ensure the continued compliance of the consolidated parcel with these Regulations.

#### 4.20.10 Rear Yard

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

#### 4.20.11 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.

#### 4.20.12 Required Open Space

A minimum of 20% of the lot area shall be provided and set aside as open space. 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.

#### 4.20.13 Flood Zone Standards

All development in the MSCC shall be in accordance with Section 4.11 Flood-Prone Area Regulations, as amended, with the following exceptions:

- a. Permitted uses. The permitted uses listed above in Section 4.20.2 and Permitted Accessory Uses listed in 4.20.3 above shall supersede the Permitted uses of Section 4.11.5.b
- b. Flood Zone Area Requirements. Nonresidential structures in the MSCC Zone shall be constructed so that up to one foot above the 100-year recurrence-interval flood level (rather than the 500-year recurrence-interval flood level) is either dry flood proofed or wet flood proofed.

**COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES**

Sheet #4

PERMITTED USES	ZONE CATEGORIES										
	TC	PBD	PE	PC	PT	PI	RL	F	MSCC	VC	TCMU
<b>RESOURCE PRODUCTION &amp; EXTRACTION USES</b>											
Agriculture (3)		Acc			Acc	Acc	Acc	Prmt*	Prmt*		
Farm (17)		Prmt*	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*		
Earth Products, Excavation And Filling Or Removal Of		Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp		
<b>RESIDENTIAL USES</b>											
<b>HOUSEHOLD UNITS</b>											
<b>DWELLINGS</b>											
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
<b>GROUP QUARTERS</b>											
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											
<b>TRANSIENT LODGINGS</b>											
Hotel/Motel/Inn (22)					Sp						
Tourist home (42)	Sp									Sp	Sp
<b>NON-RESIDENTIAL USES</b>											
OFFICE, GENERAL AND/OR PROFESSIONAL USES	Sp	Sp	Sp	Sp	Sp				Sp	Sp	Sp
<b>SERVICE USES</b>											
BUSINESS SERVICES, except warehousing and storage and motor vehicle rental services	Sp	Sp	Sp	Sp	Sp				Sp	Sp	Sp

\*(if existing on the effective date of these Regulations – VC Zone 2<sup>nd</sup> floor dwelling requires special permit, see regulations)

Prmt – Permitted Use or Use Category  
Acc – accessory use or use/category

Sp – special permit use/category  
Sx – special exception use/category

**COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES**

Sheet #5

PERMITTED USES	ZONE CATEGORIES										
	TC	PBD	PE	PC	PT	PI	RL	F	MSCC	VC	TCMU
CEMETERY							Sp				
CONTRACT CONSTRUCTION SERVICE, indoor and outdoor, except salvage and wrecking services				Sp		Sp					
<b>EDUCATIONAL SERVICES</b>											
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	Sp	
GOVERNMENTAL SERVICES	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp
PERSONAL SERVICES	Sp	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	Sp
<b>REPAIR SERVICES</b>											
<b>MOTOR VEHICLE REPAIR AND SERVICES</b>											
Carwash		Sp		Sp	Sp				Sp		
General repair and service (29)				Sp		Sp					
Limited repair and service (30)		Sp		Sp	Sp				Sp		
Gasoline and/or service station		Sp*			Sp					Sp*	
<b>MISCELLANEOUS SERVICES</b>											
Ambulance Service		Sp			Sp				Sp		
Places of Worship	Sp	Sp							Sp	Sp	Sp
Veterinarian service											Sp
<b>TRADE USES</b>											
RETAIL TRADE- apparel and accessories	Sp	Sp			Sp				Sp	Sp	
RETAIL TRADE – automotive, marine craft, aircraft, and accessories	Sp	Sp			Sp				Sp		
RETAIL TRADE – building materials and farm equipment	Sp	Sp				Sp			Sp		
RETAIL TRADE –eating and drinking without drive-in or curb service	Sp	Sp			Sp				Sp	Sp	
RETAIL TRADE – food	Sp	Sp			Sp				Sp	Sp	
RETAIL TRADE – furniture, home furnishing and equipment	Sp	Sp			Sp				Sp	Sp	
RETAIL TRADE – general merchandise	Sp	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  
 Acc – accessory use or use/category

Sp – special permit 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	MSCC	VC
RETAIL TRADE – other	Sp	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 nonmetallic 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 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	Sp				

Prmt – Permitted Use or Use Category  
 Acc – accessory use or use/category

Sp – special permit use/category  
 Sx – special exception use/category

**COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES** Sheet #7

PERMITTED USES	ZONE CATEGORIES									
	TC	PBD	PE	PC	PT	PI	RL	F	MSCC	VC
<b>CULTURAL, ENTERTAINMENT AND RECREATIONAL USES</b>										
<b>AMUSEMENTS</b>										
Bazaars, festivals, carnivals and circuses sponsored by a non-profit corporation or organization		Sp	Sp	Sp	Sp	Sp		Sp	Sp	Sp
Billiard and pool hall		Sp			Sp				Sp	
Golf driving range								Sp	Sp	
Golf, miniature		Sp			Sp				Sp	
<b>CULTURAL ACTIVITIES</b>										
Historic and monument sites (20)	Sp	Sp	Sp	Sp	Sp	Sp	Prmt	Prmt	Sp	
Library	Sp	Sp							Sp	Sp
Museum or Planetarium	Sp	Sp							Sp	
Parks	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	
<b>PUBLIC ASSEMBLY</b>										
Auditorium or coliseum		Sp	Sp	Sp	Sp	Sp			Sp	
Community Center		Sp							Sp	Sp
Theater, legitimate and/or motion picture	Sp	Sp			Sp				Sp	
<b>RECREATIONAL ACTIVITIES</b>										
Archery range, indoor	Sp	Sp			Sp				Sp	
Athletic Clubs	Sp	Sp			Sp				Sp	
Bowling	Sp	Sp			Sp				Sp	
Firing range indoor	Sp	Sp			Sp				Sp	
Golf course							Sp	Sp	Sp	
Marina								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	Sp

Prmt – Permitted Use or Use Category  
 Acc – accessory use or use/category

Sp – special permit use/category  
 Sx – special exception use/category

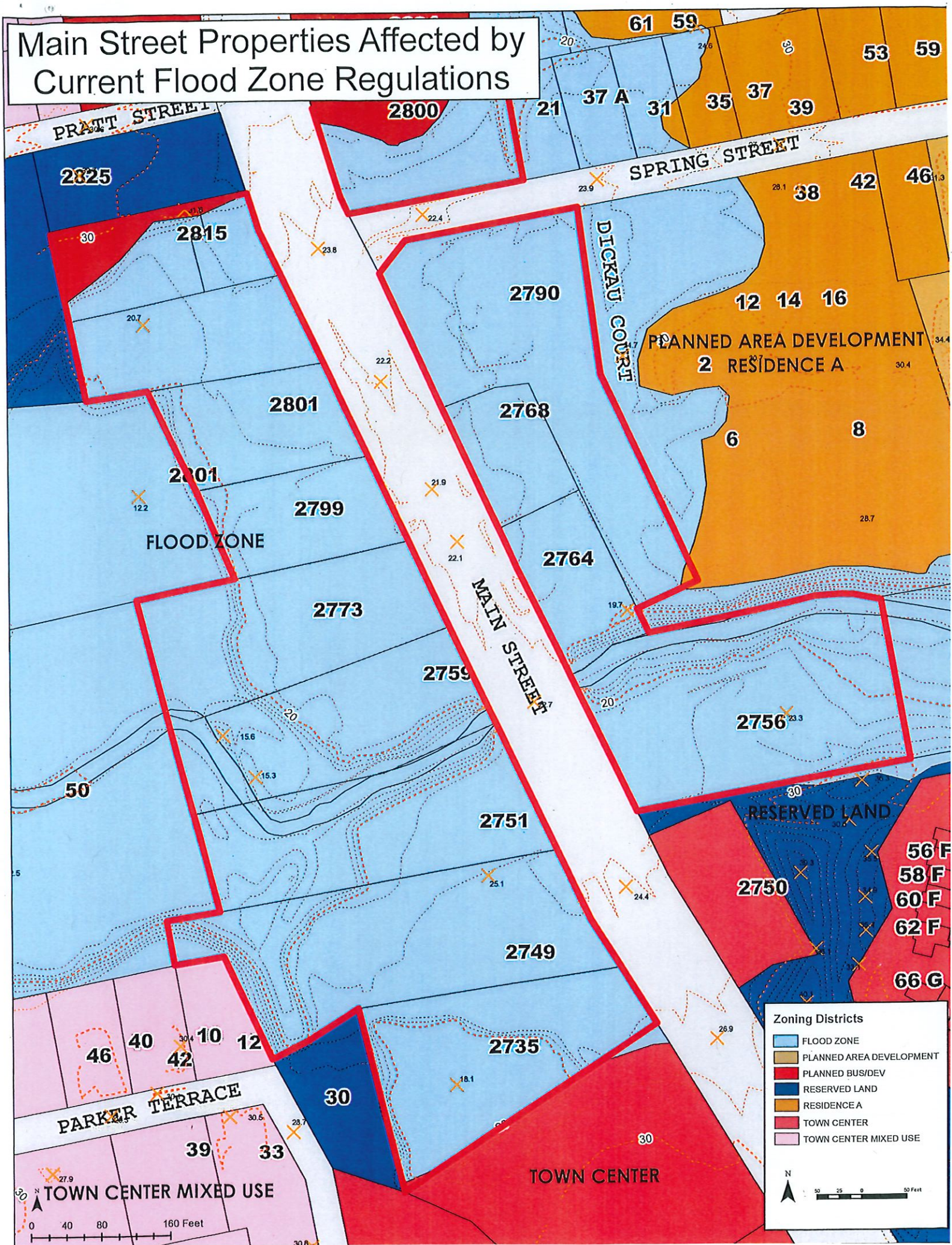
**COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES** Sheet #8

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

Sp – special permit use/category  
 Sx – special exception use/category

# Main Street Properties Affected by Current Flood Zone Regulations



**Zoning Districts**

- FLOOD ZONE
- PLANNED AREA DEVELOPMENT
- PLANNED BUS/DEV
- RESERVED LAND
- RESIDENCE A
- TOWN CENTER
- TOWN CENTER MIXED USE

N

0 25 50 Feet



## Gary Haynes

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**To:** diane.ifkovic@ct.gov  
**Cc:** Shelley Caltagirone  
**Subject:** Proposed Zoning Map and Regulation Change  
**Attachments:** State NFIP Coordinator IMEMO\_RE\_Main Street Commercial Corridor Flood Zone 071723.docx; DRAFT\_Sections 4.11 and 4.20\_Flood\_Zone\_071723.docx; Main\_St\_Flood\_Zone.pdf

Diane,

The Town of Glastonbury is making an amendment to the Zoning Map and Regulations to create a new flood zone along commercial corridor on Main Street. Please see attached documents and feel free to contact me with any questions or comments. Public Hearing for Planning and Zoning is scheduled for 8/8/23. They will give recommendation to the Zoning Authority which is the Town Council who will tentatively have their Public Hearing on the proposed Zoning Map and Regulation Changes on 8/15/23. Thank you.

**Gary Haynes**

Planner

Town of Glastonbury

(860) 652-7513

[gary.haynes@glastonbury-ct.gov](mailto:gary.haynes@glastonbury-ct.gov)



# *Town of Glastonbury*

## *Community Development*

TO: Diane Ifkovic; State NFIP Coordinator

FROM: Gary Haynes; Planner

DATE: July 21, 2023

RE: Main Street Commercial Corridor Flood Zone (MSCC)

### Background

In September of 2008 the Town Council adopted changes to the Flood Zone Regulations to follow the proposed model regulations prepared by the state. Glastonbury has chosen to regulate the flood zone more restrictively than the model regulations to help further protect flood prone areas. Section 4.11 requires structures to be located outside the 500-year flood plain rather than the 100-year flood plain as the model regulation suggests. It also requires that existing buildings proposed for substantial rehabilitation are improved to meet the Flood Zone requirements.

### Proposal

For several years this higher restriction of the flood zone has inhibited redevelopment and building improvements in the commercial corridor from 2735 Main Street to 2815 Main Street. The proposal is to adopt a Main Street Commercial Corridor Flood Zone that allows for non-residential construction to the 100-year flood plain rather than the 500-year flood plain. This would allow for in-fill and redevelopment along the Main Street Commercial Corridor, which now presents a development "gap" between the Village Center Zone and the Planned Business Development Zone located to the North along Main Street.

### Public Comment

Staff has not received any comment from members of the public.

### TPZ Required Action

The Town Council requires a recommendation from the Town Plan and Zoning Commission on all proposed regulation and zoning map changes.

### Attachments:

1. Proposed Regulations
2. Proposed Zoning Map Changes
3. Referral Letter to State NFIP Coordinator Diane Ifkovic

## Gary Haynes

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**From:** Ifkovic, Diane <Diane.Ifkovic@ct.gov>  
**Sent:** Monday, July 24, 2023 10:36 AM  
**To:** Gary Haynes  
**Cc:** Shelley Caltagirone  
**Subject:** Re: Proposed Zoning Map and Regulation Change

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Gary,

I can see where you are going with this and I do remember these discussions. You are still meeting FEMA's minimum requirement of elevation or floodproofing to the 100 year standard so the town remains compliant while allowing some leeway for these commercial properties. The only problem I see is that residents may want to roll back all your regulations to the 100-year standard, but I can only hope the flooding this year gives them pause. Residential construction should be elevated higher.

One note to mention, if any of these businesses take state funds for development (example DECD, OPM, etc.) then a Flood Management Certification (FMC) would be required from our agency that could result in higher standards being applied to the project. Housing is the development with the highest standard but isn't allowed in this zone anyway. For commercial we would require elevation to 100 year +1 ft but again this would be a rare circumstance if state or federal money is used and we supersede your local regulations, but I just wanted to mention it as it happens from time to time. <https://portal.ct.gov/DEEP/Permits-and-Licenses/Factsheets-Inland-Water/Flood-Management-Certification-Fact-Sheet>

For any projects using fill in the floodplain, you may want to read through the new FEMA Technical Bulletin 10: [https://www.fema.gov/sites/default/files/documents/fema\\_nfip-technical-bulletin-10.pdf](https://www.fema.gov/sites/default/files/documents/fema_nfip-technical-bulletin-10.pdf).

In the definition of "Cost", please remove septic systems and water supply wells from the definition. Since you are opening up the regulations anyway please make this correction. These should not be excluded items. FEMA gave some recent guidance on this to us.

diane

Diane S. Ifkovic  
State of Connecticut  
Department of Energy & Environmental Protection  
79 Elm Street  
Land & Water Resources Division, 3rd floor  
Hartford, CT 06106  
Phone: (860) 424-3537  
Email: [diane.ifkovic@ct.gov](mailto:diane.ifkovic@ct.gov)

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**From:** Gary Haynes <[gary.haynes@glastonbury-ct.gov](mailto:gary.haynes@glastonbury-ct.gov)>  
**Sent:** Friday, July 21, 2023 3:47 PM  
**To:** Ifkovic, Diane <Diane.Ifkovic@ct.gov>  
**Cc:** Shelley Caltagirone <[shelley.caltagirone@glastonbury-ct.gov](mailto:shelley.caltagirone@glastonbury-ct.gov)>  
**Subject:** Proposed Zoning Map and Regulation Change