

AGENDA
PLANNING COMMISSION
JANUARY 24, 2017 - 7:00 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 2

I. ROLL CALL

II. APPROVAL OF MINUTES

1. December 13, 2016 – Special CIP meeting*
2. December 13, 2016*

III. PUBLIC COMMUNICATIONS

IV. SUBDIVISIONS

1. Northwoods Subdivision – Final release of bond*

V. SITE PLANS

VI. OLD BUSINESS

VII. NEW BUSINESS

1. Referral from the Zoning Board of Appeals for a Public Hearing on January 25, 2017 – ZBA#16-15 – 185 Fort Hill Road, Town of Groton/Owner, CT Technical High School System/Applicant*
2. Referral from the Town of Ledyard for a Public Hearing on January 26, 2017 – Zoning Regulation Amendment to Chapters 2, 6-16*
3. Referrals from the City of New London for Public Hearings on February 16, 2017*
 - a. Zoning Map Amendment*
 - b. Zoning Text amendment to Section 560 (Light Industrial Office District)*
4. Review of NEC Tier 1 Final Environmental Impact Statement*
5. Election of Officers
6. Report of Commission
7. New Applications

VIII. REPORT OF CHAIRMAN

IX. REPORT OF STAFF

X. ADJOURNMENT

Next regular meeting: February 14, 2017

* Enclosed

NOTE: NO NEW BUSINESS WILL BE CONSIDERED AFTER 10:30 P.M.

MINUTES
SPECIAL MEETING
PLANNING COMMISSION
DECEMBER 13, 2016 – 5:30 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Pritchard, Steinfeld, Zod, Kane (6:00 p.m.)
Alternate members present: Fitzgerald, Tarbox
Absent:
Also present: Berry, Kilpatrick, Oefinger, Schneider
Staff present: Jones, Gilot

Chairman Pritchard called the meeting to order at 5:34 p.m. appointed Fitzgerald to sit for Kane.

II. ITEMS OF BUSINESS

1. Capital Improvement Program – Review and Recommendations

Oefinger thanked the Commission for reviewing the Capital Improvement Program (CIP). He noted that the request of \$3.7 million for FYE 2018 will have to be reduced. Last year, only \$700,000 capital reserve funding was used last year. He noted that one project that was not funded last year was the computer technology acquisition-software systems, but the town needs to move ahead with this project. He said staff is working with a consultant to develop the RFQ and needs assessment. Oefinger said he would like the Commission to include this in their recommendations. The town needs to get out of its downward spiral for funding, and invest in our buildings as it will cost more for maintenance due to lack of or deferred maintenance. He said Groton is a fortunate community, 147th out of 169 in terms of equalized mill rate, and needs to invest in capital improvements. Oefinger explained that about \$2 million has already been cut out of the program.

The Commission reviewed the projects which requested funding for FYE 18 with the Town Manager and the department heads.

Kane arrived at 6:00 p.m. and was seated as a voting member.

Detailed discussion ensued on the following projects.

3) C) Thomas Road Bikeway - Schneider said they are working on getting easements from the Ackleys. The final design should be done in November. The Commission discussed the path, and felt completion of this project should be a high priority.

Motion made at 7:05 p.m. to recess the special meeting until after the regular Planning Commission meeting scheduled for 7:00 p.m.

Motion made by Steinfeld, seconded by Tarbox. Motion passed unanimously.
The meeting resumed at 8:10 p.m.

7) B) Computer Technology Acquisition – Software Systems

The Commission spoke in favor of the project.

The Commission supported the following items as a high priority for the FYE 18 budget year.

- Thomas Road Bikeway
- Technology Infrastructure

The Commission also said they were concerned with that continually reducing the capital program by postponing or cancelling maintenance to town facilities will result in higher future maintenance costs.

III. ADJOURNMENT

Motion to adjourn at 8:17 p.m. was made by Kane, seconded by Munn, so voted unanimously.

Margil Steinfeld, Vice Chairman/Secretary
Planning Commission

Prepared by Debra L. Gilot
Office Assistant III

MINUTES
PLANNING COMMISSION
DECEMBER 13, 2016 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

Chairman Pritchard called the meeting to order at 7:12 p.m.

I. ROLL CALL

Regular members present: Kane, Munn, Pritchard, Steinford, Zod
Alternate members present: Fitzgerald, Tarbox
Excused Absence:
Staff present: Jones, Glemboski, Gilot

II. APPROVAL OF MINUTES

1. November 22, 2016

MOTION: To adopt the minutes of October 25, 2016 as written.

Motion made by Kane, seconded by Zod, so voted unanimously. Motion passed 3-0, 2 abstentions (Munn, Steinford).

III. PUBLIC COMMUNICATIONS - None

IV. SUBDIVISIONS - None

V. SITE PLANS

1. The Sandbox (SIT16-12), 1500 Gold Star Highway – Site plan modification

Brendan Woolrich, Sandbox Sports LLC, presented the modification request. He would like to add an additional phase to the original site plan approved by the Planning Commission, due to financing. Phase I will be the construction of a fabric tension structure on the same pad as originally approved. A trailer for bathroom facilities which will be ADA compliant and connected to the utilities on the site will be placed next to the fabric tension structure. The type of building structure is the only thing to be modified in the new Phase I. Mr. Woolrich expects that in approximately two years, he will secure financing to build the steel frame building after they prove the business model.

Staff said as part of the phasing, the septic system will be built and the portable bathrooms will be hooked up to it. The Fire Marshal and Building Official reviewed the plan and had no issues with the fabric building.

The commission had concerns on how the staff would enforce this to ensure that eventually the steel structure is built. Mr. Woolrich said he doesn't want a bad looking, ill kept facility. The need to put up this building was due to financing requirements. They will keep this as long as it works for them; if it falls into disrepair, they will apply for financing for the steel facility. The life span of a fabric building is approximately 5 – 7 years before corrosion and tears become an issue. He expects to replace the fabric building before then.

The commission asked staff if there was any way to limit the amount of time the fabric building could be used. Staff said they could put a time limit on the phasing. Also, the blight code could be enforced if the building becomes unsightly. Restrooms will be accessed outside the building. Mr. Woolrich explained that the utility expenses will be much higher with the fabric building, so that would not be the most efficient use of their dollars. Staff reiterated that they are approving a phasing plan, not a site plan. Staff said the parking meets the zoning requirements.

Wind-proofing and wind loading requirements were discussed.

MOTION: To approve the Site Plan Modification (SIT16-12) and phasing plan for The Sandbox, 1500 Gold Star Highway.

Motion made by Pritchard, seconded by Steinford. Motion passed unanimously.

2. Gold Star Professional Office (SIT16-13), 479 Gold Star Highway

Bob Pfanner, Engineer, represented Bob Reardon, the owner of 479 Gold Star Highway. The site was the former emissions station for the state, and then a fish market. The proposal is to convert the building to professional offices. The site work will be minimal with minor architectural changes, sidewalks will be installed at the front and back and broken pavement and curb will be repaired; trees on the site will remain; the trash receptacles for the offices may be relocated to the existing propane pad or remain in the existing area. The drainage for the site was reviewed. Signage will consist of two signs; a variance was granted for a sign in the right-of-way.

Staff said the site will be cleaned up; minor changes were reviewed. Staff said they would recommend that the existing bituminous pad be replaced with concrete if it is to be used for dumpsters. The Inland Wetlands Agency determined that no wetland permit was required. The pedestrian access from the parking lots was reviewed. Staff said the parking is adequate. The drainage on the site was detailed. The site is located in the WRPD. There would be no increase in impervious. The old mechanical equipment will be removed and new equipment will be installed on the roof, with containment. The traffic pattern was reviewed. Staff said full cutoff fixtures will replace the existing exterior light fixtures.

MOTION: To approve Site Plan (SIT16-13) for Gold Star Hwy Professional Center at 479 Gold Star Highway with the following modifications:

1. Provide notes on the final plan stating:
 - a. A concrete dumpster pad shall be required if dumpsters are used on the site
 - b. All landscaped areas on the site shall be cleaned-up prior to a Certificate of Occupancy
 - c. All exterior lighting fixtures shall be full cut-offs.
2. Any technical items raised by staff shall be addressed.

Motion made by Pritchard, seconded by Steinford; motion passed unanimously.

VI. OLD BUSINESS - None

VII. NEW BUSINESS

1. Notice of Environmental Impact Evaluation (EIE) for Off-Airport Tree Obstruction Removal at the Groton-New London Airport

Staff reviewed the notice for tree removal at the airport. They noted that it is selective clearing and easements will be needed from property owners.

The Commission had no comment.

2. Report of Commission - None

3. New Applications

Staff said a site plan application was submitted for new signage for the Grasso Tech high school. A site plan is required because a portion of the driveway and the new sign are located on town property.

VIII. REPORT OF CHAIRMAN - None

IX. REPORT OF STAFF

The commission discussed cutoff lighting and enforcement of site plan requirements, such as lighting.

X. ADJOURNMENT

Motion to adjourn at 8:03 pm was made by Steinfeld, seconded by Zod, so voted unanimously

Margil Steinfeld, Vice Chairman/Secretary
Planning Commission

Prepared by Debra Gilot
Office Assistant III

Glemboski, Diane

PC
AGENDA
1/24/17

From: Rich Buzon <rlbuzon@comcast.net>
Sent: Thursday, January 05, 2017 3:34 PM
To: Glemboski, Diane
Subject: RE: Northwoods Subdiv and Resub

* FINAL
RELEASE
OF BOND

Hi Diane,

Happy New Years, hope the holidays were good. I am sending this to request the remainder of the bond, the \$4000 below, is there a formal process I need to do?

Thank you
Rich and Leanne Buzon

From: Glemboski, Diane [<mailto:DGlemboski@groton-ct.gov>]
Sent: Friday, April 29, 2016 9:11 AM
To: Rich Buzon <rlbuzon@comcast.net>
Subject: RE: Northwoods Subdiv and Resub

Rich.

The Planning Commission recommended acceptance of the Open Space and the Town Council accepted the Open Space. I will send you a copy of the deed when I receive it back from the Town Clerk.

The Planning Commission accepted the public improvements on January 12, 2016. You can ask for your remainder of the bond (\$4,000) to be released one year after acceptance (January 12, 2017).

Take care. Diane.

From: Rich Buzon [<mailto:rlbuzon@comcast.net>]
Sent: Wednesday, April 27, 2016 3:29 PM
To: Glemboski, Diane
Subject: RE: Northwoods Subdiv and Resub

Hi Diane,

Are Leanne and I all set? I never got any notification either way, and if the land is accepted, is there any paperwork we need to do?

Thanks, Rich

From: Glemboski, Diane [<mailto:DGlemboski@groton-ct.gov>]
Sent: Monday, December 21, 2015 11:28 AM
To: Rich Buzon <rlbuzon@comcast.net>
Subject: Northwoods Subdiv and Resub

Rich.

Northwoods Sub.
Release of Bond

MEMORANDUM

TO: Planning Commission
FROM: Zoning Board of Appeals *MAA*
DATE: January 5, 2017
SUBJECT: ZBA #16-15 - 185 Fort Hill Road, Connecticut Technical High School System (Grasso Tech)

The Zoning Board of Appeals will conduct the public hearing described in the attached Notice of Public Hearing on January 25, 2017.

If you have any comments or questions, please refer them to Matthew Allen, Planner I in the Office of Planning and Development, before the date of the public hearing.

MA:rms

*ZBA Referral
ZBA 16-15*



TOWN OF GROTON

PLANNING AND DEVELOPMENT SERVICES

DEBORAH G. JONES
ASSISTANT DIRECTOR
DJONES@GROTON-CT.GOV

134 GROTON LONG POINT ROAD, GROTON, CONNECTICUT 06340
TELEPHONE (860) 446-5970 FAX (860) 448-4094
WWW.GROTON-CT.GOV

January 4, 2017

The Day
Attention: Legal Advertising
P.O. Box 1231
New London, Connecticut 06320

Please publish the following legal ad on January 13, 2017 and January 20, 2017.

TOWN OF GROTON
ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING

The Zoning Board of Appeals will hold a public hearing on Wednesday, January 25, 2017 at 7:00 p.m. in Community Room 1, Town Hall Annex, 134 Groton Long Point Road, to hear the following:

ZBA#16-15 - 185 Fort Hill Road, Town of Groton/Owner, Connecticut Technical High School System/Applicant, for variances to Section 7.3-6B to allow a sign 58 square feet per side in lieu of the required 24 square feet (sign A), to allow for a sign 12 feet in height in lieu of the required 8 feet (sign B), to allow a third freestanding sign in lieu of the required one (sign B); and to Section 7.3-3B to allow a sign to project beyond the property line (sign B).
PIN#260809063886E, R-12 Zone.

Applications are on file and available for public inspection during normal business hours at the Planning Department, 134 Groton Long Point Road, Groton, CT. Dated this 13th day of January, 2017 at Groton, CT. (On second insertion, please put "Dated this 20th day of January, 2017 at Groton, CT.")

Ed Stebbins, Chairman

Account #30384
P.O. #17000327

PLEASE DO NOT BOLD PRINT. If you have any questions, please do not hesitate to contact me.

Sincerely,

Deborah G. Jones
Assistant Director

DGJ:rms

ZBA Referral
ZBA 16-15



TOWN OF LEDYARD, CONNECTICUT

Zoning Official's Office

741 Colonel Ledyard Highway, Ledyard, CT 06339-1551

Phone: (860) 464-3216

FAX (860) 464-0098

zoning.official@ledyardct.org

RECEIVED
CLERK'S OFFICE

JAN 12 AM 10:24

PAGE

January 9, 2017
Betsy Moukawsher
LEDYARD, CT

Betsy Moukawsher, Town Clerk
Groton Town Hall
45 Fort Hill Road
Groton, CT 06340

**RE: Pending Application # 4540 for Modifications to the Ledyard Zoning Regulations
Public Hearing Scheduled: 7:00 PM, January 26, 2017
Town Hall Annex, 741 Colonel Ledyard Highway, Ledyard, CT**

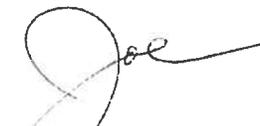
Dear Ms. Moukawsher,

As to comply with Connecticut General Statutes Section 8-7d (f), please accept this notice of the above-referenced application. Some of these proposed modifications affect properties within 500 feet of the Ledyard / Groton boundary line.

Please find enclosed a copy of the subject application and pass it along to the proper authorities for their review and comment. At the Public Hearing on this application, a representative may appear and address any concerns the Town may have. Letters submitted prior to the hearing will read into the record.

If anyone would like to discuss this matter in greater detail, please have them contact me at Town Hall.

Very truly yours,



Joseph M. Larkin
Zoning & Wetlands Official

Town of Ledyard Referral
1/26/17 Public Hearings

TOWN OF LEDYARD
APPLICATION FOR PLANNING & ZONING COMMISSION REVIEW

Application No. 4540

Receipt Date 12082016

RECEIVED

CAM Exempt? Y N

CLERK'S OFFICE

Date Submitted 12/07/2016

Location of Work (street address) LEDYARD, CT

Zoning District ALL

Is this property within 500 feet of another town? YES

CAM Zone? Y N

Existing Use _____ Tax Assessor's Map No. _____

• Please refer to the Zoning Regulations for assistance with application details.

Applicant/Agent LEDYARD PLANNING AND ZONING COMMISSION * Signature _____

Address PZC, 741 Colonel Ledyard Hwy, Ledyard, CT 06339 Telephone 860-464-3266

Owner (if different) _____

Address of Owner _____ Telephone _____

Proposal:*

- Site Plan
- Sign Permit
- Regulation Change+
- Zone Change+
- Gravel Permit
- Fill Permit
- Flood Hazard Permit.
- CAM Permit
- Special Permit+
- Other: Modification to Ledyard Zoning Regulations, Attached

Details Modifies and replaces Chapters 2, and 6 thru 16. Corrects errors and omissions, Updates

among others - chapter 2 defn, 6&7 site plans spl permits, 9 signs, 8 suppl regs, 10 parking, 11 alt energy, 12 natural resources, 13 nonconformances, 14 misc, 15 enforcement

Special Exceptions:*+

- Apartment/Condominium
- Two-family Dwelling
- Bed & Breakfast Operation
- Mobile Home Village
- Contractor Home Occupation
- Country Inn
- Child Day Care Center
- Commercial Vehicle/
Contractor Equipment
Storage
- Temporary Saw Mill
- Home Husbandry**

+Public Hearing Required

*Does the deed for this property contain restrictions on the proposed activity? _____

**Does the deed for this property contain restrictions on the keeping of animals? _____

Start Date: _____ Completion Date: _____ or Reapplication Date: _____ Expiration Date: _____

List previous zoning application numbers: 4354 for Ledyard Zoning Regs chapters 1,3,4,5, bulk and use tables

Approved by _____ Date _____

Denied by _____ Date _____

FEE: _____ + \$60.00 State Fee = _____ DATE PAID _____ RECEIPT # _____ 7/1/13

RECEIVED
CLERK'S OFFICE

017 JAN 12 AM 10: 24

PAGE

Section 2.0: Definitions

2.1 Interpretation and Use of Words

A. The following terms shall be interpreted as follows:

- (1) The masculine includes the feminine,
- (2) The singular includes the plural and the present tense includes the future tense,
- (3) The word "person" includes an individual, firm or corporation, limited liability company, trust, and federally recognized tribe,
- (4) The word "shall" is always mandatory; the word "may" is permissive or discretionary,
- (5) The words "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged, or designed to be used or occupied,"
- (6) Any reference to a residence or residential district shall be interpreted to mean any district with the word "residence" in its title,
- (7) A building or structure includes any part thereof,
- (8) The words "zone", "zoning district", and "district" have the same meaning,

2.2 Definitions

ABANDONMENT: The discontinuance of a use of property with the intent by its owner to voluntarily, intentionally, and permanently renounce said prior use, which may be inferred as fact from the surrounding circumstances. Failure to maintain a use for a specific time period is not, by itself, sufficient to constitute abandonment.

ACCESSORY APARTMENT: A dwelling unit that (a) is (i) attached to or a part of the main living unit of a house that has an external appearance of a single-family dwelling indistinguishable from other single-family dwellings, (ii) has a full kitchen, (iii) has a size of not more than thirty (30) percent of the total square footage of the house, (iv) has an internal doorway connecting to the main living unit of the house, (v) is not billed separately from such main living unit for any utility service, and (vi) complies with the building code and health and safety regulations (Reference: CGS §8-30-g-(k)); or (b) is located above or behind a principal non residential use to provide housing for the proprietor or caretaker, and his family, of the principal use.

ACCESSORY USE/ACCESSORY BUILDING: A use, building, structure and/or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.

ADULT DAY CARE CENTER: Any building or structure which is used to provide supervision for persons who are 18 years of age or older who may be elderly, physically ill, infirm, or physically handicapped such that they require daily supervision and medical treatment incidental to such supervision. The term does not include uses which provide residential, surgical, medical, or special treatment as relates to housing persons who have a chronic illness, disease or injury, or other condition that would require the degree and treatment provided by a nursing home or hospital.

Ledyard Ref.

AGE RESTRICTED HOUSING: Housing intended for residents age fifty-five (55) or older. Age restricted housing is subject to state and federal fair housing regulations, and may be single-family dwellings, mobile manufactured homes, two-family dwellings, and multi-family dwellings. Age restricted housing proposed for development shall be so designated on any site plan submitted to the Zoning Commission for approval, and shall be subject to deed restrictions and covenants enforceable by the Zoning Official.

APARTMENT: A dwelling unit located (a) in a building consisting of one or more other dwelling units; (b) above or behind a commercial use; or (c) within a single-family dwelling.

ARCHITECTURAL REVIEW BOARD (ARB): Pursuant to CGS §8-2j, the ARB is the advisory board responsible for reviewing applications for all new construction and/or substantial reconstruction or rehabilitation within the Ledyard Center Village Districts (LCVD), and the Multifamily Village District (MFVD).

ASSISTED HOUSING: Housing which is receiving, or will receive, financial assistance under any governmental program for the construction or substantial rehabilitation of low and moderate income housing, and any housing occupied by persons receiving rental assistance under Chapter 319uu or §1437f of Title 42 of the United States Code, as defined by Connecticut.

ASSISTED LIVING FOR SENIORS: A multi-family dwelling development, for those who are in otherwise good health, that provides the support of services, both licensed and unlicensed, necessary to maintain its residents in a semi-independent life style. An assisted living facility may include convalescent care.

BARN: A building for the storage of farm products, feed, and/or the housing of farm animals or farm equipment located on a farm of three (3) acres or more. A barn shall be considered the principal structure if there is no residential structure on the tract, and an accessory structure if there is a residential structure.

BED AND BREAKFAST: An owner-occupied dwelling, with a valid Special permit, having five (5) or less guest rooms, without separate kitchen facilities, in which overnight accommodations and meals are provided to travelers for a fee and for not more than twenty-one (21) consecutive days.

BUFFER STRIP: A strip of land unoccupied by buildings, structures or pavements and maintained as a grass strip, in its natural state, and/or for the planting of trees or shrubs as required by these regulations.

BUILDING HEIGHT: The vertical distance from the average finished grade to the highest point of flat or mansard roofs (including the top of a parapet) or to the mean level between the eaves and ridge for gable, hip, or gambrel roofs. In the case of multiple roofs, the roof with the greatest height shall determine building height

BUILDING SETBACK LINE – FRONT: A line delineating the minimum allowable distance between the center line of the traveled portion of a lot's abutting public or private street or public or private road right-of-way, or the center-line of an official future street right-of-way line, and the front of a building on that lot. The front building setback line extends the full width of the lot and is parallel to, or concentric, with the right-of-way.

BUILDING SETBACK LINE – REAR: A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

BUILDING SETBACK LINE – SIDE: A line delineating the minimum allowable distance between the side property line and a building on a lot. The rear setback line extends the front building setback line to the rear building setback line.

CHANGE OF USE: Within a lot, a change from a pre-existing non-conforming use or structure, or from an abandoned use or structure, or from a use or structure listed in Attachment A to another use or structure listed in Attachment A for the district. A change within a unit to a use listed in Attachment A that exists in another unit within the same structure does not constitute a change of use.

CHANGE OF USE, MINOR: A change from a use of a lot to a use listed in Attachment A for the district that will not result in additional dwelling units, additional employees, additional clients or customers, additional floor space, site modification, additional refuse, additional traffic, a change in building footprint, an increase in impermeable surface, or additional parking requirements.

CHILD DAY CARE CENTER: A place that offers or provides a program of supplementary care to more than twelve (12) related or unrelated children outside their own homes on a regular basis as provided in CGS §19a-77.

CLUSTER: A site planning technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space and/or preservation of environmentally, historically, culturally, or other sensitive features and/or structures.

COASTAL SITE PLAN: The site plans, applications and project referrals listed in §22a-105 of the Connecticut General Statutes and are addressed in §12 of these regulations.

COMMERCIAL FISHING, LOBSTERING, SHELL FISHING BASE: A base of operations for the farming of the waters of the state and tidal wetlands on leased, franchised and public underwater farm lands.

COMPLEX, COMMERCIAL OR INDUSTRIAL: A group of two (2) or more commercial or industrial businesses that share common parking and pedestrian spaces and signage.

CONVENIENCE STORE: Any retail establishment containing less than five-thousand (5,000) square feet offering for sale food, beverages, and other household supplies to customers.

COST: As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure as established by a detailed written contractor's estimate. The estimate shall include, but is not limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

COUNTRY INN: A property providing, for a fee, overnight accommodations, meals, and a venue for corporate meetings, retreats, and social events, and which may include a restaurant that can be open to the general public.

DATE OF RECEIPT, STATUTORY: The day of the next regularly scheduled meeting of the Planning and Zoning Commission immediately following the day of submission of the application, or thirty-five (35) days after such submission, whichever is earlier.

DESIGN GUIDELINES: The Design Guidelines contains the general policies applicable to new construction, site work, and design within the Ledyard Center Village Districts and the Gales Ferry Design Districts by establishing a range of appropriate responses to a variety of specific design issues. The purpose of the Guidelines is to establish clear and easily understood criteria to guide applicants towards the desired development pattern, architectural scale and massing. The Design Guidelines are, by reference, made part of the Zoning Regulations.

DISTURBED AREA: An area of land that is subject to accelerated erosion due to the removal of vegetative ground cover and/or earthmoving activities.

DWELLING, CARE-TAKER UNIT: An accessory apartment on a nonresidential lot or in a non-residential structure occupied by the person and his family who oversees the nonresidential operation twenty-four (24) hours a day.

DWELLING, MULTIPLE FAMILY: A structure, or group of structures, on one (1) lot, each containing three (3) or more dwelling units, with each dwelling unit having either a separate or joint entrances. May include apartments, condominiums, townhouses, and cooperatives.

DWELLING, SINGLE-FAMILY: A single structure containing, as its principal use, a single dwelling unit.

DWELLING, TWO-FAMILY (DUPLEX): One (1) building which contains two (2) separate apartments.

DWELLING UNIT: Any single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EQUIPMENT SALES AND REPAIR: Any building or structure utilized for the sale and rental including but not limited to small mechanical equipment, tools, construction equipment, tractors, etc. Included in this use is the incidental storage, maintenance and servicing of such equipment.

FAMILY: An individual or any number of individuals related by blood, marriage, or adoption, and living together as a single housekeeping unit in a dwelling unit, with common access to, and with common use of, all living areas, eating areas, and all areas and facilities for the preparation and storage of food; or not more than three unrelated persons by blood, marriage, or adoption and living together as a single housekeeping unit.

FAMILY DAY CARE HOME: A facility which consists of a private family home caring for not more than six (6) children, including the provider's own children not in school full time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a twenty-four-hour period and where care is given on a regularly recurring basis except that care may be provided in excess of twelve (12) hours but not more than seventy-two (72) consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, a maximum of three (3) additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three (3) children who are in school full time, all of the provider's children shall be permitted as provided in CGS §19a-77.

FARM: A tract of three (3) or more acres that may include principal and accessory buildings, used for farming and as an accessory use to the farming operations, the seasonal sale of agricultural or horticultural products produced on the parcel and on other local farms. A "tract" may consist of one or more lots under common ownership.

FARMING: Connecticut General Statutes, Sec. 1-1 (q) Except as otherwise specifically defined, the words "agriculture" and "farming" shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "farm" includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoop houses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands.

Puppies are not livestock. The grooming and/or boarding of puppies and/or dogs, and the breeding, whelping, raising, exercise, and/or training of puppies and dogs for show, sport, or sale, does not constitute farming and are not incidental to farming as herein defined.

FARM STAND: An accessory building in support of farming, specifically for the seasonal sale of products produced on local farms.

FILING, MAJOR: The excavating or relocating or the movement of three hundred (300) cubic yards or more of topsoil, sand, gravel, clay, stone or other materials to, on, or from any lot.

FILLING, MINOR: The excavating or relocating or the movement of less than three hundred (300) cubic yards topsoil, sand, gravel, clay, stone or other materials to, from, or on any lot.

FRONTAGE, LOT LINE: The length of the front line of a building lot abutting on a public or private road, street, or right-of-way.

GROUP DAY CARE HOME: A program of supplementary care for not less than seven (7) nor more than twelve (12) related or unrelated children on a regular basis, or that meets the definition of a family day care home as provided in CGS §19a-77 except that it operates in a facility other than a private family home.

HARDSHIP – A peculiar or unique feature of a particular piece of property that prevents the landowner from making a reasonable use of the property in conformance with the existing zoning regulations. A hardship has nothing to do with the personal circumstances of the landowner. The fact that the owner might be able to make a more profitable use of the land if it were not for the zoning regulations does not equate to hardship. Proof of true hardship is a legal requirement for a zoning board of appeals to issue a variance.

HEIGHT: A vertical distance of the highest point on the main roof to a point on a plane having an elevation of the average finished grade of the ground within ten (10) feet of the walls of the building.

HISTORIC STRUCTURE: Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on the state inventory of historic places; or (d) individually listed on the local inventory of historic places that have been certified.

HOBBY MOTOR VEHICLE: Any antique, rare, special interest, off-road, and/or racing vehicle, regardless of age or condition, not currently designed or intended for daily use, that is being actively restored, repaired, modified, and/or maintained by its owner.

HOME HUSBANDRY: The non-commercial cultivation and production of edible crops or of certain permitted listed livestock and/or poultry as an accessory use of a home for the benefit of its residents.

HOME OCCUPATION: An accessory use carried out for intended gain conducted within a single-family dwelling in a residential district by the resident owner(s) thereof that is clearly incidental and secondary to the residential use of the structure, does not involve the use of other than customary home appliances and equipment, does not involve the use of keeping stock in trade, and does not have any exterior visual, audible, or physical evidence of such incidental secondary accessory use.

HOOP HOUSE (Membrane Covered Frame Structure): A non-pressurized structure composed of a rigid framework to support a tensioned membrane to provide a weather barrier. A hoop house is also a greenhouse if the membrane is transparent or translucent.

HOTEL: A building that has a common entrance or entrances and contains sleeping accommodations for hire for ten (10) or more persons.

INTERIOR LOTS: A lot that has no direct frontage on a public or private street, but which obtains access to such streets by way of a private driveway or access agreement across land owned by another party. The front lot line of an interior lot shall be considered that lot line where the driveway or access point enters the property.

JUNKYARD: A lot, land, or structure, or part thereof, used primarily where junk, waste, discarded or salvaged materials are bought or sold, exchanged, stored, collected, dismantled or otherwise processed, including automobile wrecking yards. Junkyards are not permitted in the Town of Ledyard.

KENNEL: A commercial establishment that provides boarding, medical care, breeding, grooming, exercise, whelping, raising, and/or training of puppies, dogs and other household pets.

LICENSED RADIO ENGINEER: Anyone holding a Radiotelephone Operator License issued by the Federal Communications Commission ("FCC") who is responsible for technical compliance with FCC rules and regulations.

LIGHT INDUSTRIAL: The manufacturing, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, provided all manufacturing activities are contained entirely within a building and noise, odor, smoke, heat, glare, and vibration resulting from the manufacturing activity are confined entirely within the building.

LOT: 1) a parcel of land meeting the requirements of these Regulations; 2) a parcel of land which is owned separately from any adjoining Lot or Lots as evidenced by deed or deeds recorded in the Land Records of the Town of Ledyard; or, 3) a building lot shown on a subdivision map approved by the Ledyard Planning Commission and filed in the land Records of the Town of Ledyard. In the case of multiple dwellings and public, institutional, commercial, or industrial buildings, a group of Buildings under the same ownership shall be considered as occupying the same lot. The term "Lot" includes the terms "Plot" and "Parcel", but those terms do not include the term "Lot". See Section 14.3, Non-Conforming Lots.

LOT AREA: The number of square feet of the lot.

LOT COVERAGE: The percentage of the lot area covered by the combined area of all buildings, structures or other impervious surfaces on the lot.

LOT, INTERIOR: A lot that has access to a public right-of way by means of a narrow strip of land, which is less than the required frontage.

LOT LINE, FRONT: A line dividing a lot from a public or private road, street, or right-of-way.

LOT LINE, REAR: A line separating one lot from other lots or from land in different ownership, being the boundary of a lot that is opposite the frontage street.

LOT LINES, SIDE: All lines extending from the street that divides adjacent lots abutting the same street.

LOT, MINIMUM WIDTH: For rectangular lots, the measured distance at the required building line, measured parallel to the front lot line. For lots on the outer or inner arc of a curve, the measured distance between side lot lines on a street line at right angles to the main direction of the side lot lines, and at a distance so as to meet the required building line from any point of the center line of the traveled portion of the street. For corner lots, the measured distance parallel to the street, in the direction of the lot's minimum width, and so as to meet the required building line from both streets.

LOT OF RECORD: A Lot for which a Deed has been recorded in the Office of the Town Clerk of the Town of Ledyard which Lot met the requirements of these Regulations and of the Ledyard Subdivision Regulations, if any, as the same were in force at the time of such recording. See definition of "Non-Conforming Lot" and Section 14.3 (Non-Conforming Lots)

LOT, THROUGH: A lot with the front and rear lot lines abutting the rights of way of two (2) Town-accepted or State roads.

MIXED USE: The development of a tract of land, or a building, for a variety of principal uses, usually as apartments above or behind office and/or retail uses.

MOBILE HOME: A manufactured home produced prior to the passing of the federal Manufactured Home Construction and Safety Standards (MHCSS) of 1976.

MOBILE MANUFACTURED HOME: A manufactured home built after 1976 in compliance with the Manufactured Home Construction and Safety Standards (HUD Code) and which displays a certification label on the exterior of each transportable section. Mobile Manufactured Homes are built in the controlled environment of a manufacturing plant and are transported in one (1) or more sections on a permanent chassis.

MOBILE MANUFACTURED HOME LAND LEASE COMMUNITY: A land lease community in which two (2) or more mobile homes or mobile manufactured homes are located on a single parcel and occupied as dwelling units.

NON-CONFORMING LOT: A Lot of Record which does not currently conform to these Regulations and is subject to the requirements of Section 9.1 of these Regulations.

NON-CONFORMING STRUCTURE – LEGAL: Any pre-existing lawful building or structure that does not conform to the requirements of these regulations or any amendment thereto upon the effective date of enactment.

NON-CONFORMING USE – LEGAL: A use that lawfully occupied a building or property on the effective date of these regulations that does not conform to the use regulations for the district in which the property is situated.

OPEN SPACE: Land that is subject to a Conservation Easement, or other form of development restriction, including that within a Conservation Subdivision or an Open Space Subdivision. Open space requirements, designation, and approval are within the scope of authority of the Planning & Zoning Commission.

OPEN SPACE SUBDIVISION: A subdivision or re-subdivision of land in the Town of Ledyard into individual single-family residential building lots with respect to which not less than sixty (60%) percent of the total area of the land subdivided shall be permanently dedicated as active or passive open space, and with respect to which setbacks and density shall be based upon the applicable provisions of the Ledyard Subdivision and Zoning Regulations for open space subdivisions, and not upon the bulk requirements in the underlying residential Zoning District, and which otherwise comply with all municipal requirements of the Town of Ledyard.

OUTDOOR STORAGE AND SALES: Storage and/or sales of any materials, merchandise, stock, supplies, machines and the like that are not kept within a structure, regardless of how long such materials are kept on the premises. Outdoor storage shall not include junkyards.

PARCEL: Any contiguous piece of land, including one or more contiguous Lots of Record, unified under the same ownership, whether or not every said piece of land was acquired at the same time, excluding, however, any parcel which is a "Lot" as that term is defined in these Regulations.

PERMANENT FOUNDATION SYSTEM: A permanent rigid structure or structures constructed upon and/or below the surface of a mobile manufactured home site designed for attaching and anchoring a mobile manufactured home, in such a manner that the home will not be subject to movement due to frost, frost heaves, freezing, flooding or wind.

PERSONAL SERVICE ESTABLISHMENT: A business that provides grooming or physical fitness services to individuals or groups of individuals.

PREDOMINANT USE: The land use that requires the most parking within a parking lot shared by a variety of land uses.

RECREATIONAL SPACE: An area of a residential complex development that is designated on a site plan by the Applicant as exclusively reserved, in perpetuity, for recreation by residents of the development. The area is designated by the applicant, but is to be maintained by the owner of the development, or a homeowners or condominium association as appropriate. Recreational Space shall not be used for residential dwellings, accessory structures to residential dwellings, storage, or parking, but may be used for swimming, hiking, running, picnicking, baseball, exercise, barbequing, tent camping, and similar activities. The Recreational Area may also remain in its natural state.

RECREATIONAL VEHICLE: A vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily as temporary living quarters for recreational, camping, travel, or seasonal use. A Recreational Vehicle is not a dwelling unit.

RESIDENTIAL CARE HOME (NURSING HOME): An establishment which furnishes nursing services and assistance with activities of daily living to a population that is chronic and stable; or nursing supervision under a medical director twenty-four (24) hours per day, or any chronic and convalescent nursing home which provides skilled nursing care under medical supervision and direction to carry out non-surgical treatment and dietary procedures for chronic diseases, convalescent stages, acute diseases or injuries.

RESTAURANT, EXCLUDING FAST FOOD: An establishment where food and/or beverages are prepared, served, and consumed and where customers are served primarily when seated at tables or counters, any food take out is incidental to the primary sit-down restaurant use, and no customers are served in motor vehicles.

RESTAURANT, FAST FOOD: An establishment specializing in take out, quick service food, frozen dessert and/or beverage, where such items may be consumed anywhere on the premises or removed from the premises and where orders are placed at a central counter or drive-through/walk-up window.

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

SHOPPING CENTER: A group of no less than four (4) business establishments which may include retail stores, service establishments, theaters, and restaurants, including fast food facilities, with a public vehicle parking area shared in common. A shopping center shall contain no less than two (2) acres and have not less than twenty thousand (20,000) square feet of floor area.

SIGN: Any permanent or temporary device composed of or employing any medium that is man-made, natural, and/or from a change of use which is freestanding or attached to a building, structure, or natural object, or erected, painted, represented or reproduced inside or outside any building, structure, or natural object (including window display area which displays, reproduces or includes any lettered or pictorial matter), which is used for the purposes of advertising, demonstrating, directing, displaying, identifying, illustrating, or promoting and is placed in view of the general public. In no event shall the word "sign" be construed to mean any sign in the interior of any structure that is not visible from the outside, unless specifically set forth in these regulations. Pavement markings and driveway directional arrows painted on the ground that contain no advertising are to be excluded from this definition. The American Flag is not a sign in the context of these regulations.

SIGN – DIRECTIONAL: Used to indicate location, distance, hours of operation of activity concerned, parking, or other functional activity such as bathroom facilities, telephones, entrances, offices, etc, bearing no commercial advertising,

SIGN – INTERIOR: A sign located within the interior of any (a) building, (b) stadium, or (c) athletic field, and is not visible from a public roadway, public right of way, public sidewalk, or abutting property.

SIGN – POLITICAL: A sign that is incidental to a town, state or federal election or referendum. Political signs shall have permission of the property owner to be erected. However, the political party or candidate is responsible for removal.

SIGN – SPECIAL: Banners, pennants, sandwich board signs and sidewalk or curb signs used for special events or sales

SIGN – TEMPORARY IDENTIFICATION: A Temporary Sign intended for pre-development opening or closing, displayed sixty (60) days in advance of advertised activity.

SITE PLAN: A plan of a lot on which is shown topography, location of all buildings, structures, roads, rights-of-ways, boundaries, all essential dimensions and bearings and any other additional information necessary to help determine conformance with the Zoning Regulations.

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

SOLAR ENERGY SYSTEM: An energy system which directly uses solar radiation to produce space heating, cooling, hot water or electricity through the process of collecting solar radiation, converting it to another form of energy, storing the converted energy, protecting against unnecessary dissipation and distributing the converted energy.

SPECIAL FLOOD HAZARD AREA: The land area, as defined by the Federal Emergency Management Agency (FEMA), covered by the floodwaters of the base flood on National Flood Insurance Program (NFIP) maps.

SPECIAL PERMIT (ALSO KNOWN AS A SPECIAL EXCEPTION): A special permit allows a use which is generally compatible with the zoning district but requires special attention as to its location, design, appearance, and/or method of operation in order to keep it consistent with uses permitted as of right in the district.

START OF CONSTRUCTION: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means either: [1] The first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns; or [2] Any work beyond the state of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include: [1] Land preparation, such as clearing, grading and filling; [2] Installation of streets and/or walkways; [3] Excavation for a basement, footings, piers or foundations; [4] The erection of temporary forms; [5] Installation of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For 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.

STRUCTURE: Anything constructed or erected, the use of which requires location on or under the ground or an attachment to something having location on the ground including, but not limited to, homes, swimming pools, signs, decks, sheds, pens, runs, barns, pump houses, parking areas, and garages.

SUBSTANTIAL IMPROVEMENT: Any combination or repairs, reconstruction, alteration, or improvements to a structure, taking place during a ten (10) 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 appraised value 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. This term includes structures that have "substantial damage," regardless of the actual repair work performed. 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 correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the Zoning Official and are solely necessary to assure safe living conditions.

UNREGISTERED MOTOR VEHICLE: A vehicle that is currently unregistered but legally capable of being registered and operated on the public ways of the state.

USE: The purpose for which property is arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

YACHT CLUB, MARINA, BOAT YARD: A facility located on a parcel within five hundred (500) feet of a navigable waterway for storing, servicing, fueling, berthing and/or securing boats and may include docks, piers, moorings, and slips, and eating, sleeping and retail facilities for owners, crew, and guests.

YARD, FRONT: The space between the building line and the front lot line, extending the full width of the lot; or in case of a corner lot, the non-developed land between a building and the front lot lines extending the full width of each frontage.

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

YARD, SIDE: The space between the building and the side lot lines, extending from the front yard to the rear yard, any yard not a front yard or a rear yard shall be deemed a Side Yard.

SECTION 6.0: SITE PLANS AND SITE PLAN REVIEW

6.1 Site Plans

- A. Purpose: To help ensure that buildings and land uses are designed and situated so that they will conform to these regulations.
- B. Applicability: Site plans are required for all development and change of use applications.

6.2 Application Procedures

- A. Applications for zoning permits must be submitted by the Owner of the property, his agent, or someone acting with the Owner's consent.
- B. Applications must be on a form provided by the Zoning Office.
- C. For applications for a new or a replacement principal structure, pursuant to §20-300-10b-(b) of the Department of Consumer Protection Rules and Regulations for Professional Engineers and Land Surveyors, a plan to A-2 survey standards, prepared by a Connecticut licensed land surveyor, shall be required.
- D. Applications shall include the required site plan as part of the development application package, and must be submitted to the Zoning Office.
- E. The statutory date of receipt of a site plan and development package application shall be in accordance with CGS §8-7d.
- F. The Commission Site Plan Review fee, or if applicable, the Special Permit fee, as specified in the Fee Schedule, shall be paid at the time of submittal of a complete application.
- G. A previously approved site plan with proposed modifications will be considered a new application, and shall comply with current regulations.
- H. A new sealed survey is not necessary if:
 - (1) A drawing provided by the Ledyard Land Use Department is submitted in support of a proposed relatively inexpensive unfounded accessory structure, for a home occupation permit where no structures are proposed, or for a replacement sign with no change in the location of the sign – if, as determined by the Zoning Official or the Commission, there is (a) no need to measure, evaluate, and/or map topographic conditions, (b) no need to know the exact location of boundary lines, interior lot lines, and/or street lines, and (c) no need to know the exact locations of existing buildings and the proposed structure, to determine compliance with the zoning regulations, or
 - (2) The application consists of a modification to an existing sealed site plan that satisfies all of the requirements listed in the appropriate section of §6.6, together with a letter signed and sealed by a licensed land surveyor confirming that the proposed location of the structure as shown on that modified site plan is in compliance with setback and location requirements, or

- (3) The application, as determined by the Zoning Official or Commission:
 - (a) Consists of only a minor modification (such as the addition of a relatively inexpensive, unfounded accessory structure) to an existing sealed site plan;
 - (b) There is no additional need to measure, evaluate, and/or map topographic conditions;
 - (c) There is no additional need to know the location of boundary lines, interior lot lines, and/or street lines;
 - (d) There is no need for additional monumentation;
 - (e) The exact horizontal locations of existing buildings and the proposed structure, or other improvements, are not necessary to determine compliance with the zoning regulations;
 - (f) The exact vertical locations of existing buildings and the proposed structure, or other improvements, are not necessary to determine compliance with the zoning regulations; and
 - (g) The sealed site plan satisfies all of the requirements listed in the appropriate section of §6.6.
- I. The application fee will be waived upon request if the proposed development will be located on Town or state owned land and/or is in support of a Town Council authorized Commission, such as the Cemetery Commission, Library Commission, Historic Commission, Economic Development Commission, Conservation Commission, Planning & Zoning Commission, and similar agencies.
- J. Pursuant to CGS §7-159b, for applications requiring Commission approval, an applicant may request the Commission conduct a pre-application review. Such preapplication review and any results or information obtained from it may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.

6.3 Review Procedures

- A. The Zoning Official shall review all site plans for compliance with the regulations, and make recommendations as appropriate for site plans that will be reviewed by the Commission.
- B. Site plans may be reviewed by outside experts and consultants, as determined by the Commission or Zoning Official. A fee may be charged to the Applicant for expert outside review as shown by the Fee Schedule.
- C. The Zoning Official will notify the clerk of the adjoining municipality by certified mail for any application for any project on any site in which:
 - (1) Any portion of the property affected by a decision is within five hundred (500) feet of the boundary of the adjoining town.
 - (2) A significant portion of the traffic to the completed project on the site will use streets within the adjoining town to enter or exit the site.
 - (3) A significant portion of the sewer or water drainage from the project on the site will flow through, and significantly impact, those systems within the adjoining town.

- D. The Zoning Official shall review and approve or deny all site plans and development applications that are identified as "P" [by-right uses] in the "Schedule of Permitted Uses" within sixty-five (65) days of the statutory date of receipt.
- E. The Commission shall review and approve or deny all site plans and development applications that are identified as "P(CR)" [by-right uses with Commission Review] in the "Schedule of Permitted Uses" within sixty-five (65) days of the statutory date of receipt.
- F. For applications that are for uses identified as "S" [special permit uses] in the "Schedule of Permitted Uses", the Commission shall schedule and commence the public hearing within sixty-five days of the statutory date of receipt of the application. The public hearing shall be completed within thirty-five (35) days after the hearing is commenced. The Commission shall render its decision within 65 days after closing of the public hearing.
- G. The applicant may consent to one or more extensions provided the total extension of all such periods shall not be for longer than sixty-five (65) days, or he may withdraw his application. In the event of conflict with changing statutory time requirements, the statutory time periods take precedence.
- H. The Commission, in approving any site plan, may require, as a condition of said approval, the applicant to post satisfactory surety in order to assure satisfactory completion of and full compliance with all proposed public improvements, not including buildings, shown on the approved site plan and other approved documents.
- I. A Notice of Decision by the Commission will, within fifteen (15) days after such decision is rendered, be (1) sent by certified mail to the person who submitted such plan, and (2) published in a newspaper having a substantial circulation in Ledyard.

6.4 Certificate of Use and Compliance

- A. A Certificate of Use and Compliance will be issued only if the Zoning Official determines that the "as-built" development is (1) located and constructed in substantial compliance with its approved site plan and in conformance with these regulations; and (2) for development proposals pursuant to a special permit, is also in compliance with the conditions of approval imposed by the Commission.
- B. Pursuant to §20-300-10b-(b) of the Department of Consumer Protection Rules and Regulations for Professional Engineers and Land Surveyors, in situations where (1) there is a need to measure, evaluate, and/or map topographic conditions; or (2) there is a need to know the exact location of boundary lines, interior lot lines, and/or street lines; or (3) there is a need for additional monumentation; or (4) the exact horizontal location of new structure(s) is necessary; or (5) the exact vertical location of existing and new buildings, structures, or other improvements, is necessary to determine a development's compliance with its approved site plan, the zoning regulations, and with any conditions of approval imposed by the Commission – the Zoning Official may require the applicant for a Certificate of Use and Compliance to confirm the as-built structures are in substantial compliance with the approved site plan, these zoning regulations, and any conditions of approval.

6.5 Site Plan Expiration

- A. Nothing herein contained shall require any change to approved site plans, or to the construction or designated use of a building for which a building permit has been issued and construction shall have commenced, based upon regulations in effect prior to the effective date of these regulations (or any amendment thereto) if the development work is completed according to such plans within the period of time specified by CGS §8-3(i) & CGS §8-3(j).
- B. The approval of such site plan shall state the date on which such period expires.
- C. Failure to complete all work within such period shall result in the expiration of the approval of such site plan unless the Commission grants one or more extensions of the time to complete all or part of the work in connection with the site plan provided the total extension or extensions shall not exceed the time periods in CGS §8-3(i) and CGS § 8-3(j). "Work" means all physical improvements required by the approved plan.
- D. If a Commission approved site plan for a non-residential development expires, a new application for development of the property is required which must conform to the regulations that are in effect at the time of reapplication.
- E. Pursuant to CGS §8-3(h), if (1) development work under a Commission approved site plan for a residential development is not completed, (2) the site plan for the residential development has not expired, (3) the original approved site plan was recorded with the Town Clerk, and (4) the applicable zoning regulations for the residential development are amended, the development of the property may conform with the site plan and regulations that were in effect when the original application and site plan were approved, or alternatively, a new application and site plan can be submitted that is in conformance with the regulations that are in effect at the time of reapplication.
- F. For site plans approved by the Zoning Official, the site plan shall automatically expire when the applicable zoning regulations are amended unless a building permit is issued prior to the effective date of the amended regulations. If a building permit is issued, and the applicable zoning regulations are amended while the building permit is valid, the site plan will automatically expire when the building permit expires unless construction is substantially in progress by that time.

6.6 Site Plan Requirements

- A. A minimum of two (2) copies of site plans is required for any application. Applications that require Commission review require an additional eight (8) copies for Commission members.
- B. All site plans shall illustrate the proposed development of the property and shall satisfy the following requirements:
 - (1) The site plan shall be drawn at a scale of one inch (1") equals forty feet (40'), or another scale as may be approved by the Zoning Official or Commission, as appropriate, and shall include the following information:
 - (a) The name and address of the applicant and owner of record as listed on the Town's tax rolls.
 - (b) Date, north arrow, and a numerical and graphic scale on each map.
 - (c) A brief written description of the proposed use or uses and the type of work proposed.

- (d) A table or chart indicating the proposed number or type of uses, lot area, lot width, yards, building height, coverage, floor area, parking spaces, existing and proposed impervious cover, total percentage of impervious coverage, landscaping, and non-developed Land or buffer areas as they relate to requirements of the zoning regulations.
 - (e) The address of the property and/or parcel identification number.
 - (f) Signed permission authorizing Commission members, the Zoning Official, and Town staff to conduct a site walk of the property. (May contain reasonable dates and time limits)
 - (g) The boundaries of the property.
 - (h) Location, width and purpose of all existing and proposed easements and rights-of-ways on the property.
 - (i) Existing and proposed contours with intervals of two (2) feet, referred to NGVD 29 or NAVD 88 datum.
 - (j) Location of all existing wooded areas, watercourses, flood hazard areas, wetlands as confirmed by a certified soil scientist, 200 square feet or larger of ledge, and other significant physical features.
 - (i) Where appropriate, the mean high water line, the flood hazard boundaries, and the channel encroachment line should also be shown.
 - (ii) If an inland wetlands and watercourses permit is required, an application to the wetlands agency shall be made prior to, or on the same day, as submission of the application for the zoning permit.
 - (k) Adjacent properties.
 - (l) Demarcation line showing CAM boundary.
 - (m) An approval block on the site plan for Chairman/Vice Chairman, date of approval, and date of expiration. (Required only for site plans requiring Commission approval, including site plans submitted as part of special permit applications.)
- (2) **Applications that involve Buildings and Land Uses**
- (a) Site plan information required per §6.6.B(1).
 - (b) Location and building footprint (including decks, overhangs, pools, etc.), design, size (to scale) and height of all existing and proposed buildings and structures, signs, fences, walls and any other structures as may be appropriate. (Reference the Design Guidelines if in a Design or Village District.)
 - (c) Location of all existing and proposed uses and facilities not requiring a building, such as tanks, light standards, dumpsters, transformers, tennis courts, benches and such.
 - (d) Setback lines required by zoning. (See "Area and Bulk Schedules")
 - (e) Actual setback distances.
 - (f) Offsets from both principal structures and accessory structures to property lines.
 - (g) Well location and/or public water connection.

- (h) Septic system.
 - (i) Location of footing and/or gutter drains and their point of discharge.
 - (j) Location and height of retaining walls.
 - (k) Encroachments on Town property.
 - (l) Mapped wetlands, if applicable.
 - (m) Landscaping (to acceptable scale).
 - (n) Mapped and written description of measures to be taken to minimize the erosion of soil and the deposition of sediments.
 - (o) Utility easements.
 - (p) A location map providing an accurate scale map at one (1) inch equals one thousand (1,000) feet showing the subject property and all property and streets within 1,000 feet of any part of the subject property, including all lots and lot lines, all District boundaries, and all existing streets and roads. The location map may be included on other plan sheets.
- (3) Applications that require Parking, Loading, and/or Circulation**
- (a) Site plan information required per §6.6.B(1) & §6.6.B(2).
 - (b) Location, arrangement and dimensions of automobile parking spaces, aisles, vehicular drives, fire lanes, entrances, exits and ramps.
 - (i) Any use of property which can reasonably be expected to generate large volumes of traffic may be required by the Commission to provide for entrances to and exits from the property by way of an adjacent and less traveled public highway, or frontage road, in lieu of direct access from and to a major or more heavily traveled public highway.
 - (ii) Site plans shall include a plan for interconnections to adjacent properties, including a plan to reserve land for any future connections.
 - (c) Location, arrangements and dimensions of loading and unloading areas.
 - (d) Location and dimensions of pedestrian walkways, entrances, and exits.
 - (e) Surface treatment of all parking and loading areas.
- (4) Applications that involve Non-Developed Land and Landscaping**
- (a) Site plan information required per §6.6.B(1) & §6.6.B(2).
 - (b) Percentage, size, arrangement, uses, and dimensions of all Non-Developed Land of the site.
 - (c) Location, layout, type, and size of all buffers, landscaping, plant materials, fencing and screening materials proposed.
 - (d) Location of existing trees with a trunk caliper of more than six (6) inches, except in densely wooded areas where the foliage line shall be indicated.
- (5) Applications that involve Signs and Lighting.**

- (a) Site plan information required per §6.6.B(1) & §6.6.B(2).
 - (b) Location, size, dimensions, height, orientation, and plans (including content) of all signs.
 - (c) Location, size, height, orientation, and design of all outdoor lighting.
- (6) Applications that require Utilities, Drainage, and/or Storm Water Control.**
- (a) Site plan information required per §6.6.B(1) & §6.6.B(2).
 - (b) Location and design of all existing and proposed public and private utilities (including septic systems), provisions for recycling, wells, and refuse collection areas.
 - (c) Drainage: Storm water control measures shall be provided for impervious surfaces within the site, either as stipulated below or in other situations.
 - (i) All storm water control measures shall be approved first by the appropriate Town of Ledyard staff member, or its consultant, followed by a review by the Commission.
 - (ii) All storm drainage for proposed commercial development in which the combined square footage of roofs, paved Parking Areas and other impervious surfaces exceeds ten thousand (10,000) square feet shall be designed in accordance with, and subject to, the provisions of the Drainage Ordinance of the Town of Ledyard.
- (7) Applications that require Sedimentation and Erosion control measures**
- (a) Site plan information required per §6.6.B(1) & §6.6.B(2).
 - (b) A site plan will be required for all minor and major filling, excavating or relocating of topsoil, sand, gravel, clay, stone, or other materials on any lot except if part of an approved construction site of a permitted building, part of a farming operation, or is an exempt activity as permitted by these regulations.
 - (c) The site plan shall detail areas to be altered, denoting any existing drainage routes and/or changes to these routes.
 - (d) Existing topography shall be disturbed to a minimum.
 - (e) Wherever possible, trees shall be preserved.
- (8) Applications that require Soil Erosion and Sediment Control Plans pursuant to CGS §22a-325 to §22a-329 based on the "Connecticut Guidelines for Soil Erosion and Sediment Control," (1985) as amended (disturbed area cumulatively more than .5 acre)**
- (a) Site plan information required per §6.6.B(1) & §6.6.B(2).
 - (b) Locations and descriptions of the proposed development and adjacent properties;
 - (c) Locations of areas to be stripped of vegetation, re-graded and contour data indicating existing and proposed grades;
 - (d) A schedule of operations, including the sequence of major improvement phases such as clearing, grading, paving, installation of drainage features and the like;
 - (e) Seeding, sodding or re-vegetation plans and specifications for all unprotected or un-vegetated areas;

- (f) Location, design and timing of structural control measures, such as diversions, waterways, grade stabilization structures, debris basins, storm water sediment basins, and the like. The narrative shall indicate design criteria used in the design of control measures;
 - (g) A description of procedures to be followed to maintain sediment control measures;
 - (h) The name of the individual responsible for monitoring the plan with whom an inspector for the Town may contact routinely; and
 - (i) The plan map shall show the words: "Erosion and Sediment Control Plan" with space for the date and signature of the Chairman/Vice Chairman of the Zoning Commission or its agent.
- (9) **Applications for multi-family dwellings, residential-institutional uses, clubs, convalescent homes, sanatoria, private non-residential educational institutions, retail, and similar uses.**
- (a) Site plan information required per §6.6.B(1) & §6.6.B(2).
 - (b) Landscaping (per §6.6.B(4))
 - (c) Signs (per §6.6.B(5))
 - (e) Lighting (per §6.6.B(5))
 - (f) Drainage (Reference Storm Water Management Ordinance if greater than 10,000 square feet of new impervious surfaces.)
- (10) **Applications that involve a Staging Plan.**
- (a) In cases where the applicant wishes to develop in stages, an overall site and staging plan indicating ultimate development shall be submitted.
- (11) **Applications that involve Home Husbandry.**
- (a) Site plan information required per §6.6.B(1) & §6.6.B(2).
 - (b) The amount of contiguous area available to keep the livestock and/or poultry.
 - (c) Location, type and size of fences and shelters to be used for animal keeping.
 - (d) Distances from fences and shelters to property lines, streets, houses on abutting properties, and wells on applicant and abutting properties.
 - (e) The total number and type of livestock and/or poultry to be kept.
- (12) **Applications that involve filling, excavating or relocation of topsoil, sand, gravel, clay, stone or other minerals.**
- (a) Site plan information required per §6.6.B(1) & §6.6.B(2).
 - (b) The proposed truck access to the excavation.
 - (c) Entry and exit locations.
 - (d) The hours of operation.
 - (e) The machinery to be used on site.
 - (f) The type of buildings or structures to be constructed on site.

- (g) Location of existing structures on the subject parcel and adjacent properties, including information regarding depth to the ground water table and a log of soil borings taken to the depth of the proposed excavation.
 - (h) Such proposal shall show details for landscaping the site during and after completion of operations, and proper drainage of the area of the operation during and after completion of the work.
- (13) Additional site plan requirements for antenna towers permitted by right.**
- (a) Site plan information required per §6.6.B(1) & §6.6.B(2).
 - (b) Tower base elevation and height of tower.
 - (c) Written description of all proposed antenna and mounting equipment including size and location on existing tower or building. The description shall include the structure's capacity, including the number and type of antennas it can reasonably accommodate as well as the proposed location of all mounting positions for co-located antennas and the minimum separating distances between antennas.
 - (d) Evidence that all facilities, including equipment cabinets and sheds, are of a material and color which matches the exterior of the existing structure, and to the maximum extent possible blends into existing surrounding architecture.
- (14) Additional site plan requirements for antenna towers requiring a special permit.**
- (a) Site plan information required per §6.6.B(1), §6.6.B(2), and 6.6.B(13).
 - (b) A report from a licensed radio engineer indicating that no other existing or planned tower or structure can accommodate the applicant's antenna.
 - (c) For tall structures located within a quarter-mile of the propose antenna site, provide documentation that the owners of these locations have been contacted and have denied permission to install the antenna on these structures for other than economic reasons.
 - (d) The site plan shall include the location of all proposed towers, structures, fall circle, property lines, buildings, fencing, landscaping (with a list of plant materials), and driveway access to the site.
 - (e) If the antenna tower is proposed to be located on an existing structure that is not in an industrial district, the site plan shall include where and how the antenna will be affixed to the particular building or structure.
 - (f) The plan shall indicate how, if failure occurs, the tower will collapse without encroaching outside the site's lease lines (if any) or upon any adjoining property.
 - (g) A design drawing of the proposed tower(s) that includes the cross-section and elevation depictions of the proposed tower, antennas, accessory buildings, boxes, cabinets, and security fencing including sizes and materials.
 - (h) Provide evidence that all facilities, including equipment cabinets and sheds, are of a material and color which matches the exterior of nearby structures, and to the maximum extent possible, is of an architectural style that is characteristic of the vicinity.

- (i) To help the Commission determine if the tower should be disguised, provide a view shed analysis showing all areas from which the tower would be visible, and if requested by the Commission, a graphical simulation of the proposed site to help determine visual impacts associated with the proposal.
- (j) A written description of proximity of the tower to residential structures, and the nature of uses on adjacent and nearby properties within one-quarter mile of the facility.

6.7 Additional Site Plan Requirements by District

A. Ledyard Center Districts (LCDD, LCTD & MFVD); Gales Ferry Design District (GFDD); Resort Commercial Cluster District (RCCD); Industrial Districts (I), Neighborhood Commercial (NC); and Commercial/Industrial Park (CIP):

- (1) In addition to site plan requirements (§6.6.B as applicable), the application shall include:
 - (a) Statement of Use: A written statement, signed by the applicant, and by the owner if different from the applicant, describing the nature and extent of the proposed use or occupancy in sufficient detail to determine compliance with the use provisions of these regulations.
 - (b) Identification of the proposed potable water supply.
 - (c) Fire Protection: The applicant shall identify the source of water for fire protection.
 - (d) Traffic Generation:
 - (i) For all new industrial development, a report of the estimated amount and type of vehicular traffic to be generated on a daily basis and at peak hours; and
 - (ii) The estimated number of persons to occupy or visit the premises on a daily basis, including parking and loading requirements for the proposed use or uses.
 - (e) All other plans and reports required under these regulations, a listing of any permits required from any state and/or federal agencies, and the status of such permit applications
- (2) Loading Spaces
- (3) Important existing landscape features
- (4) Proposed Landscaping
- (5) Storm drainage
- (6) Water supply
- (7) Refuse management provisions
- (8) Encroachments on Town property
- (9) Demarcation on site plan of areas within 500 feet of the boundary of an adjoining town.

- (11) Note on site plan when a significant portion of the traffic to the completed project on the site will use streets within the adjoining town to enter or exit the site.
- (12) Note on site plan when a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact those systems within the adjoining town.
- (13) Approval block on site plan for Chairman/Vice Chairman, & date of approval and date of expiration.

B. Ledyard Center Village Districts (LCVD, LCTD & MFVD):

- (1) Architectural Elevations and Renderings (Reference Design Guidelines) appropriate for the Architectural Review Board and/or the Commission to properly assess the application.
- (2) Drawings, models, and/or perspectives that illustrate the 3-dimensional massing and architectural character of proposed new buildings and substantial renovation of existing buildings, including adjacent buildings, that are adequate for the Architectural Review Board and/or the Commission to properly assess the application.

SECTION 7.0: SPECIAL PERMITS

7.1 Purposes and Authority

- A. Special permits are required for those uses and buildings listed in in the use table that require Commission review and approval in order to assure that these regulations are satisfied and public health, safety, convenience, and property values are be protected.

7.2 Application for Special Permit

- A. Applications for a special permit shall be made in writing to the Commission and shall include the following:
 - (1) A written statement describing the proposed use or uses.
 - (2) A site plan in accordance with §6.0 of these regulations.
 - (3) The application fee, in accordance with the fee schedule adopted by the Commission. Said fee shall be paid at the time of filing the application.

7.3 Special Permit Objectives

- A. To confirm the proposed development is in conformance with standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values.

7.4 Public Hearing

- A. The Commission shall hold a public hearing on applications for a special permit.
- B. During the hearing, "Certificates of Mailing" (Proof of Mailing), and a copy of the notice, showing that each Owner of Record of property abutting the subject property was notified of the proposed development, the nature of the development, and the date, time, and location of the public hearing.

7.5 Conditions of Approval

- A. The Commission shall approve an application for a special permit if it determines, after a public hearing, that:
 - (1) The proposed use or uses are expressly permitted by the Zoning Regulations,
 - (2) The standards in these regulations are satisfied.
 - (3) The application is consistent with the special permit objectives; and
 - (4) The proposed use will not constitute a risk to public safety, health, convenience, or property values.
- C. The Commission may impose conditions of approval necessary to protect the public health, safety, convenience, and property values.
- D. Such special permit or special exception shall become effective upon the filing of a copy thereof (1) in the office of the town clerk, and (2) in the land records of the town in accordance with the provisions here-in. No special permit or special exception shall be effective until a copy thereof, certified by the planning and zoning commission, containing a description of the premises to which

it relates and specifying the nature of such special permit or special exception, including the regulation to which a special exception or special permit is granted, and stating the name of the owner of record, is recorded in the land records of the town in which such premises are located. The town clerk shall index the same in the grantor's index under the name of the then record owner and the record owner shall pay for such recording.

7.6 Enforcement

- A. In the event of non-compliance with the approved site plan, non-compliance with any of the conditions of approval imposed by the Commission, or if there is a non-compliance with the zoning regulations in effect at the time the special permit was granted, a special permit shall, in perpetuity if not abandoned, be subject to enforcement by the Zoning Official as provided by CGS §8-12, CGS §8-12a and Ordinance #118 as appropriate.

7.7 Amendments or Modifications to Special Permits

- A. Applications for modifications to existing special permits shall be made in the same manner as for the original application.

SECTION 8.0: SUPPLEMENTAL REGULATIONS

All structures and uses are required to conform with constraints imposed by the applicable regulations unique to each zone (see the Zoning District Map and §4.0), plus the applicable constraints imposed by the Schedule of Permitted Uses, the Area and Bulk Schedule, the Parking Table, and, for structures and uses in the Village and Design Districts, the Design Guidelines.

In addition, structures and uses are required to conform to these Supplemental Regulations to further protect the public health, public safety, public convenience, and/or property values.

8.1 Accessory Apartment

- A. Accessory Apartments are permitted as an accessory use of a single-family dwelling.
- B. Accessory Apartments shall be equal to or larger than 400 square feet and not exceed 1/3 of the gross floor area of the single-family dwelling. No more than one accessory apartment is allowed per single family dwelling.
- C. The owner of the property, who must be a natural person in whom the fee title of the subject premises is vested, shall occupy either the principal dwelling unit or the accessory apartment.
- D. The owner of the property shall file on the land records that the property contains an accessory apartment.
- E. No more than two (2) individuals shall reside in the accessory apartment.
- F. The space devoted to the accessory apartment shall be within a single-family dwelling and connected by at least one doorway so that there is access to the accessory apartment from the interior of the single-family dwelling, and vice versa.
- G. The accessory apartment shall contain one and only one (1) bedroom, one (1) bath, and one (1) kitchen.
- H. The appearance of the single-family dwelling containing an accessory apartment shall not be distinguishable from other single-family dwellings in the neighborhood.
- I. Parking for the accessory apartment shall be per §10.
- J. The accessory apartment shall share the same electrical, water, and sewage disposal systems that are provided for the principal single-family dwelling.

8.2 Accessory Structures and Uses

- A. Accessory Buildings and structures with a floor space larger than fifty (50) square feet require a zoning permit.
- B. A building attached to a principal building by a covered passageway, or having a wall or part of a wall in common with it, is an integral part of the principal building and not an accessory building.
- C. Accessory buildings require a principal building on the same parcel.

- D. In Residential Districts, Accessory Buildings shall be located in rear yards or in side yards and are prohibited in front yards. An exception is Accessory Buildings that are used primarily for the storage of motor vehicles which may be located no closer to the street than the extended front plane of the principal structure or the minimum front-yard setback for the zone, whichever is less.
- E. When located in a Side Yard, an Accessory Building shall be situated no closer to a side lot line than the minimum width required by a Side Yard for a principal building. When located on a corner lot, an Accessory Building shall be no closer to a side street lot line than at least the depth of any Front Yard required along such street. No Accessory Building located in a Rear Yard shall be closer to a lot line than six (6) feet. When a lot fronts on two (2) parallel streets, any Accessory Building shall be located on the one-third (1/3) of the lot farthest from both streets

8.3 Antennas & Antenna Towers

- A. Purpose: To provide for wireless telecommunication facilities, antennas and towers, while protecting residential neighborhoods and minimizing the adverse visual and operational effects through careful design, siting and screening. This section of the Zoning Regulations is consistent with the Telecommunications Act of 1996 in that it does not discriminate among providers of functionally equivalent services, prohibit or have the effect of prohibiting the provision of personal wireless services, or regulate the placement, construction, and modification of personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with FCC regulations concerning such emissions.
- B. Scope: These regulations are applicable only for Antennas and Antenna Towers that are not subject to the jurisdiction of the Siting Council, which has exclusive jurisdiction for community antenna television towers and head-end structures, including associated equipment, and telecommunication towers, including associated telecommunications equipment, owned or operated by the state, a public service company or a certified telecommunications provider or used in a cellular system, as defined in the Code of Federal Regulations Title 47, Part 22, as amended. Reference CGS §16-50i.
- C. Amateur Radio, CB, Homeowner Antennas, and Towers that may be approved by the Zoning Official:
 - (1) Amateur Radio Service (including Amateur Radio Emergency Service) Antennas and Amateur Radio Service Tower installations meeting the following standards:
 - (a) Towers, transmitters and Antenna installations that comply with Part 97 of FCC rules and regulations;
 - (b) The distance to the nearest property boundary shall be not less than two-thirds (2/3) of the Tower height. For bracketed Towers supported by a building, the Tower height shall be measured from the bracket attachment height;
 - (c) A copy of the applicant's federal amateur radio license shall be provided to the Zoning Official when applying for a zoning permit for an amateur radio service antenna;
 - (d) Towers shall meet all setback requirements for the Zoning District.
 - (2) Traditional radio, television, scanner, Citizen Radio Service (CB) Antennas operated in accordance with FCC regulations and emission standards, and miscellaneous antennas used by homeowners that meet the following requirements:
 - (a) Height of roof-mounted antenna does not exceed twenty (20) feet above the highest point of the structure;

- (b) Size of roof-mounted dish antennas shall not exceed three (3) feet in diameter;
- (c) Tower and overall antenna height shall not exceed sixty-five (65) feet.
- (d) The distance to the nearest property boundary shall be not less than two-thirds (2/3) of the Tower height. For bracketed Towers supported by a building, the Tower height shall be measured from the bracket attachment height;
- (e) Towers shall meet all setback requirements for the Zoning District.

D. Other Antennas and Towers Requiring Commission Site Plan review.

- (1) The tower and/or antenna shall be erected to the minimum height necessary to satisfy technical requirements of the telecommunications facility. Documentation of the minimum height needed, prepared by a licensed radio engineer, is required with the application. The Commission may require the submission of propagation modeling results to facilitate its review of tower height.
- (2) The tower and/or antenna shall comply with the setback requirements of the zoning district in which it is located, or be set back from all property lines and lease lines (if any) a distance equal to but not less than the height of the tower, whichever is greater. However, if it can be demonstrated that the design and installation of the tower limits the collapse distance to less than the tower's height, or if it is unlikely that a structure will be constructed on adjacent property within the fall circle, the distance to the property line or lease line (if any) may be reduced by the Commission by up to one-third the tower's height.
- (3) The tower and/or antenna may be considered as either a principal or accessory use.
- (4) More than one (1) tower on a lot may be permitted if all setback, design, and landscape requirements are satisfied for each tower.
- (5) The tower and/or antenna may be on leased land as long as there is adequate ingress and egress to the site for service vehicles, and such access is documented in a deeded easement presented to the Commission.
- (6) All towers in residential districts shall be of a monopole design unless the applicant demonstrates that wind loading at the proposed location will exceed monopole tower design specifications, and/or that no monopole tower is available that will satisfy the minimum height, shape, size, or weight requirements of the antenna(s) to be located on the tower.
- (7) Towers not requiring FAA painting or markings shall be painted a non-contrasting blue, gray, or other neutral color.
- (8) No lights or illumination shall be permitted unless required by the FAA.
- (9) No signs or advertising shall be permitted on any tower or antenna, except that no trespassing, warning, and ownership signs are permitted at ground level.
- (10) The proposed tower, accompanying building and electrical utilities, shall be built to accommodate a minimum of three co-users unless it is determined to be technically unfeasible based upon information submitted by the applicant and verified by the Commission. These co-users shall include other wireless telecommunication companies, and local police, fire, and ambulance companies. If co-users are not known at the time of application, applicants shall base designs for co-users on equipment requirements similar to their own.

E. **Siting Preferences:** The general order of preference for antenna towers is as follows (most preferred to least preferred):

- (1) Co-location on existing or approved towers,
- (2) On existing structures such as non-residential structures/facades, water towers/tanks, utility poles, or chimneys ,
- (3) On new towers located on property currently occupied by one or more existing towers.
- (4) On new towers in industrial districts.
- (5) On new towers in commercial districts.
- (6) On new towers in residential districts.
- (7) On new towers in Village or Design Districts.

8.4 Assisted Living for Senior Citizens

A. **Purpose.** To provide community living and a semi-independent lifestyle for residents, at least one (1) of whom is a person fifty-five (55) years of age or older, and not to exceed two (2) residents per dwelling unit. The design and development of the facility shall meet the needs of the elderly and shall provide for their safety, health and general welfare.

B. **Requirements:**

- (1) The minimum lot area shall be 3,000 square feet per apartment.
- (2) The maximum capacity of an Assisted Living for Senior Citizen community is 130 apartments (260 residents). The minimum capacity of an Assisted Living for Senior Citizen community is 10 apartments (20 residents).
- (3) Community areas, or areas suitably equipped to meet the social interaction and leisure time needs of the residents. The space shall include social interactive areas as well as individual interactive areas. The community areas shall be conducive to activities such as conversational seating, areas for reading, television viewing, table games, as well as space and equipment for other recreational and social activities.
- (4) Garage or Parking Areas, open or covered.
- (5) All services shall be for occupant/resident use only.
- (6) Parking shall be in accordance with §10.0.
- (7) At least eighty percent (80%) of the units shall be affordable housing as defined in CGS §8-39a.
- (8) Restrictions, consistent with CGS §8-39a and CGS §8-30g (a)(6) "Set Aside Development", shall be recorded in the Land Records.

8.5 Bed and Breakfasts

- A. Purpose: To allow for the offering of overnight accommodations and breakfast to travelers for a fee where an existing home has unique structural or site characteristics which lend themselves to a Bed and Breakfast-type setting. It is not the intent of these regulations to allow Bed and Breakfast establishments in conventional residential developments or subdivisions. It is the intent of this Section to insure that Bed and Breakfast operations do not infringe upon the privacy, peace, and tranquility of surrounding residents or decrease the aesthetic or real value of surrounding properties.
- B. Requirements:
- (1) Maximum length of stay per guest is twenty-one (21) days.
 - (2) Bed and Breakfasts shall be owner-operated and the Bed and Breakfast establishment shall be the principal residence of the owner. The applicant shall be the owner at the time of application.
 - (3) Parking shall be in accordance with §10.0.
 - (4) A maximum of five (5) guest rooms will be allowed.
 - (5) The lot on which the Bed and Breakfast is located shall consist of a minimum of five (5) acres.
 - (6) Signs shall be in accordance with §9.0.
 - (7) The proprietor may serve meals to guests only. A public dining room and/or bar is prohibited.

8.6 Campgrounds

- A. Recreational campgrounds shall conform to the following criteria:
- 1) The campground shall be located on a well-drained site that is properly graded to ensure drainage and freedom from stagnant pools of water.
 - 2) Each recreational vehicle space shall be at least 1,000 square feet and the total number of spaces shall not exceed fifteen (15) per acre of campground.
 - 3) No campground shall be permitted on a site of less than twenty-five (25) acres.
 - 4) All recreational vehicle spaces shall abut upon a driveway not less than twelve (12) feet wide for one-way traffic or less than twenty-four (24) feet wide for two-way traffic.
 - 5) No space shall be closer than one hundred (100) feet to any existing off site residence.
- B. Parking shall not be permitted on roadways or driveway, which shall be kept open for emergency use by the fire department or ambulance.
- C. There shall be a minimum fifty (50) foot buffer strip between the recreational campground and property boundary. The strip shall contain a screen of shrubbery or trees not less than four (4) feet above the ground level at the time of occupancy and shall thereafter be suitably and neatly maintained. The screen shall consist of at least fifty (50) percent of evergreens to maintain a dense screen at all seasons of the year.
- D. There shall be a fence inside the property line between the campground and any highway, street, or abutting property to provide safety and to allow for maintenance without trespassing on abutting property.
- E. Electric power, where provided, shall be by underground wiring.

F. Recreational Space shall be provided in accordance with the following standards:

- (1) A minimum of five hundred (500) square feet per recreational vehicle space shall be developed for recreational or playground uses.
- (2) Playgrounds shall be protected from main highways and parking areas.
- (3) Recreational facilities shall be designed and maintained to promote maximum safety for the users, adjacent property owners, and the general public.
- (4)

G. A responsible attendant or caretaker shall be in charge at all times to keep the recreational campground, including facilities and equipment in a clean, orderly, and sanitary condition.

H. Recreational campgrounds shall provide the following supporting facilities:

- (1) Sanitary facilities, consisting of flush toilets, lavatories, and showers with hot and cold running water shall be provided at all recreational campgrounds.
- (2) Each recreational campground shall have a lobby or office with a registration clerk.

I. A recreational campground may maintain a store and coin-operated laundry as an accessory use for the convenience of its campers.

J. A recreational campground may include an accessory apartment for the caretaker of the campground.

K. A recreational campground may provide entertainment facilities, including but not limited to, pavilions, pole barns, stages, sport facilities, piers, boating rentals, and similar accessory structures and uses.

L. Off-street parking space shall be provided for visitors and employees per §10.0 of these regulations.

M. Campgrounds shall provide facilities for the dumping and disposal of wastes from holding tanks. P. A recreational campground may conduct business and accommodate tents and currently registered travel, recreational camping equipment, and vehicles from April 1st to November 1st.

N. No campground may accommodate or rent space to any person or group of persons for more than 179 total days per year.

O. From November 1st to April 1st, campgrounds may store currently registered unoccupied travel, recreational camping equipment, and vehicles, in a select portion of the recreational campground that will remain accessible by emergency vehicles during the off season winter months. Such equipment and vehicles shall not be connected to campground utility services.

8.7 Cemeteries

A. A twenty (20) foot buffer strip shall be maintained around all cemeteries within any district to prevent desecration.

8.8 Child Day Care Center

A. Off street parking shall be provided per §10 and Schedule C of these regulations.

B. An area for the loading and unloading of children shall be provided on the property.

8.9 Construction Trailers

- A. A mobile trailer may be used as field offices, tool shops, and/or as storage sheds for construction projects provided it is not used for sleeping or living quarters.
- B. A zoning permit for a construction trailer shall expire after six (6) months.
- C. Renewal permits can be granted for six (6) month terms during the thirty (30) day period prior to expiration of an existing permit under the same procedure used for the initial approval. There is no limit on the number of times a renewal permit can be granted.
- D. An application for a new or renewal temporary zoning permit for a construction trailer shall include:
 - (1) A certification to the Zoning Official that the construction trailer (a) will be on the construction site in the same location as shown on the site plan, (b) will be actively used in support of proposed or current construction on the site, and (c) will be in conformance with the site plan and with these regulations.
 - (2) Confirmation the construction project has a valid zoning and building permit.
 - (3) A site plan.
 - (4) Payment of the zoning permit fee for a temporary construction trailer.
- E. The Zoning Office is under no obligation to provide a reminder notice regarding an expiring temporary zoning permit for a construction trailer.
- F. Such units shall only be allowed on sites requiring little or no grading or other permanent changes to the landscape, such that there will be no negative impact on the potential for future development of the site.
- G. In the event temporary mobile construction trailers are reasonably expected to be on the property for more than 1 year, the temporary mobile units shall be (1) adequately landscaped in accordance with the standards of the District in which they are located, and (2) if visible from a road or highway, or an abutting property owner, a visual buffer shall be provided to screen the mobile units from view.
- H. In no case shall such uses include the storage of oil, fuel, or hazardous chemicals (as defined by Connecticut DEEP).
- I. Such mobile units shall be arranged to allow access by emergency vehicles.

8.10 Country Inn

- A. Purpose: To allow for the offering of overnight accommodations and meals, and to provide a venue for corporate meetings, retreats, and social events, in homes and buildings that have unique structural and site characteristics including the use of properties containing historic structures or within historic districts, and do not infringe upon the privacy, peace, and tranquility of surrounding residents or decrease the aesthetic or property values of surrounding properties. In addition, the following shall be considered:
 - (1) The characteristics of the property, structures, and setting that will comprise the proposed Country Inn operation will be given considerable weight in the special permit approval process.
 - (2) Adaptive reuse of properties containing historic structures or within historic districts is encouraged. Historic structures are those recognized by the town or the state (evidenced by a listing in the Historic Resources Inventory filed with the Connecticut Historical Commission) and/or listing on the National Register of Historic Places. This documentation will be a significant factor for consideration in the approval process.

- (3) The Country Inn should be located on an arterial or collector road as designated by the Planning & Zoning Commission, as incremental increases in traffic due to the operation are easily absorbed on these roads and will not likely be used by children at play.
- (4) The relationship of the property and its structures to neighboring properties shall be compatible with the residential characteristics of the area. County Inn operations shall not infringe upon the privacy, peace, and tranquility of surrounding residents nor decrease the aesthetic or real value of surrounding properties.

B. Requirements:

- (1) The Country Inn may include a restaurant operated under an independent name that is open to the general public.
- (2) If located in a residential district, no additional patrons will be seated after 10PM and alcohol bar service will be limited to a service bar with no bar seating.
- (3) Maximum length of stay per guest is (twenty-one) 21 continuous days.
- (4) Country Inns must be either (i) owner-operated and the principal residence of the owner-operator, or (ii) the principal residence of a full time resident manager/innkeeper who is employed by and authorized to act as the agent of the owner
- (5) If a Country Inn includes a restaurant, parking shall include one additional space per table.
- (6) Structures and Site Modifications and Additions:
 - (a) The Commission shall approve the designation of structures that are to be adapted for reuse as part of the Country Inn.
 - (b) One (1) new structure for use in Country Inn operations may be added to each property, for a maximum of two (2) structures per property for Country Inn operations.
 - (c) Reuse of existing structures, including construction of new additions or structures shall be designed to architecturally complement the historic property and enhance the setting. Architectural designs shall be submitted with the application and approved by the Commission. These designs shall not create the look of a Hotel or Motel, regardless of proposed architectural style.
- (11) The parcel or lot on which the Country Inn is located shall consist of a minimum of six (6) acres. (12) A maximum of thirty-two (32) overnight guests will be allowed in two (2) structures, (13) Indoor dining facilities seating capacity shall be limited to a maximum of sixty-four (64) seats.
- (12) Parking shall be in accordance with §10.0.
- (13) Signs shall be in accordance with §9.0.

8.11 Dwellings, Multiple Family (Apartments, Condominiums, Townhouses)

- A. Apartment/Condominium complexes may consist of multiple buildings and shall not be permitted on lots of less than five acres.
- B. Density. The permitted density for an Apartment/Condominium complex shall be determined as follows:
 - 1) No public sewers: A maximum average density of four (4) bedrooms per acre.

- 2) Public sewers: A maximum average density of eight (8) bedrooms per acre.
- 3) Age restricted housing developments (with or without public sewers): A maximum average density of twelve (12) bedrooms per acre.
- 4) No building shall contain more than eight (8) dwelling units except that a building may contain no more than thirty-two (32) dwelling units when the following criteria are met:
 - a) At least fifty percent (50%) of the units are affordable housing, as defined in CGS §8-39a, with income and rent or sale price limits;
 - b) Restrictions, consistent with CGS §8-39a, are recorded in the Land Records, maintaining the affordability for at least forty (40) years;
 - c) Occupancy for units in the development requires at least one (1) person age fifty-five (55) or older, and no persons under age eighteen (18) or younger are permitted;
 - d) Common spaces for socializing and gathering are provided in the building;
 - e) The building is fully accessible to persons with disabilities, including installation of an elevator if on more than one (1) floor; and
 - f) Parking provided at a minimum rate of 1.25 spaces per dwelling unit, which shall take precedence over the minimum requirement in §10.0 of these regulations.

C. Water and Sewer.

A community water system, or public water, shall be provided.

- D. Minimum floor size. One-bedroom units shall contain a minimum of 540 square feet, and two-bedroom or larger units shall contain a minimum of 750 square feet of habitable living area. Apartment and condominium units with zero (0) bedrooms are not permitted.

E. Buffers:

- 1) A suitable landscaped buffer strip not less than fifty (50) feet wide shall be provided along the parcel's boundary with any other lot or parcel unless such adjacent lot or parcel is already zoned for multi-family residential uses in which case the Commission may provide for a buffer strip of not less than twenty-five (25) feet from the adjacent boundary line.
- 2) The amount of screening required for Apartments/Condominiums & Multifamily Developments, will be reviewed by the Commission, who will take into consideration existing topography and foliage, the structure's use, location, size and aesthetic impact on the adjoining properties, and the use of adjoining properties.
- 3) All buffer areas shall be planted or preserved in a natural state in a mixture of evergreen and deciduous trees and shrubs and shall be maintained in proper order to protect adjacent properties and present a reasonably opaque, natural barrier to a height of ten (10) feet.
- 4) Buffer strips shall contain no parking areas or buildings. The Commission may allow other structures within the buffer area, such as wells, site utilities, recreation facilities, and drainage facilities. This determination will be made by the Commission, after evaluating existing and potential adjacent land uses, if it is satisfied that adequate screening is provided; and, in the Commission's opinion, the structure, its location, and/or its use will not adversely affect the buffering intent of the overall project.
- 5) No building shall be erected within fifty (50) feet of a property line.

F. Recreational Space

- 1) For any multi-family housing development, an area equal to ten (10) percent of the total lot area shall be set aside as open space. Buffer strips may be included in the computation of open space. The Commission shall approve the location of recreational space
- 2) The condition, size and shape shall be readily usable for recreational space purposes.
- 3) Such areas shall be easily accessible and balanced in design and location to preclude grouping of recreational space into the extremities of the parcel except for good cause.

G. Screening. deleted

H. Off-street Parking. Off-street parking shall be provided as required by §10.0.

I. The Commission may require the posting of a bond to assure completion of public improvements under the conditions noted in §15.6.

J. Rooming and/or Boarding are not permitted within the apartments in a multi-family development.

8.12 Dwelling, Single-family

- A. A single-family dwelling must be owner occupied to have roomers or boarders.
- B. A single-family dwelling shall not have more than two (2) roomers or two (2) boarders at any instant in time.

8.13 Dwelling – Two-family (Duplex)

- A. Two-family dwellings (duplexes) shall satisfy the Area and Bulk requirements of the schedule with the following exception: In an R-20 District, the minimum lot area is: 40,000 square feet

8.14 Farm Stands

- A. Purpose. To allow the sale of seasonal agricultural and farm products grown on the farm where the Farm Stand is located or that is grown on other local farms.
- B. Farm Stands, as defined in these regulations as an accessory building and accessory use to a farm, are permitted in accordance with Attachment A – “Schedule of Permitted Uses”, provided the following regulations are satisfied:
 - (1) The building or structure is not to exceed a gross floor area of two hundred (200) square feet.
 - (2) Farm stands shall be on private property setback at least ten (10) feet from the paved roadway surface, not in a right-of-way, and at least fifty (50) feet from any intersection.
 - (3) No more than one (1) farm stand shall be permitted on a farm.
 - (4) Signs shall be in accordance with §9.0.

8.15 Home Husbandry

- A. Purpose. To permit the keeping of certain types of livestock and/or poultry for personal and/or educational non-commercial private home use where site-specific characteristics of a proposed area are compatible with such a use.
- B. Applicants for a Home Husbandry special permit shall provide a copy of the application, sent by "Certificate of Mailing" mail, to abutting property owners, including a notice of the day, time, and location of the public hearing, at least 35 days prior to the scheduled hearing. The applicant, prior to or at the public hearing, shall provide a copy of the "Certificates of Mailing" (Proof of Mailing) to the Zoning Official.
- C. Home Husbandry shall be permitted as an Accessory Use in Residential Districts that are not farms provided following regulations are met:
- (1) A special permit is not required for the keeping of (a) 6 rabbits/10000 sq ft. or fewer. Or (b) 8 or fewer poultry with no roosters. A zoning permit issued by the zoning official is required
 - (2) Additional special permit requirements:
 - (a) No person shall keep or maintain livestock and/or poultry in Residential Districts that are not Farms without first obtaining a special permit from the Commission after a public hearing. Farms and farming are exempt from these Home Husbandry regulations.
 - (b) Application for the special permit shall be made in writing by the owner of the land on which the livestock and/or poultry are to be kept and upon forms furnished by the Zoning Official.
 - (c) The Commission shall inspect (or have inspected) the premises before issuing a special permit to insure that the land is capable of livestock and/or poultry keeping in accordance with the requirements of this Section. The Commission may consult with any agency as it deems appropriate for assistance in application review and property inspection.
 - (3) Livestock and/or poultry kept for personal use shall be owned by residents or owners of the premises on which they are kept.
- D. Standards for Livestock and/or Poultry Keeping:
- (1) Confinement:
 - (a) An appropriate shelter shall be provided for the keeping of livestock and/or poultry.
 - (b) An appropriate fly and rodent proof container or structure for manure and bedding waste storage shall be provided and maintained so as to prevent run-off to adjacent lots or to watercourses.
 - (2) Setback:
 - (a) Setback distances between any shelter housing livestock and/or poultry shall be a minimum of: seventy-five (75) feet from any well located on applicant property and abutting properties, seventy-five (75) feet from any street line, or behind rear Building Line if applicable, forty (40) feet from any property line, and, one hundred (100) feet from any house upon property other than the applicant's. Setback distances for yard area shall be a minimum of twenty (20) feet from property lines.
 - (b) The Commission may require greater setback distances if it deems it is necessary to help insure public welfare.
 - (3) Health:

- (a) The living quarters of the livestock and/or poultry and the handling and disposal of solid and liquid wastes shall not create a public health hazard or have an adverse effect on the environmental quality of the surrounding area.
 - (b) No condition shall be created that will adversely affect the performance of sewage disposal systems or water supplies located on the property or adjacent properties.
 - (c) No persistent, offensive odors shall be detected off the premises.
- (4) Keeping Area. In addition to minimum lot size, the Commission shall use the following keeping area requirements as a guide in reviewing applications. Final determination of keeping area size will be made by the Commission to insure that the activity will not create a public nuisance or health hazard.
- (a) Beef and Dairy Cattle:
 - (i) Minimum shelter space of ten (10) feet by twelve (12) feet per animal.
 - (ii) Minimum yard space of five thousand (5,000) square feet per animal for exercise area.
 - (iii) If no pasture, one (1) acre per animal.
 - (b) Goats and Sheep:
 - (i) Minimum shelter space of twenty (20) square feet per animal.
 - (ii) Minimum yard space of two hundred fifty (250) square feet of feed lot or exercise area per head.
 - (iii) If pastured, five (5) head per acre.
 - (c) Horses (full size):
 - (i) Minimum shelter space: ten (10) feet by ten (10) feet box stall per animal.
 - (ii) One (1) full size horse per acre with supplemental hay and feed.
 - (d) Horses (miniature):
 - (i) Mini-barn or mini-shelter as appropriate.
 - (ii) Three (3) miniature horses per acre with supplemental hay and feed.
 - (e) Rabbits:
 - (i) Minimum shelter space of one (1) square foot per pound of rabbit.
 - (ii) A thirty-six (36) by thirty-six (36) inch cage with eighteen (18) inches of headroom for, on average, a nine (9) pound rabbit.
 - (h) Swine:
 - (i) Minimum shelter space of twenty (20) square feet per pig consisting of a roof and solid man-made floor (not earth).
 - (ii) Minimum yard space of one hundred (100) square feet per pig.
 - (iii) No keeping area permitted in wetland or alluvial soils.
 - (i) Poultry – Minimums
 - a. From 20,000 square feet to 40,000 square feet, a limit of four (4) poultry animals.

- b. Greater than 40,000 square feet a limit of eight (8) poultry animals.
- c. Poultry shall be penned and not allowed to run at large off the owner's property (free-range).

(1) Laying Hens:

- (i) Floor area of three and one half (3.5) square feet per bird.
- (ii) Roosters are not allowed on a home husbandry permit.

(2) Ducks:

- (i) Floor area = four (4) square feet per bird.
- (ii) Yard space = forty (40) square feet per bird.

(3) Geese:

- (i) Floor area = six (6) square feet per bird.
- (ii) Yard space = eighty (80) square feet per bird.

(4) Turkeys:

- (i) Floor area of five (5) square feet per bird.
- (ii) Yard space of four (4) to five (5) square feet per bird.

(5) Keeping areas for any animal will be evaluated for compliance with best animal management practices to insure that animals are kept in a manner that will not constitute a public nuisance.

(6) All shelter areas shall be located on moderately well drained and/or well-drained soils.

E. Maximum Limits: The maximum number of animals permitted is five (5) in the Livestock category and twenty-five (25) in Poultry category

F. Conditions of Approval. The Commission shall approve or disapprove a Home Husbandry Special Permit based upon its review of the application for conformity with the standards of this Section, consultant comments, property location, soils of area, proximity to neighbors, amount, method and location of manure storage, feed storage, number of animals, and type of animals.

G. Periodic certification. Because –

- (1) The nature and intensity of some types of home husbandry is likely to change over time;
- (2) There are inherent difficulties of determining continued conformance with the home husbandry regulations;
- (3) It is important to determine if the home husbandry has evolved such that it is endangering public safety, health, convenience, or neighboring property values; and
- (4) It is necessary to know if the home husbandry is inactive or has been abandoned,

A holder of a home husbandry special permit, every two years, shall certify to the Zoning Official that the home husbandry use is continuing and in compliance with these regulations.

8.16 Home Occupations

- A. Purpose. To permit the accessory use of a single-family dwelling in a residential district for the purpose of providing goods and/or services for financial gain in such a manner that protects public health, safety, convenience, and present and future neighboring property values. Home occupations are required to be minor, low intensity, and incidental to the residential use of the property by its resident, silent and invisible or nearly invisible at the property lines of nearby residents, and not generate a nuisance to any neighbor or cause any detrimental impact or decline to the aesthetic quality or value of the residence or to the surrounding residential neighborhood.
- B. A Zoning Permit for a Home Occupation shall expire after two (2) years.
- C. Renewal Zoning Permits for a Home Occupation can be granted for two (2) year terms during the thirty (30) day period prior to expiration of an existing permit under the same procedure used for the initial approval. There is no limit on the number of times a renewal permit can be granted.
- D. An application for a new or renewal home occupation permit shall include:
- (1) A certification by its Owner to the Zoning Official that the home occupation will be conducted in conformance with the "conditions of approval and required conduct" as listed in these regulations,
 - (2) A certification by the owner of the proposed home occupation to the Zoning Official that he (a) is a domiciled lawful resident of the single-family dwelling, (b) is an owner of the single-family dwelling, (c) is residing in the dwelling where the home occupation will be conducted, and (d) will actively participate in the conduct of the home occupation.
 - (3) If the owner of the proposed home occupation is not an owner of the single-family dwelling, he shall provide a copy of his lease attached to the application that clearly shows he has authorization from the owner of the single-family dwelling to conduct the proposed home occupation.
 - (4) Payment of the home occupation permit fee.
- E. Conditions of approval and required conduct: As defined in these regulations, home occupations are permitted, with conditions necessary for the protection of public health, public safety, public convenience, and neighboring property values, in single-family dwellings in all Districts. The conditions are:
- (1) Its owner shall actively participate in the conduct of the home occupation.
 - (2) The home occupation activities conducted at the location of the home shall not occupy more than 25% of the gross floor space of all inside heated areas of the Dwelling. "Waiting rooms" or "lobby" areas, used to seat customers, clients, and vendors of the home occupation, shall count towards the space limit of the home occupation.
 - (3) Home occupations are permitted only within the principal dwelling. Garages, attics, sheds, hoop houses, greenhouses, barns, silos, lean-tos, tents, and other accessory structures, even if on a farm, are not permitted to be associated with any part, phase, process, or conduct of the home occupation, or for the raising, training, growing, drying, preparation, and/or storage of its products, goods, materials, or services. However, accessory structures to the residential dwelling may be used for:
 - (a) The enclosed storage of tools that may be used in the home occupation.
 - (b) Storage of up to a maximum of two (2) fifteen thousand (15,000) pound gross weight rated motor vehicles or trailers. There shall be no outdoor or unprotected storage of tools, materials, or products, no outdoor displays, and no outdoor raising, training, exercise, whelping, feeding, or breeding permitted as part of a home occupation.

- (4) The home occupation may employ up to one (1) person to work in the home at any time that does not reside in the home. Additional employees are permitted but shall provide their services remote from the dwelling and shall not park on or about the premises.
- (5) Alterations of a dwelling, including the expansion of rooms, for the purpose of supporting a home occupation, are not permitted. There shall be no entrance or exit ways in the dwelling or on the premises specifically constructed for the conduct of the home occupation.
- (6) The home occupation shall require no equipment other than that of a size and scale and capability normally used in a typical household or in a small typical office.
- (7) The home occupation activities conducted at the location of the single-family dwelling shall not create any odor, dust, glare, heat, sound, smoke, fumes, lighting, radiation and/or vibrations at the property line. The home occupation shall not pollute the environment or contaminate any water supply.
- (8) Waste materials generated by the home occupation shall be limited to a type and quantity that do not require collection service, handling procedures, or disposal locations that differ from what would otherwise be required for a single-family if there was no home occupation. Medical and hazardous waste is not permitted. Dumpsters are not permitted. Waste materials associated with the home occupation shall be stored out of view.
- (9) There shall be no exterior indication of the home occupation. Signage is permitted to identify the owner and street number of the dwelling, but shall not indicate the name, services, or type of the home occupation. Vehicle signage, and advertising other than business cards, shall not carry the residential address of the home occupation.
- (10) All visiting customers, clients, vendors, and delivery trucks shall not exceed a combined total of five (5) vehicular visits per day. On site group promotion, training, and teaching is permitted provided the total of the number of customers, clients, and students that come to the residential location of the home occupation shall not exceed a total of twenty-five (25) in any consecutive five (5) day period.
- (11) All visiting customers and clients, and vendors, will be scheduled by appointment.
- (12) Semi-trailers and special handling equipment, such as forklifts, are not permitted at the dwelling.
- (13) Home occupations are subject to inspection, with a minimum of twenty-four (24) hours of advance notice, by the Zoning Official to determine compliance with these regulations.
- (14) The home occupation shall not adversely affect neighboring property values, or existing or future development of surrounding properties.
- (15) The boarding, breeding, grooming, whelping, raising, and/or training of puppies and dogs for show, sport, or sale changes the character of the property and is not permitted as a home occupation.

8.17 Hoop Houses – see accessory structure

8.18 INCENTIVE HOUSING ZONE

8.18.1 PURPOSE:

The Incentive Housing Zone is intended to:

- a. Encourage a range of affordable housing types.
- b. Permit mixed-use development sensitive to neighborhood character.
- c. Enable infill development and the adaptive reuse of vacant or underutilized properties.

8.18.2 AUTHORITY:

The Incentive Housing Zone is adopted under the provisions of Sections 8-13m through 8-13x of the Connecticut General Statutes.

8.18.3 DESIGNATION OF INCENTIVE HOUSING ZONE:

The Incentive Housing Zone shall be an overlay-zoning district subject to the provisions and requirements contained in Sections 8-13m through 8-13x of the Connecticut General Statutes and within the Zoning Regulations of the Town of Ledyard. The Incentive Housing Zone shall consist of subzones to be designated in the below zoning districts:

- Ledyard Center Design Districts;
- Gales Ferry Design District.

The location and extent of each subzone will be defined on the zoning map of the Town of Ledyard. The Zoning Commission may, at a future date, consider reducing or adding to the number of subzones.

8.18.4 APPLICABILITY:

Where the general provisions of the Zoning Regulations of the Town of Ledyard conflict with the specific provisions of the Incentive Housing Zone, the permitted uses, requirements, and standards contained in this Section shall apply.

8.18.5 DEFINITIONS:

Following are definitions of terms related specifically to the Incentive Housing Zone. Reference should be made to Section 2 of the Zoning Regulations of the Town of Ledyard for definitions of other terms.

AFFORDABLE HOUSING – Housing that may be purchased or rented by

Households earning no more than eighty percent (80%) of the area’s median household income, as determined and reported by the U.S Department of Housing and Urban Development, and using no more than thirty percent (30%) of their annual income for housing costs.

DEVELOPABLE LAND – The area within the boundaries of an approved

Incentive Housing Zone that feasibly can be developed into residential or mixed uses consistent with the provisions of Sections 8-13m through 8-13x of the Connecticut General Statutes. Excluded from the area classified as developable land are the following:

- A. land already committed to a public use or purpose, whether publicly or privately owned;
- B. existing parks, recreation areas and open space dedicated to the public or subject to a recorded conservation easement;
- C. land otherwise subject to an enforceable restriction on or prohibition of development;
- D. wetlands or water courses as defined in Chapter 440 of the Connecticut General Statutes;

- E. areas exceeding one-half or more acres of contiguous land that are unsuitable for development due to topographic features, such as steep slopes.

DWELLING TYPES

- A. Single-family dwelling – A detached building designed for or occupied by one family.
- B. Duplex (two-family dwelling) – A detached building designed for or occupied by two families.
- C. Townhouse – A residential building consisting of three or more attached units in which each unit shares with the adjacent unit(s) a wall which extends from foundation to roof and has exterior walls on at least two sides.
- D. Mixed-use dwelling – A building dedicated principally to a permitted non-residential use that also contains residential units.
- E. Multiple-family dwelling – A building designed for or occupied by three or more families living independently.

ELIGIBLE HOUSEHOLD – A household whose annual income is at or below eighty percent (80%) of the area median income, as determined and reported by the U.S. Department of Housing and Urban Development.

INCENTIVE HOUSING DEVELOPMENT – A residential and mixed-use development located in an Incentive Housing Zone approved in accordance with this Section of these regulations.

INCENTIVE HOUSING ZONE – A zone, or a series of subzones, adopted by the Zoning Commission pursuant to Sections 8-13m through 8-13x of the Connecticut General Statutes as an overlay to one or more existing zoning districts under the Zoning Regulations of the Town of Ledyard, and situated in an eligible location.

INCENTIVE HOUSING ZONE CERTIFICATE – A written certificate issued by the Secretary of the Connecticut Office of Policy and Management in accordance with Sections 8-13m through 8-13x of the Connecticut General Statutes.

INCENTIVE HOUSING RESTRICTION – A deed restriction, covenant or site plan approval condition constituting a binding obligation with respect to the restrictions on household income, sale or resale price, rent and housing costs required by Sections 8-13m through 8-13x of the Connecticut General Statutes, as amended, and this Section of the Town of Ledyard Zoning Regulations.

INCENTIVE HOUSING UNIT – A dwelling unit within an Incentive Housing Development that is subject to incentive housing restrictions.

MIXED-USE DEVELOPMENT – A development consisting of one or more multi-family or single-family dwelling units and one or more commercial, public, institutional, retail or office uses.

8.18.6 PERMITTED USES:

Subject to approval by the Zoning Commission of a site plan for any proposed incentive housing development, the following uses shall be permitted within all subzones of the Incentive Housing Zone.

- A. Single-family detached dwellings; B. Duplex (two-family) dwellings;
- C. Townhouses;
- D. Multi-family dwellings.

8.18.7 MIXED-USE DEVELOPMENT:

Mixed-use development shall be required within Incentive Housing Zones.

Non-residential uses permitted as-of-right or by approved site plan in the underlying zoning district of any Incentive Housing Subzone shall be permitted, subject to the determination by the Zoning Commission that such uses are compatible with the character of the neighborhood. Additionally, other non-residential uses, as allowed in the underlying zone, shall be permitted.

The Commission may allow by an approved site plan uses otherwise permitted by right or by site plan in the underlying zoning district, provided that the minimum residential densities are met for the total incentive housing development. Bulk requirements for stand-alone non-residential uses in an incentive housing development shall be in accordance with the requirements of the underlying zoning district. The first floor shall be limited to non-residential uses.

8.18.8 LOCATION:

8.18.8.1 DEVELOPMENT ON NON-CONTIGUOUS PARCELS – The dwelling units within an incentive housing development need not be located on contiguous parcels but shall be identified within a single integrated development plan. This requirement shall apply even if the incentive housing development is to be constructed in phases.

8.18.8.2 SUBDIVISION APPROVAL – Different housing types within an incentive housing development may be located on the same lot or on different lots. If lots are to be subdivided, the approval of an incentive housing development is subject to prior subdivision approval by the Ledyard Planning and Zoning Commission.

If the Planning and Zoning Commission adopts a regulation for an Incentive Housing Zone that permits single-family detached homes on subdivided lots, requiring subdivision approval under the Subdivision Regulations of the Town of Ledyard, the Planning and Zoning Commission shall make a written finding that the applicability of such Subdivision Regulations shall not unreasonably impair the economic or physical feasibility of constructing housing at minimum densities and subject to an incentive housing restriction as required by Sections 8-13m through 8-13x of the Connecticut General Statutes.

If housing on subdivided lots is proposed in an Incentive Housing Zone, the Planning and Zoning Commission shall use its best efforts to adopt subdivision standards that will ensure consistency of the single-family detached housing with the purposes of Sections 8-13m through 8-13x of the Connecticut General Statutes.

8.18.9 DIMENSIONAL REQUIREMENTS:

8.18.9.1 GENERAL – As provided in Sections 8-13m through 8-13x of the Connecticut General Statutes, the Planning and Zoning Commission may modify, waive or delete dimensional standards contained in the zone or zones that underlie an Incentive Housing Zone in order to support the minimum or desired densities, mix of uses or physical compatibility in the incentive housing zone. Standards subject to modification, waiver or deletion include, but shall not be limited to: building height, setbacks, lot coverage, parking ratios and road design standards. If an incentive housing development is to be developed in phases, each phase shall comply with the minimum residential densities and the incentive housing restrictions set forth in this subsection.

8.18.9.2 MINIMUM DENSITY – The following densities for incentive housing development shall be based on developable land, as defined in Section 8-13m(3) of the Connecticut General Statutes and Subsection 8.18.5.2 of the Zoning Regulations of the Town of Ledyard. The minimum allowable density for incentive housing development, per acre of developable land, shall be:

A. six (6) units per acre for single-family detached housing; B. ten (10) units per acre for duplex or townhouse housing; C. twenty (20) units per acre for multi-family housing.

The town may request a waiver of the above density requirements of this subsection, as authorized in Section 8-13n(3) of the Connecticut General Statutes, and the Secretary of the Office of Policy and Management may grant a waiver, if the town demonstrates in the application that the land to be zoned for incentive housing development is owned or controlled by the town itself, an agency thereof, or a land trust, housing trust fund or a nonprofit housing agency or corporation. In such case, one hundred percent (100%) of the proposed residential units will be subject to an incentive housing restriction, and the proposed Incentive Housing Zone will otherwise satisfy the requirements of Sections 8-13m through 8-13x of the Connecticut General Statutes and this Section of the Zoning Regulations of the Town of Ledyard.

8.18.9.3 FRONTAGE – Each lot shall have not less than 50 feet of frontage on an approved street.

8.18.9.4 MINIMUM LOT WIDTH ALONG BUILDING LINE – The width of each lot at the building line shall not be less than 50 feet unless a lesser width is permitted in the underlying district.

8.18.9.5 COVERAGE, SETBACK, AND HEIGHT – The provisions of the underlying zone shall determine the coverage, setback, and height requirements within an Incentive Housing Zone

8.18.9.6 MODIFICATIONS, WAIVERS OR DELETIONS – In accordance with Section 8-13n(7)(c) of the Connecticut General Statutes, the Planning and Zoning Commission may, on a case-by-case basis, modify, waive or delete dimensional standards contained in the zone or zones that underlie an Incentive Housing Zone in order to support the minimum or desired densities, mix of uses or physical compatibility in the incentive housing zone. Standards subject to modification, waiver or deletion include, but shall not be limited to, building height, setbacks, lot coverage, parking ratios and road design standards.

8.18.10 ARCHITECTURAL DESIGN:

No site plan required under these Regulations shall be approved nor shall any structure be constructed or exterior renovations or substantial improvement to an existing structure in the Incentive Housing Zone be permitted until the Planning and Zoning Commission has determined that the overall architectural character of the proposed site and building design is in harmony with the neighborhood in which such activity is taking place, or accomplishes a transition in character between areas of unlike character; protects property values in the neighborhood, and preserves and enhances the beauty of the community, its historical integrity and architecture. The applicant shall provide adequate information to enable the Commission to make that determination, including architectural plans of all buildings, other structures and signs. Such plans shall include preliminary floor plans and elevations showing height and bulk, roof lines, door and window details, exterior building materials, color and exterior lighting. Site plans shall show paving materials, landscaping, fencing, lighting design and other features of the site and buildings which are visible from the exterior of any building on the site or from adjacent properties or streets and which may impact on the character or quality of life of adjoining properties and throughout the Incentive Housing Zone. Design review requirements shall apply to all structures, exterior renovations, and substantial improvements within the Incentive Housing Zone

8.18.11 OPEN SPACE:

Where deemed necessary and desirable, the Planning and Zoning Commission may require the provision of reserved open space in any incentive housing development. Land so reserved shall be of such size, location, shape, topography and general character as to satisfy the need for open space as determined by the Commission.

Open space reserved under this regulation may be used to protect natural resources, to enhance neighborhood character, to preserve or enhance historical or cultural resources or to provide both active or passive recreational opportunities.

Where the Commission has determined the desirability of open space reservation within an incentive housing development, such reservation, typically, shall not exceed ten percent (10%) of the total land area of such development and, typically, shall contain not less than one acre of contiguous land, as determined by the Planning and Zoning Commission.

Open space reserved under this regulation shall be permanently reserved for the intended use(s) by means acceptable to the Commission.

8.18.12 INCENTIVE HOUSING RESTRICTION:

8.18.12.1 PRIVATE APPLICANT FOR INCENTIVE HOUSING DEVELOPMENT – In the case of an incentive housing development proposed by a private applicant, at least twenty percent (20%) of the dwelling units shall be rented or conveyed subject to an incentive housing restriction requiring that, for at least thirty (30) years after the initial occupancy of the development, the dwelling units will be sold or rented at or below prices that will preserve the units for housing for which persons pay thirty percent (30%) or less of their annual income, where that income is less than or equal to eighty percent (80%) of the area median household income, as determined by the U.S. Department of Housing and Urban Development. In determining compliance with this subsection, the Planning and Zoning Commission will utilize regulations or guidelines published by the Connecticut Office of Policy and Management or any other successor agency designated in accordance with Sections 8-13m through 8-13x of the Connecticut General Statutes.

8.18.12.2 PUBLIC APPLICANT FOR INCENTIVE HOUSING DEVELOPMENT – In the case of an incentive housing development proposed by a public applicant, one hundred percent (100%) of the dwelling units shall be rented or conveyed subject to an incentive housing restriction requiring that, for at least thirty (30) years after the initial occupancy of the development, the dwelling units will be sold or rented at or below prices that will preserve the units for housing for which persons pay thirty percent (30%) or less of their annual income, where that income is less than or equal to eighty percent (80%) of the area median household income, as determined by the U.S. Department of Housing and Urban Development. In determining compliance with this subsection, the Planning and Zoning Commission will utilize regulations or guidelines published by the Connecticut Office of Policy and Management or any other successor agency designated in accordance with Sections 8-13m through 8-13x of the Connecticut General Statutes.

8.18.12.3 SUBMISSION OF AFFORDABILITY PLAN – Each applicant for an incentive housing development shall provide an affordability plan that details the administration, monitoring and enforcement of the dwelling units to be rented or conveyed under the requirements set forth in Sections 8.18.12.1 and 8.18.12.2 of these regulations. The affordability plan shall include proposed deed restrictions or covenants, lease agreements, common interest ownership documents, bylaws, rules and regulations, sample income calculations, and

such other information as the Planning and Zoning Commission may require to establish compliance with this Section of the Zoning Regulations of Ledyard and Sections 8-13m through 8-13x of the Connecticut General Statutes.

8.18.12.4 DESIGNATION OF ADMINISTERING AGENCY – The applicant shall identify the name, address and other contact information for the agency that will administer the sale or rental of dwelling units that are subject to the below-market sale or rental under this Section of the Zoning Regulations of the Town of Ledyard.

8.18.13 METHODS OF OWNERSHIP:

8.18.13.1 DWELLING UNITS – Dwelling units may be offered for sale or for rental in individual, public, cooperative or condominium ownership. Documentation of the management, organization and incorporation of applicable ownership associations shall be submitted at the time an application for an incentive housing development is filed with the Planning and Zoning Commission.

8.18.13.2 OPEN SPACE – All open space or supporting facilities and systems shall be in compliance with applicable law and provide for maintenance, liability, financing, and the rights of access and use by residents of the incentive housing development. Open space areas shall be permanently reserved for the dedicated use(s) by means acceptable to and approved by the Planning and Zoning Commission. The permanent reservation of open space may be achieved through, but is not limited to, the following:

- A. deeded to the Town of Ledyard;
- B. deeded to a non-profit organization acceptable to the Commission;
- C. held in corporate ownership by owners of the lots within the development;
- D. perpetual easement.

8.18.13.3 CONDITIONS OF OPEN SPACE CONVEYANCE – Title to the open space shall be unencumbered and shall be transferred at a time approved by the Planning and Zoning Commission. Such transfer shall occur not later than the time at which title to the streets in the incentive housing development is accepted by the Town of Ledyard.

8.18.13.4 DEED GUARANTEE – Regardless of the method employed, the instrument of the open space conveyance must include provisions acceptable to the Planning and Zoning Commission and its legal counsel for guaranteeing the following:

- A. Continuity of proper maintenance for those portions of the common open space land and facilities requiring maintenance.
- B. When appropriate, the availability of funds required for such maintenance.
- C. Recovery of loss sustained by casualty, condemnation or otherwise.

8.18.14 INCENTIVE HOUSING APPLICATION FEES – In addition to any fees required under the Zoning Regulations of the Town of Ledyard, the Planning and Zoning Commission, in accordance with Section 8-13t of the Connecticut General Statutes, may require the applicant for an incentive housing development approval to pay for the cost of reasonable consulting fees for the peer review of the technical aspects of the application for the benefit of the Planning and Zoning Commission.

8.19 Kennels

- A. Purpose: To allow for kennels where they will not be a nuisance or a risk to public safety, health, convenience, or to nearby property values.
- B. Kennels, as defined in these zoning regulations, shall comply with the provisions of CGS §22-344 and the following regulations:
 - (1) The minimum Lot Area shall be ten (10) acres.
 - (2) Open exercise areas and buildings containing animals shall be a minimum of one hundred (100) feet from any property line.
 - (3) Kennel areas shall be designed so as to minimize the visual impact from abutting properties. Landscaping and/or fences or walls shall screen kennel areas. The landscaping of the site shall be so designed as to protect and enhance the character of the area. All-season visual buffers between the proposed use and any incompatible use of adjacent properties shall be provided through the use of grade separation, landscaping, buffer areas, etc.
 - (4) Best Management Practices. The applicant shall provide plans describing the design, installation, and maintenance of a system that will collect, store, and subsequently dispose of or treat all waste products other than domestic sewage.

8.20 Mobile Manufactured Home Land Lease Communities – Deleted

8.21 Nursing Home and Residential Care Home

- A. Purpose: To provide for establishments that provide nursing services, assistance with activities of daily living, twenty-four (24) hour medical supervision and/or skilled nursing care for residents.
- B. Residential Care Homes shall comply with the provisions of Connecticut General Statute §22-344, and the following requirements:
 - (1) Management plan. A management plan shall be submitted that describes, to the satisfaction of the Commission, the plans, schedules, and responsibilities of how the applicant will assure the following in perpetuity:
 - (a) Operation and maintenance of commonly owned utilities such as water and wastewater treatment systems;
 - (b) Operation of community services such as refuse collection and the community building, if any;
 - (c) Maintenance of grounds, roadway and driveways, storm water drainage system, signage, and roadway illumination system; and
 - (d) Maintenance of individual dwellings, storage of motor vehicles and trailers, placement of temporary structures, and general external housekeeping.
 - (2) Notwithstanding anything in this Section to the contrary, the Residential Care Home may be owned by an entity, and dwelling units in the Residential Care Home may be leased to tenants.
 - (3) Roadway and Drainage Design. The entire roadway including individual driveways, parking spaces, the storm water drainage system, street signage, and the street illumination system shall be commonly

owned and maintained in good condition by the owners of the common area; and parking shall be in accordance with §10.0 of these regulations.

- (4) **Nuisance Controls.** Design of the Residential Care Home shall include provisions for the following:
- (a) A plan for at least weekly disposal of solid waste material shall be required. All solid waste shall be stored in covered containers, stored no closer than fifty (50) feet from the property boundary line, and screened by plantings or decorative fencing.
 - (b) No operation that creates an unreasonable amount of noise outside the home shall be allowed. This includes noise from heating, ventilation, and air conditioning units; refrigeration units; laundry and dish washing machines and dryers; vacuum cleaner systems; pumps; compressors; and emergency generators.
- (5) **Permitted Accessory Uses.** Accessory uses are permitted provided they are compatible with, and subordinate to, the Residential Care Home. They shall primarily serve the residents, guests of residents, and employees. Accessory uses include, but are not limited to:
- (a) Two (2) caretaker apartments per two hundred (200) dwelling units, rounded upwards, not to exceed one-thousand-two-hundred (1,200) square feet of floor area (each).
 - (b) Medical, health care and social services offices, and health, therapy and rehabilitation facilities.
 - (c) Restaurant.
 - (d) Pharmacy.
 - (e) Laundry Services, subject to Aquifer Protection Regulations.
 - (f) Emergency Services.
 - (g) Personal Service Establishments.
 - (h) Chapel/religious services.
 - (i) Recreational Facilities.
 - (j) Financial Institution.
 - (k) Shuttle bus or van service, exclusively for the residents, guests of residents, and employees of the Residential Care Home.
 - (l) The aggregate square footage of the Accessory Uses may not exceed ten thousand (10,000) square feet.
- C. **Development Standards – Residential Care Homes with more than twelve (12) residents shall:**
- (1) Be located on lots of one (1) acre or more; and
 - (2) Shall have a density of no more than forty (40) beds (residents) per acre.

8.22 Portable Storage Units – See Accessory Structures

8.23 Recreational Vehicle and Power Equipment Vehicles Sales and Service

- A. Recreational Vehicles and Power Equipment including motorcycles; personal watercraft (including kayaks, rowboats, and canoes); all-terrain vehicles; generators less than 25HP; utility trailers less than twelve (12) feet in length and a two (2) ton gross vehicle weight rating designed and used to transport such equipment; and consumer goods that are accessory to such equipment and uses, are allowed in the GFDD-1 District. Bull dozers, excavators, earth movers, soil screeners, paving boxes, vibratory rollers, rock crushers, fork lifts, backhoes, pay loaders, cars with two or more doors, trucks, wreckers, motorboats, campers, motor homes, or similar equipment, are not allowed.
- B. Recreational Vehicle and Power Equipment including all of the products and services permitted in the GFDD-1 District listed above, plus generators greater than 25HP; trailers greater than twelve (12) feet in length and two (2) tons gross vehicle weight rating; bull dozers; excavators; earth movers; soil screeners; paving boxes; vibratory rollers; rock crushers; fork lifts; backhoes; pay loaders, cars with two or more doors; trucks; wreckers; motorboats; sailboats; campers; motor homes; or similar equipment and vehicles, and goods and services that are accessory to such equipment and vehicles, are allowed in the GFDD-2 District.
- C. Repair facilities for Recreational Vehicle and Power Equipment Vehicles Sales and Service, if any, shall:
 - (1) Have pick up/drop off areas, and storage areas for such repair services and facilities, located to the rear or side building lines;
 - (2) Pickup areas, drop-off areas, and storage areas for repair facilities shall be screened from view with materials consistent with the character of the GFDD.

8.24 Sawmills – Temporary

- A. Purpose: To permit portable sawmills to facilitate the clearing of land.
- B. A zoning permit for a portable sawmill shall expire after six (6) months.
- C. Renewal permits can be granted for six (6) month terms during the thirty (30) day period prior to expiration of an existing permit under the same procedure used for the initial approval. There is no limit on the number of times a renewal permit can be granted.
- D. Conditions. Temporary Sawmills may be used provided that they meet the following conditions:
 - (1) Operation shall be limited to daylight hours.
 - (2) Operation shall be limited to cutting of trees that are grown on the site.
 - (3) Located shall not be closer than one hundred (100) feet to any property line.
 - (4) Location shall not be closer than five hundred (500) feet to the nearest residence.
- E. Upon completion of work, the sawmill shall be dismantled and removed from the site.

8.25 Transformer Substation

- A. Purpose: To permit the assembly of public utility or telephone equipment, including transformers, used for the distribution of electrical energy.
- B. Transformer Substation Requirements:
 - (1) All Transformer Substations not located within a building shall be screened from view from any other lot or street through the placement of trees, shrubs, buildings, fences, walls or embankments on all four sides if the Transformer Substation. The screening shall be in harmony with the surrounding area.

SECTION 9.0: SIGNS

9.1 Purpose

The purpose of this section is to regulate the height, size and location of advertising signs in all zones to ensure public safety, to protect both property values and the rural and historic character of the town, and to allow individual, commercial, and public interests to be communicated through signs.

9.2 General Requirements

- A. No person shall erect, alter, or relocate any sign structure or sign face without first obtaining a Sign Permit except as exempted by these regulations.
- B. The location, size, and, if in a Design or Village District character, of signs shall be compatible with others on-site and with the surrounding neighborhood.
- C. These regulations shall not apply to indoor signs or interior signs located, for example, within baseball fields, football fields, stadiums, theaters, and parks, provided they cannot be viewed off site.
- D. For a proposed development that requires a Special Permit the applicant may combine the development application and the sign application into a single application to the Commission.
- E. No sign shall be placed in a location that creates a sight-clearance problem for traffic flow on a public way.
- F. Commercial and industrial business signs shall be located on the business property they identify.

9.3 Exempt Signs (Signs not requiring a sign permit):

The following signs are allowed for legal uses without a Sign Permit. Such signs shall meet the setback and sideline requirements for the District in which they are located.

- A. Auctions and special events conducted by non-profit organizations. A Temporary Sign, no larger than twenty (20) square feet, which advertises an auction or special event conducted by a non-profit organization, provided such sign shall not be in place more than thirty (30) days
- B. Banner signs. Banners approved by the Town Council intended to provide notice of municipal events, elections, referendums, fairs, educational, athletic, or other civic events, may be located above roadways provided such banner(s):
 - (a) Do not cause problems with sight lines or clearance, or cause other traffic hazards;
 - (b) Do not exceed minimum and or maximum dimensions specified in state regulations;
 - (c) Are securely attached to permanently installed Town owned poles that comply with design, material, location, installation, height, maintenance, and other applicable regulations; and
 - (d) Are removed within ten (10) days after conclusion of the event.
- C. Construction signs on buildings or other significant work. Temporary signs, customary and necessary in connection with the erection of buildings or other significant construction work, shall be limited to one (1) sign for each construction project to include only the identification of the project, architect, sponsor or builder. Such signs shall not exceed six (6) square feet in any residential district, twenty (20) square feet in any commercial district, or thirty (30) square feet in any industrial district, and shall be removed before issuance of a Certificate of Occupancy. No sign may be affixed to a tree or telephone pole.
- D. Election signs and political signs.
 - (a) Shall be removed within ten (10) days after said election or referendum.
 - (b) Shall not exceed eighteen (18) square feet in area per side.
- E. Flags and sails. No flag or sail shall contain any advertising or business or product information. Flags or sails that indicate a "welcome", "open" or similar greeting shall not exceed eighteen (18) square feet, be limited

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- to two (2) per business, and may fly only during business hours. The flags of any nation, state, town, club, service, or military organization are exempt from any restrictions contained in these regulations.
- F. Governmental signs. Signs erected by the Town, the State of Connecticut, or the United States of America, provided such signs bear no commercial advertising. Such signs may be indirectly illuminated with downward directed lighting.
- G. Farm-stand signs and on-farm sale of produce signs:
- (a) Signs on a farm for the marketing of produce raised on the farm, and signs associated with a farm stand located on a farm for the marketing of produce raised on the farm and/or other local farms, shall be no larger than eighteen (18) square feet or two (2) signs no larger than nine (9) square feet each and shall not be lighted in any manner.
 - (b) Off-site State authorized Agricultural Directional signs advertising farm produce or the farm stand are permitted per current state regulation.
 - (c) Farm-stand signs and on-farm sale of produce signs are considered temporary signs and shall be removed at the end of the produce selling season.
- H. Directional Signs: There shall be no more than three (3) signs for each applicable business or activity provided the nature and location of such signs do not create a nuisance or hazard. The owner of the enterprise/activity for which the Sign is desired shall have permission of the property owner regarding sign location. Each sign shall not exceed two (2) square feet in area, whether wall mounted or freestanding.
- I. Lawful non-conforming signage. Such signage shall include any sign that conformed to the Town's previously adopted zoning and or signage regulations at the time of installation or the time of fabrication and which currently supports a legal use.
- J. Memorial signs or tablets. Memorial signs, tablets, or signs denoting the date of erection of buildings shall be wall-mounted and shall not exceed two (2) square feet in area.
- K. Name and address of resident signs. Name and address of resident signs shall not include any commercial advertising. Such signs are limited to one per address, and may be wall mounted or free standing.
- L. "No Trespassing" and the posting of land use. Such signs are those regulating the use of the property on which they are located, provided such signs do not exceed three (3) square feet in area in any Residential District or five (5) square feet in any non-residential district. The top of the Sign shall not be more than five (5) feet from grade.
- M. Real estate "For Sale", "For Lease", and "For Rent" Signs:
- (a) Such temporary signs shall be removed within fourteen (14) days after the completion of the sale, rental or lease of property. Such signs shall not exceed eighteen (18) square feet. There shall be no more than one sign per property, per road frontage.
 - (b) For subdivisions of eight (8) or more lots, in lieu of individual lot "For Sale" signs, there may be one (1) common sign, not to exceed thirty-two (32) square feet per side, advertising the property for sale, and not to be in place for more than two (2) years. These signs should be the customary signs used in the real estate industry and be made of durable materials.
 - (c) Signage shall be located on the property intended to be identified.
- N. Service signs. These are accessory signs incidental to a business or a profession conducted on the premises indicating hours of operation, credit cards, business affiliations and the like, provided the total area of all such signs for a single business does not exceed two (2) square feet per public entrance (noncumulative), and that they are wall-mounted at or immediately adjacent to the entrance of the building on the premises.

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9.4 Prohibited signs:

- A. Signs with moving parts. Signs which have visible moving parts, including signs which are designed to achieve movement by action of wind currents, or which have mobile or revolving parts, or which have animated parts, are not permitted. Exceptions include: time or temperature devices, barber poles ordinarily and customarily used in connection with barber shops, wind socks, open flags, and welcome flags which contain no advertising.
- B. Flashing signs. These are illuminated or indirectly illuminated signs that incorporate any flashing or moving illumination, animation, or illumination that varies in color. Signs with changing wording or images are prohibited.
- C. Hazards to public safety. These are any signs or sign supports which constitutes a hazard to public safety or health, including signs which by reason of size, location, content, coloring or manner of illumination obstruct the vision of a driver, or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads; or which obstruct free ingress to or egress from a fire escape, door, window or other required exit way; or which make use of words such as "stop", "look", "one way", "danger", "yield", or any similar words, phrases, symbols, lights or characters, in such a manner as to interfere with, mislead, or confuse traffic.
- D. Pennants. String pennants are prohibited, except for the opening of a new business, in which case they shall not exceed fourteen (14) days.
- E. Projecting signs.
- F. Inflatable signs
- G. Roof mounted signs.
- H. Home occupation signs.
- I. Signs not specifically authorized by these regulations are prohibited.

9.5 Sign Standards for Specific Districts

(All signs require a sign permit unless otherwise noted):

A. Residential Districts (R-20, R-40, RM-40, R-60, R-80 and MFVD Districts).

1) Neighborhood entrance signs---

Permanent signs at major entrances to residential developments designed only to identify such developments shall be permitted provided such signs bear no commercial advertising and do not exceed sixteen (16) square feet in area (per side, if freestanding). Signs shall not be elevated more than one (1) foot from the grade level of the site. A neighborhood or named development may have a sign at each main road entrance, denoting only the name and/or address of the development. It shall be permanently affixed to the ground on property owned by the development or land donated by a property owner for such use. Neighborhood entrance signs may be lighted only by a continuous white down light to reflect the light away from the adjoining property and away from the street(s).

2) Resident name and address signs---

Such signs shall not exceed two (2) square feet, and shall be limited to one (1) per household. May be illuminated (Sign permit is not required).

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B. Commercial and Industrial and mixed use Districts (CM, NC, CIP and I Districts and LCVD1, LCVD2, LCVD3, GFDD1 and GFDD2 districts).

1) Kiosk-- Kiosks are permitted, as follows:-

- (a) The upper sign board of the Kiosk bearing the name of the site, building or business complex shall not exceed thirty-two (32) square feet, and each business on the site, in the building or in the business complex may have one (1) lower sign board under the kiosk top board with a maximum square footage of eight (8) square feet. The overall width of the upper signboard shall not exceed eight (8) feet.
- (b) Kiosks shall be configured so that there is at least a four (4) foot sight window from grade level to the lowest signboard. The top edge of the Kiosk top signboard shall not exceed a twelve (12) foot height from grade level.
- (c) Each kiosk shall use an integrated and complementary coloration and lettering style. This is not intended to restrict kiosks to one (1) style throughout Ledyard, only to ensure uniformity of size. It is expected that each site, building, or business complex will have its own uniqueness.
- (d) One (1) kiosk may be erected at each major entrance to the site if separated by a minimum of two hundred (200) feet, in which case they shall count as only one (1) sign.

2) Freestanding Sign---

If a kiosk is not being used, one (1) free standing sign is permitted per property which has permitted commercial or industrial uses. Maximum height is eighteen (18) feet. Maximum area is eighteen (18) square feet per face. Such signs shall not interfere with driver sight lines.

3) Wall Mounted Sign ---

- (a) One (1) wall mounted, single face sign per establishment shall not project more than fifteen (15) inches, and such sign may have a maximum square footage area as follows, provided that no such sign shall exceed one half (1/2) the length of the space occupied by the establishment:

Distance of Sign from Front Lot Line Maximum Permitted Area of Wall Mounted Sign

- a) Less than 200' 40 square feet
- b) 200' – 299' 100 square feet
- c) 300' – 399' 150 square feet
- d) 400' + 200 square feet

- (b) Any building with a major parking area located in the rear of the building may have a second wall sign also located in the rear of the building that is limited to twelve (12) square feet. Where two (2) or more wall signs are affixed to one wall, the gross display area shall not exceed forty (40) square feet.

4) Hanging Signs---

Each commercial use within a structure is permitted one hanging sign no larger than four (4) square feet in sign area (per face). Hanging signs shall protrude perpendicularly from the front of the building. No portion of any such sign shall interfere with pedestrian traffic.

5) Awning signs---

A business may have awning signs less than ten (10) square feet in area when such awning is designed to be used for the walkway or main entrance of a business. Individual window awnings

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shall not contain advertising, but may have a monogram not to exceed three (3) letters which may occupy no more than ten percent (10%) or six (6) square feet, whichever is less, of the window awning.

- 6) **Analog clocks, analog time and/or analog temperature displays---**
Such signs may not exceed sixteen (16) square feet and shall have no advertising on the unit. The same setbacks and heights for signs in the district shall be observed and may use low power indirect illumination by down-lighting only
- 7) **Digital electronic displays---**
LED, plasma, neon, or flat screen electronic displays are permitted. Such signs may not exceed EIGHTEEN (18) square feet per side. The same setbacks and heights for signs in the district shall be observed.
- 8) **Portable signs and sandwich board Signs---**
One (1) portable or sandwich board sign is permitted per business address per road frontage, during business hours only, not to exceed nine (9) square feet per side.
- 9) **Window signs---**
A business may have window signs permanently erected or maintained which are visible to any public street or highway. Any such sign shall not cover more than thirty-percent (30%) of the window in which it is placed.
- 10) **Neighborhood or named development signs---**
A neighborhood or named development may have a sign at each main road entrance, denoting only the name and/or address of the development. It shall not exceed sixteen (16) square feet in area (per side, if Freestanding). Signs shall not be elevated more than one (1) foot from the grade level of the site. It shall be permanently affixed to the ground on property owned by the development or land donated by a property owner for such use, and shall be architecturally and historically appropriate if located in the GFDD-1, GFDD-2, LCVD-1, LCVD-2, LCVD-3, and MFVD Districts.
- 11) **Signs customary and necessary to the operation of gasoline filling stations---**
The following signs customary and necessary to the operation of gasoline filling stations require a Sign Permit:
 - (a) Wall-mounted signs displayed over individual entrance doors consisting of the words "wash", "lubrication", "repair" or words of similar import, provided that there shall be not more than one (1) such sign over each entrance, and that the letters of such sign do not exceed ten (10) inches in height.
 - (b) Signs that consist of lettering or other insignia that are a structural part of a gasoline pump, consisting only of a brand name, lead warning sign and other matter as required by law.
 - (c) One (1) sign not exceeding two and one half (2.5) square feet per side indicating the price per gallon of gasoline may be attached to the pump.
 - (d) One (1) freestanding sign no larger than twenty four (24) square feet per side using numbers no larger than eighteen (18) inches in height indicating price per gallon. It shall have a clearance of at least seven (7) feet from the ground, and shall be located such that it does not interfere with driver sight lines. It may use LED, plasma, neon, or flat screen electronic displays to indicate fuel pricing.

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- 12) **Illuminated signs.** Signs may be lighted by continuous downward-directed lighting or by internal lighting. Floodlighting shall be downward directed so that the source is directed away from adjacent properties and traffic arteries. There shall be no illumination of a flashing, intermittent or moving type.

C. All Districts

- 1) **Exterior bulletin boards on premises of civic buildings.** Such signs shall not exceed sixteen (16) square feet total and shall bear no commercial advertising. There shall be not more than one (1) bulletin board per site. Such sign may be indirectly illuminated with low power downward directed lighting. Bulletin boards may have two (2) faces placed back to back which are at no point more than sixteen (16) inches from one another.
- 2) **Farm identification signs.** A single permanent sign at an entrance to a farm designed only to identify the farm shall be permitted provided such sign bears no commercial advertising and does not exceed eighteen (18) square feet in area (per side, if freestanding). The sign shall not interfere with driver sight lines.

9.6 Application for Sign Permit

- A. Unless exempt, new signs, relocation of signs, modifications to existing signs, and changes to a sign face, require an application for a sign permit be made on forms provided by the Zoning Official, and shall include the following information:
 - 1) Dimensions of the proposed sign. The size of the proposed sign (area, height, width, thickness), illumination and material from which it is to be constructed.
 - 2) Detailed drawing of the proposed sign. A detailed drawing showing the construction details of the sign and showing the lettering and or pictorial matter and colors composing the sign, position of lighting or other extraneous devices, and support structures.
 - 3) Site plan of proposed sign. A site plan showing the location of the sign in relation to the building and all property lines and streets. (Reference §6.6-B-(5)).
- B. The replacement of a sign face with a different replacement sign face does not require a sign permit.
- C. The repainting, changing of parts, or preventive maintenance of lawful signs, with no change in location, design, or structure, shall not be deemed an alteration and does not require a Sign Permit.
- D. The permanent removal of sign face illumination does not require a sign permit.
- E. The applicant, after consultation with the Town Planner and/or Zoning Official, may request guidance from the Commission regarding sign applications for the Ledyard Center Design District and the Gales Ferry Design District.

9.7 Lawful Non-conforming Signs.

Existing signs installed prior to the adoption of the Zoning Regulations (October 11, 1963 as amended) of a size, type, or location currently not permitted in the District in which they are situated, or which does not conform to all the provisions of these regulations, will be considered lawful non-conforming structures under this Section. Any increase in size shall be deemed to be an enlargement or extension producing an unlawful increase in non-conformity. Non-conforming signs shall not be relocated to any other location.

SECTION 10.0: OFF-STREET PARKING AND LOADING

10.1 General Requirements

- A. Applicability. Off-street parking and loading shall be provided in accordance with this Section for any building or use hereafter erected, established, enlarged, increased, or exchanged. Parking and loading space shall be maintained and shall not be encroached upon so long as said principal building or use remains, unless an equivalent number of such spaces is provided elsewhere in conformance with these regulations and approved by the Commission.

10.2 Residential Districts (R-20, R-40, R-60)

Dwelling, multiple family (apts, condos)	2 per unit minimum
Dwelling, single family	2 minimum
Dwelling, single family attached (duplex)	4 minimum

10.3 Ledyard Center Districts (LCDD, LCTD) and Gales Ferry Design District (GFDD)

- A. See "Parking Table"
- B. Off-street parking shall meet the following requirements:
- (1) Off-street surface parking lots shall be set back a minimum of ten (10) feet from the sidewalk line.
 - (2) Circular drives are prohibited except for civic buildings.
 - (3) Off-street parking areas in front of buildings are discouraged. New parking areas should be located to the side and rear of the building, unless the applicant can adequately demonstrate limitations with the land, due to topography, septic requirements, right of way, easements, corner lots or any other limitations that the Commission may agree to.
 - (4) If necessary, parking may be allowed in front of a new building, provided twelve (12) feet of green space is provided from the sidewalk line.
 - (5) Curb cuts shall be minimized using shared driveways, or rear driveway connections.
 - (6) Parking areas shall be screened/buffered. Stonewalls, hedges, or evergreen screens a minimum of 3 feet high are required along front, side and rear property lines. Fences used for screening shall only be installed behind the front building setback line.
 - (7) For mixed uses with different parking requirements occupying the same building or premises, the number of parking spaces required shall equal the sum of the requirements of the individual uses computed separately, unless (i) the Commission finds that the proposed capacity will substantially help achieve the purpose of these regulations; or (ii) in mixed-use development, there are two or more uses, which have differences in their principal operating hours, thereby allowing the utilization of the same parking spaces.
 - (8) Where parking or outdoor sales display areas are located in front of the building, a buffer strip not less than fifteen feet wide along the front lot line shall be green space, seeded or otherwise planted or landscaped. A six (6) inch curb or bituminous concrete or other similar material shall protect such strips.
 - (9) Each required parking space, exclusive of drives and aisles, shall be not less than eighteen (18) feet long or less than (9) feet wide, striped, and shall be served by an aisle between rows of parking spaces.

SECTION 10.0: OFF-STREET PARKING AND LOADING

10.4 Commercial, Industrial, & Special Use Districts (I, CM, NC, CIP)

- A. See "Parking Table"
- B. Any use permitted in a Commercial District and not specifically mentioned in the parking table requires one (1) space per one hundred fifty (150) square feet of gross floor area plus one (1) space per major shift employee.
- C. Any use permitted in an Industrial District and not specifically mentioned in the parking table: one (1) space per major shift employee.

10.5 Shared Parking

- A. When possible, the sharing of parking lots for different structures and uses is encouraged in all districts.

10.6 Assisted Living for Seniors

- A. One (1) parking space shall be required for each detached dwelling unit, plus
- B. One (1) parking space shall be required for every two (2) attached dwelling units, plus
- C. One (1) visitor parking space shall be required for every three (3) dwelling units, plus
- D. One (1) parking space shall be required for each employee employed on both of the two (2) largest shifts.

10.7 Bed and Breakfasts

- A. There shall be at least two (2) off-street parking spaces designated on the site plan for the owner and one (1) additional off-street parking space for each guest room.
- B. Parking for all guests shall be located behind the principal structure, or naturally screened by a combination of distance and vegetation.

10.8 Country Inn

- A. There shall be at least two (2) off-street parking spaces designated on the site plan for the owner and one (1) additional off-street parking space for each guest room. In addition, there shall be one (1) additional off-street parking space for each employee on the largest shift.
- B. All parking shall be screened by principal site structures, or by a combination of distance and vegetation.

10.10 Home Occupations

- A. No more than one (1) motor vehicle, not in excess of a fifteen thousand (15,000) pound gross weight rating, used in support of the Home occupation, may be parked outdoors on the normal parking area of the premises. No vehicles used in the business shall be parked on the street.
- B. Employees, customers, clients, students, and vendors shall park off the street on an existing paved or crushed stone parking area previously established for the residence.

Accessory Apartment	1 minimum + principal use
Adult day care	1 per 8 clients
Child day care center	2 per 6 children
Civic buildings	2 per 1000' gross floor area
Clubs	4 per 1000' of gross floor area
Dwelling, multiple family (apts, condos)	2 per unit
Dwelling, single family	2 minimum
Dwelling, single family attached (duplex)	4 minimum
Farm stand (Accessory use to a farm)	3 minimum
Financial institution	2 per 1000' gross floor area
Funeral homes & undertaking	1 per 150' of gross floor area + 1 per shift employee
Gov. institution, library, philanthropic, offices	2 per 1000' gross floor area
Group day care home	1 per 4 clients max, 1 per 8 clients min
Hotel	1 per guest room
Kennel	1 per 1000'
Medical and dental clinic	2 per 1000'
Mixed (office/retail dn, residential up)	2 per unit + primary use
Motel	1 per guest room
Motor vehicle body repair & painting	2 per 1000' gross floor area
Museums, art gallery, cultural institution	1 per 1000' gross floor area
Nurseries, incl. retail and wholesale	1 per 1000' gross floor area
Nursing home & residential care home	2 per 1000' gross floor area
Office	2 per 1000' gross floor area
Personal service establishments	2 per 1000' gross floor area
Power equipment & utility trailer sales	1 per 1000' gross floor area
Religious use	1 per 5 seats in area used for services
Repair shops (radio, tv, shoes, cmpr, etc)	1 per 1000' gross floor area
Restaurant, excluding fast food	6 per 1000' gross floor area
Restaurant, including fast food	2 per 1000' gross floor area
Retail sales	1 per 1000' gross floor area
Rooming & boarding (accessory use)	1 per roomer/boarder + principal use
Self---storage	1 space per 20 storage units
Shopping center, Business Center	3 per 1000' gross floor area
Theater, indoor (including multiplex)	1 per 5 seats + 1 per employee
Vehicle dispatching and repair --- inside	2 per 1000' gross floor area
Veterinary office & clinic --- indoor	2 per 1000' gross floor area

SECTION 11.0: ALTERNATIVE ENERGY SYSTEMS

11.1 Small Wind Energy Systems

- A. Purpose: To allow for on-site wind generation of electricity for personal use while:
- (1) Protecting nearby properties from acoustic nuisance;
 - (2) Reducing the potential of damage to neighboring properties in the event of a system failure;
 - (3) Reducing the potential of injury to wildlife;
 - (4) Protecting scenic vistas, nature preserves, and scenic roadways.
- B. Applicability. These regulations are applicable to Small Wind Energy Systems designed for on-site residential, farm, and small private commercial uses. "Small Wind Energy System" means a wind energy system that
- (1) is used to generate electricity;
 - (2) has a nameplate capacity of 100 kilowatts or less; and
 - (3) has a total height of 100 feet or less.
 - (a) "Total height" means the vertical distance from ground level to the tip of a wind generator blade when the tip is at its highest point.
 - (4) "Tower" means the monopole, freestanding, or guyed structure that supports a wind generator.
 - (5) "Wind energy system" means equipment that converts and then stores or transfers energy from the wind into usable forms of energy. This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component used in the system.
- C. A small wind energy system as defined in these zoning regulations, is permitted in accordance with the Schedule of Uses, provided the following regulations are met:
- (1) A Small wind energy system shall provide electricity only in support of a principal or accessory use of the parcel on which it is located.
 - (2) A maximum of one (1) Small Wind Energy System shall be allowed on any parcel.
 - (3) Setbacks. A wind tower for a small wind system shall be set back a distance equal to its total height from:
 - (a) any public road right of way.
 - (b) any overhead utility lines
 - (c) all property lines.
 - (4) Small Wind Energy Systems, including towers or alternative turbine support structures, and supporting guy wires (if any), shall not be located in any front yard.
 - (5) To assure that the Small Wind Energy System cannot fall on the property of another, setbacks for the base of a tower from the nearest property line shall not be less than the height (including rotor tip) of the Small Wind Energy System.
 - (6) The small wind energy system shall be designed and sited such that entry onto abutting property is not required for its installation, removal, maintenance, or repair. A Small Wind Energy System

SECTION 11.0: ALTERNATIVE ENERGY SYSTEMS

shall not be permitted if it requires an easement for installation, removal, noise, electromagnetic interference, fall radius, maintenance, replacement, or other purpose.

- (7) Access.
 - (a) All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
 - (b) The tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of 8 feet above the ground.
 - (8) Electrical Wires. All electrical wires associated with a small wind energy system, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires shall be located underground.
 - (9) Lighting. A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration.
 - (10) Appearance, Color, and Finish. The wind generator and tower shall remain painted or finished the color or finish that was originally applied by the manufacturer, unless approved in the zoning permit.
 - (11) Signs. All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind generator, tower, building, or other structure associated with a small wind energy system visible from any public road shall be prohibited.
 - (12) Expiration. A permit issued pursuant to this ordinance shall expire if:
 - (a) The small wind energy system is not installed and functioning within 24-months from the date the permit is issued; or,
 - (b) The small wind energy system is out of service or otherwise unused for a continuous 12-month period.
- D) Abandonment.
- (1) A small wind energy system that is out-of-service for a continuous 12-month period will be deemed to have been abandoned. The ZEO may issue a Notice of Abandonment to the owner of a small wind energy system that is deemed to have been abandoned. The Owner shall have the right to respond to the Notice of Abandonment within 30 days from Notice receipt date. The ZEO shall withdraw the Notice of Abandonment and notify the owner that the Notice has been withdrawn if the owner provides information that demonstrates the small wind energy system has not been abandoned.
 - (2) If the small wind energy system is determined to be abandoned, the owner of a small wind energy system shall remove the wind generator from the tower at the Owner's sole expense within 3 months of receipt of Notice of Abandonment. If the owner fails to remove the wind generator from the tower, the ZEO may pursue a legal action to have the wind generator removed at the Owner's expense.
- E. Application Requirements:
- (1) The proposed small wind energy system design is required to be certified by a recognized national safety program such as Underwriter Laboratories or the equivalent.
 - (2) The application shall be accompanied by a site plan drawn to scale showing

SECTION 11.0: ALTERNATIVE ENERGY SYSTEMS

- (a) (Property lines and physical dimensions of the property
 - (b) Location, dimensions, and types of existing major structures on the property
 - (c) Location of the proposed wind system tower
 - (d) The right-of-way of any public road that is contiguous with the property;
 - (e) Any overhead utility lines;
 - (f) Wind system specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed)
 - (g) Tower foundation blueprints or drawings
 - (h) Tower blueprint or drawing
- (3) The application shall include the make, model, year, specifications, noise level charts, power output, maintenance requirements, and an overview description of the proposed Small Wind Energy System, including footings, tower, rotor or blade system, the associated control or conversion electronics, the generator, the minimum and maximum heights above ground of the turbine blade tips, and appropriate drawings illustrating such dimensions of the various structural components.
- (4) Sufficient information to show that the proposed site shall have sufficient access to unimpeded air flow for adequate operation in accordance with the Siting Handbook for Small Wind Energy Conversion Systems, PNL-2521, or other nationally recognized reference.
- (5) Sufficient information to show that noise generated by the Small Wind Energy System will comply at the nearest property line with requirements of the Connecticut Regulations for the Control of Noise and Connecticut General Statutes Title 22a (Environmental Protection) Chapter 442 (Noise Pollution Control).

SECTION 11.0: ALTERNATIVE ENERGY SYSTEMS

11.2 Solar Energy Systems

- A. Ground mounted and roof mounted solar energy systems constitute "development" and shall satisfy the purpose and intent of the Design Guidelines if located in the Ledyard Center Design District or Gales Ferry Design District. If proposed for a Design District, the application for a solar energy system may be reviewed by the ARB.
- B. Septic System Avoidance – The SEF shall not be located over a septic system, leach field area or identified reserve area unless approved by the CT Department of Energy and Environmental Protection or their authorized agent;
- C. Floodplain Avoidance – If located in a floodplain as designated by FEMA, or an area of known localized flooding, all panels, electrical wiring, automatic transfer switches, inverters, etc. shall be located above the base flood elevation; and, shall not otherwise create a fire or other safety hazard.

11.2.1 Solar Energy Systems as an Accessory Use (Small Solar Systems)

- A. Accessory Solar Energy Systems are ground mounted or rooftop systems that provide energy primarily for on-site use and are permitted as Accessory Uses in all zones. Rooftops or ground mounted systems covering developed parking areas or other hardscape areas are encouraged as preferred locations for a Solar Energy System. The following requirements regulate the installation and use of accessory solar energy systems:
 - (1) Location requirements: No freestanding accessory solar energy buildings or structures shall be built on any lot on which there is not a principal structure. Accessory solar energy buildings or structures are permitted subject to the following conditions:
 - (a) No solar energy building or structure shall be permitted in any front yard
 - (b) Solar energy buildings or structures are permitted in the side and rear yard provided they meet the setback requirements.
 - (c) The total of all solar energy buildings or structures shall not occupy more than forty percent (40%) of the side plus rear yards.
 - (d) No freestanding accessory solar energy building or structure shall exceed fifteen (15) feet in height.

11.2.1 Solar Energy Systems as a Principal Use (Large Solar Systems)

- A. Solar Energy Systems are allowed as a principal use as listed in the use table.
- B. Solar Energy Systems must meet all Bulk requirements of the applicable zone.
- C. All electrical and control equipment shall be labeled and secured to prevent unauthorized access.
- D. A Minimum 10 foot buffer/screening shall be provided to abutting properties/parcels.

SECTION 12.0: NATURAL RESOURCES

12.1 Coastal Area Management (CAM)

- A. Purpose: All buildings, uses, and structures fully or partially within the coastal boundary, as defined in Chapter 444, §22a-94 of the Connecticut General Statutes and depicted on the Town of Ledyard Zoning Map, shall be subject to the Coastal Site Plan review requirements and procedures in Sections 22a-105 through 22a-109 of the Connecticut General Statutes.
- B. The following applications are subject to the Coastal Site Plan review requirements and procedures if located fully or partially within the coastal area:
- (1) Site plans submitted to the Commission in accordance with §22a-109 of the Connecticut General Statutes,
 - (2) Applications for a special permit submitted to the Commission in accordance with §8-2 of the Connecticut General Statutes and §7.0 of these regulations,
 - (3) Applications for a variance submitted to the Zoning Board of Appeals in accordance with subdivision (3) of §8-6 of the Connecticut General Statutes and §15.9 of these regulations, and
 - (4) A referral of a proposed municipal project to the Planning & Zoning Commission in accordance with §8-24 of the Connecticut General Statutes.
- C. The following activities are hereby exempted from Coastal Site Plan review requirements under the authority of subsection (b) of §22a-109 of the Connecticut General Statutes:
- (1) Gardening, grazing, and the harvesting of crops,
 - (2) Minor additions to, or modifications of, existing Buildings or Accessory Buildings,
 - (3) Construction of new or modification of existing Structures incidental to the enjoyment and maintenance of residential property including, but not limited to, walks, terraces, driveways, tennis courts, and accessory buildings,
 - (4) Construction of new, or modification of existing, on-premise fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs and such other minor structures as will not substantially alter the natural character of coastal resources as defined by §22a-93 (7) of the Connecticut General Statutes,
 - (5) Construction of a single-family dwelling except in or within one hundred (100) feet of the following coastal resource areas as defined by §22a-93 (7) of the Connecticut General Statutes: tidal wetlands, coastal bluffs and escarpments, and beaches and dunes,
 - (6) Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife, and other coastal land and water resources,
 - (7) Interior modifications to buildings, and
 - (8) Minor change in uses of buildings, structures, or property, except those changes occurring on properties adjacent to or abutting coastal waters.

SECTION 12.0: NATURAL RESOURCES

- D. Coastal Site Plan. In addition to meeting the other requirements of these regulations, all applicants for zoning permits, special permits, or variances relating to uses proposed for location fully or partially within the coastal area shall submit a Coastal Site Plan which shall accomplish the following:
- (1) Show the location and spatial relationship of coastal resources on and contiguous to the site;
 - (2) Describe the entire project with appropriate plans, indicating project location, design, timing and methods of construction;
 - (3) Assess the capability of the resources to accommodate the proposed use;
 - (4) Assess the suitability of the project for the proposed site;
 - (5) Evaluate the potential beneficial and adverse impacts of the project and describe proposed methods to mitigate adverse effects on coastal resources; and
 - (6) Demonstrate that the adverse impacts of the proposed activity are acceptable and demonstrate that such activity is consistent with the goals and policies in §22a-92 of the Connecticut General Statutes.
- E. Coastal Site Plan Review. In addition to any other applicable site plan review criteria prescribed by these Zoning Regulations as set out in §6.0, a Coastal Site Plan required under this Section shall be reviewed and may be modified, conditioned, or denied in accordance with the procedures and criteria listed in this Section of these Zoning Regulations.
- (1) The Commission may, at its discretion, hold a public hearing, in accordance with §15.8 of these regulations, on any Coastal Site Plan submitted to it for review.
 - (2) In determining the acceptability of potential adverse impacts of the proposed activity described in the Coastal Site Plan on both the coastal resources and the future water dependent development opportunities, the Commission shall:
 - (a) Consider the characteristics of the site, including the location and condition of any coastal resources defined in §22a-93 of the Connecticut General Statutes;
 - (b) Consider the potential effects, both beneficial and adverse, of the proposed activity on coastal resources and future water-dependent development opportunities; and
 - (c) Follow all applicable goals and policies stated in §22a-92 of the Connecticut General Statutes and identify any conflicts between the proposed activity and any goal or policy. When approving, modifying, conditioning or denying a Coastal Site Plan on the basis of the criteria herein prescribed, the Commission shall state, in writing, the findings and reasons for its action and shall send a copy of any decision by certified mail to the person who submitted such plan within fifteen (15) days after such decision is rendered.
 - (3) In approving any activity proposed in a coastal area, the Commission shall make a written finding that the proposed activity, with any conditions or required modification:
 - (a) Is consistent with all applicable goals and policies in §22a-90 of the Connecticut General Statutes; and
 - (b) Incorporates as conditions or modifications all reasonable measures that would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.

SECTION 12.0: NATURAL RESOURCES

- F. Bond. As a condition to a Coastal Site Plan approval, the Commission may require a bond or other surety or financial security arrangement to secure compliance for any public improvements stated in its approval of the plan.
- G. Violations. Any activity within the defined coastal area not exempt from Coastal Site Plan review pursuant to §12.1(B) above, which occurs without having received a lawful approval from the Commission under all of the applicable procedures and criteria prescribed by these Zoning Regulations or which violates the terms and conditions of such approval, shall be deemed a public nuisance and appropriate legal remedies will be taken by the Commission for the abatement of such nuisance.
- H. Time Limitations. Whenever the approval of the Coastal Site Plan is the only requirement to be met or remaining to be met under these regulations for a proposed building use or structure, a decision on an application for approval of such site plan shall be rendered within sixty-five (65) days after receipt of such plan. The applicant may consent to one (1) or more extensions of such period, provided the total period of any such extension or extensions shall not exceed one (1) additional sixty-five (65) day period per CGS §8-7d(b), or may withdraw such plan.

12.2 Soil Erosion and Sediment Control Plan

- A. In accordance with Connecticut General Statutes. §22a-325 to 22a-329 inclusive, a Soil Erosion and Sediment Control Plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half (1/2) acre. The Soil Erosion and Sediment Control Plan shall, in mapped and narrative form, contain proper measures to be taken to control erosion and sedimentation during and after construction. The Soil Erosion and Sediment Control Plan shall be based on the "Connecticut Guidelines for Soil Erosion and Sediment Control," (1985) as amended.
- B. Site plan Requirements: See §6.6.
- C. Approval. After review of the Soil Erosion and Sediment Control Plan by the Commission or its designated agent, the appropriate authority shall certify, modify and certify, or deny that the Soil Erosion and Sediment Control Plan complies with these regulations. A vote of the Commission to approve a site plan shall mean Certification of the Soil Erosion and Sediment Control Plan as well. Prior to Certification, any plan submitted to the Commission may be referred to any agency deemed appropriate by the Commission, for recommendations concerning the Soil Erosion and Sediment Control Plan, provided such review shall be completed within thirty (30) days of the receipt of such plan.
- D. Bond. The estimated costs of measures required to control soil Erosion and sedimentation, as specified in the certified plan, may be covered in the performance bond or other insurance acceptable to the Commission.
- E. Inspection. The Commission or its designated agent shall periodically conduct inspections, or periodic reviews, to verify compliance with the certified plan and that Erosion and sediment control measures are properly performed or installed and maintained. The Commission or its designated agent may require the applicant to submit progress reports which show that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being correctly operated and maintained.

SECTION 12.0: NATURAL RESOURCES

12.3 Flood Protection

- A. Purpose: To promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. The flood hazard areas of the Town of Ledyard are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- B. Definitions. Unless specifically defined below, words or phrases used in this regulation shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.
- (1) AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain within a community subject to one percent (1%) or greater chance of flooding in any given year.
 - (2) BASE FLOOD: The flood having a one percent (1%) chance of being equaled or exceeded in any given year.
 - (3) BASE FLOOD ELEVATION (BFE): Is 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.
 - (4) BASEMENT: Is any area of the building having its floor subgrade (below ground level) on all sides.
 - (5) EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: For this Section only, a manufactured home park or subdivision for which the construction of facilities for servicing the lots of which the manufactured homes are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before March 11, 1981, the effective date of the floodplain management regulations adopted by the community.
 - (6) EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: For this Section only, means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
 - (7) FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA): The federal agency that administers the National Flood Insurance Program (NFIP).
 - (8) FINISHED LIVING SPACE: For this Section only, means, as related to fully enclosed areas below the base flood elevation (BFE), a space that is, but not limited to, heated and/or cooled, contains finished floors, (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.
 - (9) 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 waves, or the unusual and rapid accumulation/runoff of surface waters from any source.
 - (10) FLOOD INSURANCE RATE MAP (FIRM): An official map of a community, on which the National Flood Insurance Program Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

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- (11) **FLOOD INSURANCE STUDY:** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide and/or flood related erosion hazards.
- (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) foot.
- (13) **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.
- (14) **LOWEST FLOOR:** The lowest floor of the lowest enclosed area (including basement).
- (15) **MANUFACTURED HOME:** For purposes of the National Flood Insurance Program, means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".
- (16) **MANUFACTURED HOME PARK OR SUBDIVISION:** For the purpose of this Section, means a parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.
- (17) **MARKET VALUE:** For the purpose of this Section, means the value of the structure as determined by the appraised value prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.
- (18) **MEAN SEA LEVEL:** For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
- (19) **NEW CONSTRUCTION:** The purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after March 11, 1981, the effective date of floodplain management regulations adopted by the community and includes any subsequent improvements to such structures.
- (20) **NEW MANUFACTURED HOME PARK OR SUBDIVISION:** For the purpose of this Section, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after March 11, 1981, the effective date of the floodplain management regulation adopted by the community.
- (21) **STRUCTURE:** For floodplain management purposes, 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.
- (22) **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 percent (50%) of the market value of the structure before the damage occurred.

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- (23) **SUBSTANTIAL IMPROVEMENT:** For the purpose of this Section, any combination or repairs, reconstruction, alteration, or improvements to a structure, taking place during 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 appraised value 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. This term includes structures that have "substantial damage," regardless of the actual repair work performed. 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 correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the Zoning Official and are solely necessary to assure safe living conditions.
- (24) **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.
- (25) **VIOLATION:** Failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without required permits, lowest flood elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be a violation until such time as that documentation is provided.
- (26) **WATER SURFACE ELEVATION:** The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.
- C. General provisions. These regulations shall apply to all areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated July 18, 2011, and accompanying Flood Insurance Rate Maps (FIRM), dated July 18, 2011, and other supporting data applicable to the Town of Ledyard, and any subsequent revisions thereto, are adopted by reference and declared to be a part of these regulations.
- (1) Since mapping is legally adopted by reference to this regulation, it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA.
 - (2) The area of special flood hazard includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM.
 - (3) Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the FIS for a community. BFEs provided on a FIRM are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.
 - (4) A Zoning Permit shall be required in conformance with the provisions of this regulation prior to the commencement of any development activities.
 - (5) The degree of flood protection required by this regulation is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes.
 - (6) This regulation does not imply or guarantee that land outside the Special Flood Hazard Area or uses permitted in such areas will be free from flooding and flood damages.

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- (7) This regulation shall not create liability on the part of the Town of Ledyard or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made thereunder.
 - (8) The Town of Ledyard, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of Ledyard.
 - (9) These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this regulation and another ordinance, regulation, easement, covenant or deed restriction conflict to overlap, whichever imposes the more stringent restrictions shall prevail.
- D. Duties and responsibilities of the Commission or its Designated Agent shall include, but not be limited to:
- (1) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding;
 - (2) Advise permitted that additional Federal or State permits may be required and notify adjacent communities and the Department of Environmental Protection, Water Resources Unit prior to any alteration or relocation of a watercourse;
 - (3) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;
 - (4) Record the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved or flood-proofed structures. When flood proofing is utilized for a particular structure the Zoning Official shall obtain certification from a Licensed Professional Engineer or architect;
 - (5) When base flood elevation data or floodway data have not been provided, then the Zoning Official shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source in order to administer the provisions of Sections 12.3(E); and
 - (6) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard, the Zoning Official shall make the necessary interpretation. All records pertaining to the provisions of this regulation shall be maintained in the Zoning Office.
- E. Provisions for flood hazard reduction:
- (1) General standards. In all areas of special flood hazard the following provisions are required:
 - (a) New construction and substantial improvements. New construction and substantial improvements shall be:
 - (i) Anchored to prevent flotation, collapse, or lateral movement of the structure,
 - (ii) Constructed with materials and utility equipment resistant to flood damage, and
 - (iii) Constructed by methods and practices to minimize flood damage.

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- (b) Water supply and sanitary sewage systems:
 - (i) New and replacement Water Supply Systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
 - (ii) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the system into floodwaters.
 - (iii) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
 - (c) Manufactured homes. All manufactured homes to be placed within Zones A and AE on the Town's Flood Insurance Rate Map shall be installed using methods and practices that minimize flood damage. For the purposes of this requirement:
 - (i) Manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement.
 - (ii) Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors.
 - (d) Utilities. Electrical, heating, ventilation, plumbing, air conditioning equipment, HVAC ductwork, and other service facilities, or any machinery or utility equipment or connections servicing a structure shall be elevated to or above the base flood elevation (BFE) to prevent water from entering or accumulating within the components during conditions of flooding. This includes, but is not limited to, furnaces, oil or propane tanks, air conditioners, heat pumps, hot water heaters, ventilation ductwork, washer and dryer hook-ups, electrical junction boxes, and circuit breaker boxes.
- (2) Specific standards. In all areas of special flood hazard where base flood elevation data has been provided, as set forth in §12.3(C) or as determined in §12.3(D)(5), the following provisions, in addition to those in §12.3(E)(1), are required:
- (a) Residential structures: New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation.
 - (b) Non-residential structures:
 - (i) New construction, substantial improvement of any commercial, industrial, or non-residential structure located in a Special Flood Hazard Area shall have the lowest floor, including basement, elevated to or above the level of the base flood elevation.
 - (ii) Flood proofing. Non-residential structures located in all A and AE Zones may be flood proofed in lieu of being elevated provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.
 - (iii) A Licensed Professional Engineer or Architect shall review and/or develop structural design, specifications, and plans for the construction, and shall certify that the design

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and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection.

- (c) Manufactured homes shall:
 - (i) Have the lowest floor elevated to or above the base flood elevation.
 - (ii) Be placed on a permanent foundation which is securely anchored and to which the structure is securely anchored. This includes manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing park which a manufactured home has incurred substantial damage as a result of flood.
- (d) Recreational vehicles placed on sites in all A and AE Zones shall either:
 - (i) Be on a site for fewer than one hundred and eighty (180) consecutive days,
 - (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, or
 - (iii) Meet the permit requirements of this Section and the elevation and anchoring requirements for "manufactured homes" in §12.3(E)(1)(C) of the General Standards Section.
- (e) In AE Zones where base flood elevations have been determined, but before a floodway is designated, it is required that no new construction, substantial improvement, or other development (including fill) be permitted which would increase base flood elevations more than one (1) foot at any point in the community when all anticipated development is considered cumulatively with the proposed development.

(3) Floodways:

- (a) In areas where floodways have been designated or determined, these regulations shall prohibit encroachments, including fill, new construction, substantial improvements and other developments within the floodway unless demonstrated through hydraulic and hydrologic analysis performed in accordance with standard engineering practice and certified by a Licensed Professional Engineer that encroachments shall not result in any (0.00) increase in flood levels during occurrence of the base flood discharge.
- (b) 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 (1) foot at any one (1) point.

F. Variances. The Zoning Official shall maintain a record of all flood protection variance actions, including justification for their issuance, and report such variances issued in the annual report submitted to the National Flood Insurance Program Administrator.

- (1) An applicant for a variance to this Section shall be notified by the Zoning Official that the issuance of a variance to construct a structure below the base flood level will result in increased rates for insurance coverage up to amounts as high as twenty-five dollars (\$25.00) for one hundred dollars (\$100.00) of

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insurance coverage, and that such construction shall be maintained with a record of all flood protection variance actions.

- (2) A variance shall not be granted if the Zoning Board of Appeals determines that:
 - (a) No exceptional hardship would result from the failure to grant the variance, and
 - (b) Granting of the variance would result in increased flood heights, additional threats to public safety, extraordinary public expenses, or creation of nuisances.
- G. Equal Conveyance. Within the floodplain, except those areas that are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for Ledyard, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure is prohibited.
 - (1) Exception: If the applicant provides certification by a licensed professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments will not result in any (0.00 feet) increase in flood levels (base flood elevation).
 - (2) 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.
- H. Compensatory storage. The water holding capacity of the floodplain, except in those areas that are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction, or substantial improvements involving an increase in the footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain.
 - (1) Storage shall be:
 - (a) Provided on-site, unless easements have been gained from adjacent property owners,
 - (b) Provided within the same hydraulic reach and a volume not previously used for flood storage, and/or
 - (c) 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.
- I. 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.
- J. 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.
 - (1) The entire structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure.
 - (2) 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.

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- K. 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).
- (1) The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure.
 - (2) Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive.

12.4 Soil, Gravel and Stone Removal

- A. Filling, excavating, or the relocation of 300 cubic yards or more of topsoil, sand, gravel, clay, stone or other materials in any district is allowed by special permit.
- B. Filling, excavating, or the relocation of less than 300 cubic yards of topsoil, sand, gravel, clay, stone or other materials in any district is allowed by a zoning permit issued by the Zoning Official
- C. The purpose of these regulations is to insure that (1) the landscape is not needlessly marred during and after operations, (2) the work will not be a source of dust, pollution, and/or siltration, (3) the site will not be generally characterized by unsightliness as evidenced by open pits, rubble or other indications of completed digging operations which would have a deteriorating influence on nearby property values, (4) the site will have future usefulness when the operation is complete, and (5) the removal's effect on the public interest is acceptable.
- D. Exception. Provided the purpose stated above is satisfied, a permit is not required if the removal is associated with:
- (1) Construction or grading for a permitted building, structure or activity where no additional permits or approvals are necessary from the Zoning Official and/or the Commission; or
 - (2) Maintenance or operation associated with a farm or farming activity provided the topsoil and subsoil and other materials from the operation area are stockpiled for the farm's future use; and/or
 - (3) Road construction where no additional permits or approvals are necessary from the Zoning Official and/or the Commission.
- E. The sale, destination, or ultimate use of the removed topsoil, sand, gravel, clay, stone, or other materials does not determine whether a permit is required.
- F. Any removal of topsoil, sand, gravel, stone or other materials occurring beyond the stated extent of an existing operation shall be considered a new operation requiring a permit and subject to conditions contained herein.
- G. Bond. Before a permit is granted to an applicant starting any operation regulated under this Section, the applicant shall post a bond to the Town of Ledyard in an amount approved by the Commission to guarantee that the premises shall be excavated, graded and landscaped in conformance with the approved Plan of Operation.
- H. Deviation from the approved Plan of Operation, without the Zoning Official's, or Commission's approval, shall be a violation of these regulations.

SECTION 12.0: NATURAL RESOURCES

- I. The use of explosive devices may be limited as a condition of the permit.
- J. The Commission may impose hours and days of operation as conditions of the permit.
- K. A permit for the removal of topsoil, sand, gravel, clay, stone or other materials shall expire after one (1) year.
- L. A renewal permit can be granted for one (1) year during the thirty (30) day period prior to expiration of an existing permit under the same procedure used for the initial approval. There is no limit on the number of times a renewal permit can be granted.
- M. The applicant for a permit shall:
 - (1) Provide a completed application form indicating the nature and extent of the operation, the proposed land use with supporting data, a site plan, a plan for sediment and erosion control, and a Plan of Operations approved by a licensed Professional Engineer.
 - (2) Certify to the Zoning Official that the site's use will be conducted in conformance with these regulations, the approved Plan of Operations, and the plan for sediment and erosion control.
 - (3) For a permit renewal application, provide a report on the excavation operation prepared by a licensed Professional Engineer, which shall attest that the excavation, as completed to date, conforms to the approved Plan of Operation.
 - (4) Pay the permit fee.
- O. The Zoning Office may, but is under no obligation, to provide a reminder notice regarding an expiring permit for soil, gravel, and stone removal.
- P. Operations:
 - (1) The gravel bank floor area shall be graded not less than one percent (1%) or more than four percent (4%) to provide for surface drainage.
 - (2) No removal shall take place within twenty-five (25) feet of a property line, nor within fifty (50) feet of a highway property line, such distances to be measured from the top of the bank, and if within sight of a Town/State road, may be required by the Commission to be screened. The Commission may require a similar screen if isolation of adjacent property is deemed necessary. No operation shall take place closer than a minimum of fifty (50) feet from a stream, pond, or lake.
 - (3) Upon completion of operations, no bank shall exceed a slope of one (1) foot vertical rise in three (3) feet of horizontal distance. The disturbed area shall be covered with a minimum of four (4) inches of topsoil and graded. On completion of grading, the area will be limed, fertilized, and seeded in accordance with the approved site plan. The site shall be maintained until the area is stabilized;
 - (4) Temporary seeding, used to control erosion, is permitted during the time that the operation is being completed.
 - (5) The active gravel removal area shall not exceed a total of ten (10) acres at any time.
 - (6) All topsoil and subsoil shall be stripped from the operation area and stockpiled for use in site restoration.

SECTION 12.0: NATURAL RESOURCES

- (7) Any surface water flowing from the excavated area shall flow through appropriate sediment control devices before leaving the site.
- (8) If excavation has occurred below the seasonal high water table, the pond banks should be no steeper than a two to one ratio (2:1).
- (9) Stone Crushing. No stone crusher or other device, except screens, not required for the actual removal of material shall be used in any District except in the Industrial Districts.

SECTION 13.0: NON-CONFORMING USES, STRUCTURES, AND PROPERTY

13.1 Non-Conforming Uses, Structures, and Property.

- A. Any lawfully non-conforming use, structure, or property existing on the effective date of these regulations or any amendments thereto may be continued, subject to the following requirements:
- (1) Nothing in these regulations shall prevent maintenance, or the strengthening or restoring to a safe condition, of any portion of a building or structure declared unsafe by proper authority.
 - (2) No lawfully non-conforming structure shall be expanded unless the use therein is changed to a conforming use and/or the structure is changed to a conforming structure. A Zoning Board of Appeals (ZBA) approval is required to expand or construct any structure that will encroach into the minimum setback distances.
 - (3) No structure devoted to a lawfully non-conforming use shall be structurally altered or improved to accommodate such use if the proposed cost of any or all such changes, plus the total costs of such changes during the preceding twelve (12) months, exceeds fifty (50%) percent of the latest assessed value of the structure at the time of application.
 - (4) When a legally non-conforming structure is damaged by fire, collapse, explosion, act of God or act of a public enemy, it may be reconstructed, repaired or rebuilt up to only its previous floor area and cubical content provided such restoration or rebuilding is commenced within one year of such damage.
 - (5) The lot on which there is a non-conforming use and/or structure shall not be reduced in size unless:
 - (a) The lot will be equal or larger in size to the minimum lot size permitted in the district in which it is located,
 - (b) There are no additional or new non-conformities created by reducing the lot size, and
 - (c) The remainder of the original lot will be equal or larger in size, and satisfy all other requirements, of the district in which it is located.
 - (6) The non-conforming structure and/or the non-conforming use shall not be moved in whole or in part to another portion of its lot, or to another lot, where such structure and/or use would be non-conforming.
 - (7) The burden is on the property owner to show that a nonconforming use and/or structure predate the adoption of the applicable zoning regulations.

SECTION 13.0: NON-CONFORMING USES, STRUCTURES, AND PROPERTY

B. Change in uses and/or structures.

(1) A non-conforming use and/or structure may be changed to a conforming use and/or structure.

(2) With the approval of the Planning and Zoning Commission, a non-conforming use may be changed to another non-conforming use if in the opinion of the Commission:

- 1) the proposed use is a less intensive non-conforming use than the existing use, and
- 2) the new use is more compatible with the zone or surrounding uses.

In determining whether the proposed use is a less intensive non-conforming use and more compatible with the zone or surrounding uses the Commission shall hold a public hearing, and the applicant will provide notice to abutters of said hearing, consistent, with CGS, Section 8-7d.

During deliberation and discussion the commission shall consider:

- a. the nature of the use as it relates to the current zoning;
- b. the number of customers anticipated and the duration of their stay;
- c. the hours of operation;
- d. traffic control and safety;
- e. available parking;
- f. anticipated noise levels

In no case may a non-conforming structure be expanded.

(3) No non-conforming use shall, if changed to a conforming use, be restored to its prior non-conforming use.

C. Abandonment. No abandoned non-conforming use shall thereafter be resumed.

D. Alterations. A structure containing a permitted use, but which does not conform to the requirements regarding height, percentage of lot coverage, setbacks, and/or required yard and parking facilities, or is on a lot that does not conform with the minimum size and/or width of lots for the district in which it is located, may be expanded or altered provided that the expansion is not constructed within the applicable setback and yard requirements and does not create new or intensify existing nonconformities.

SECTION 15.0: ADMINISTRATION AND ENFORCEMENT

14.1 Changes in Use in Village, Design, and Commercial Districts

- A. A change of use of any existing building within the LCVD-1, LCVD-2, LCVD-3, MFVD, GFDD-1, GFDD-2, RCCD-1, RCCD-2, I, CM, NC, & CIP districts must be consistent with these regulations.
- B. These requirements are not applicable for a minor change of use as determined by the Commission upon request of the Zoning Official or the Applicant. (See definitions for "Change of Use", and "Change of Use, Minor")
- C. Applications to develop or change uses within the LCVD-1, LCVD-2, LCVD-3, MFVD, GFDD-1, GFDD-2, RCCD-1, RCCD-2, I, CM, NC, & CIP districts require either a Special Permit or Site Plan review and include the following information:
 - (1) A written statement describing the proposed use or uses, including hours of operation.
 - (2) A written statement describing how the proposed use will conform with the Design Guidelines and how the proposed activity will be compatible with the purpose of the district (LCVD-1, LCVD-2, LCVD-3, MFVD districts only).
- D. For the LCVD-1, LCVD-2, LCVD-3, MFVD districts, changes to uses will require upgrading of signs, landscaping and access ways, common design elements and other standards of the District in accordance with the Design Guidelines.

14.2 Prohibited Uses

- A. No stand-alone building foundation or cellar may be used as a dwelling unit. No building shall be occupied until a Certificate of Zoning Compliance and a Certificate of Occupancy are issued.
- B. No person shall occupy a travel trailer or motorized camper as a residence in the Town of Ledyard.
- C. The keeping of livestock and/or poultry in any residential district is permitted only on a farm, or by Home Husbandry special permit

14.3 Building on Non-Conforming Lots

The following provisions and limitations shall apply to Non-Conforming Lots, but not to Parcels which are not Lots, except as otherwise noted.

14.3.1 Use of Non-Conforming Vacant Lots: Any vacant Non-Conforming Lot, meaning a Lot on which no Principal building exists, having less than the minimum Lot Area required under these regulations is not required to conform to such minimum Lot Area requirement and any permitted building or other structure may be erected or placed, and any permitted use may be made thereon **ONLY** if all of the following requirements are met:

- a. Such lot shall have an area equal to or greater than 90% of the minimum Lot Area required under these regulations, provided such lot is 18,000 square feet or larger; and
- b. Such lot has abutted no other Lot under the same ownership since the adoption of Zoning Regulations in the Town of Ledyard (October 11, 1963). See Section 14.3.2.
- c. Except for Lot Area and Lot Frontage, all other bulk requirements of the schedule (minimum setbacks, maximum coverage, etc.) shall apply, except as varied by the Zoning Board of Appeals.

SECTION 15.0: ADMINISTRATION AND ENFORCEMENT

14.3.2 Merger of Non-Conforming Lots: If title to a Non-Conforming Parcel or Lot, whether improved or not, was, at any time after the adoption of Zoning Regulations in the Town of Ledyard (October 11, 1963), or is now, vested in any person(s) that own(s) any Parcel or parcels of land contiguous to it, then said contiguous land together with the Non-Conforming Parcel as is required to conform to these regulations shall be deemed to be a single Lot or Parcel for zoning purposes, and thereafter may not be divided, sold, transferred, or improved in any manner which would create or result in a Non-Conformity or in an increased or further Non-Conformity. In the event that all contiguous lands of said person(s) are together insufficient to meet the minimum requirements of these regulations, then all said contiguous land shall be considered as a single non-conforming Lot or Parcel for the purposes of this Section. The foregoing merger provisions shall not apply to any Lot approved pursuant to the Town of Ledyard Subdivision Regulations as in force at the time of such approval, pursuant to Connecticut General Statutes Section 8-26a(b), or to Parcels of land, each of which are improved with legal Principal Buildings existing prior to the effective dates of the regulations which rendered them Non-Conforming.

The preceding provision is intended to continue and clarify the provisions of Section 14.3.1.b, requiring the merger of non-conforming parcels under single ownership.

14.4 Replacement of Lawful Nonconforming Mobile Homes

- A. Mobile homes and mobile manufactured homes shall be permitted only on locations occupied by a mobile home on the date Zoning Regulations were adopted (October 11, 1963, as amended).
- B. The replacement of a lawfully non-conforming mobile home or mobile manufactured home is permitted as follows:
 - (1) A "removal permit" to remove, and/or a "demolition permit" to destroy, the mobile home or mobile manufactured home that is being replaced must be issued by the Building Official.
 - (2) The mobile home or mobile manufactured home being replaced shall either be demolished or removed from Ledyard.
 - (3) A mobile home, or a mobile manufactured home, in a licensed mobile home park, may be replaced by a mobile manufactured home provided the total number of mobile homes and mobile manufactured homes in the mobile home park does not exceed the number of sites listed on the Park License issued by the Department of Consumer Protection.
 - (4) A lawfully non-conforming mobile home or mobile manufactured home on a private lot may be replaced with a mobile manufactured home.
 - (5) The replacement mobile manufactured home shall be skirted with permanent foundation covering material.
 - (6) Replacement mobile manufactured homes shall be constructed to the most recent HUD Code.

SECTION 15.0: ADMINISTRATION AND ENFORCEMENT

14.5 Handicap Ramps for Residential Purposes

- A. An entrance/exit ramp may be constructed as an accessory use in setback areas, at the discretion of the Zoning Official, provided the ramp:
- (1) Is the only reasonable alternative after locations that are compliant with the setback regulations are considered,
 - (2) Does not create a safety hazard, and
 - (3) Is removed when it is no longer necessary.

14.6 Interior Lots

A. Residential Districts.

- (1) Interior Lots may be permitted in Residential Districts subject to the requirements set forth in the schedule of "Area and Bulk Requirements", with the following conditions and/or exceptions:
 - (a) The frontage requirement shall be a minimum of twenty (20) feet wide and accessible to a town or state road by way of a driveway strip owned as part of the lot.
 - (b) The driveway strip shall be a minimum of twenty (20) feet throughout.
 - (c) The driveway access area shall be free of all structures.
 - (d) The minimum lot area for an interior lot will be a minimum of one and one half (1.5) times the minimum lot area for the zone in which it is located. The area of the driveway strip shall not be included as part of the minimum lot area requirement.
 - (e) The minimum building setback line for interior lots shall be fifty (50) feet from the front lot line, excluding the driveway strip.
 - (f) New interior lots in Conservation and Open Space Subdivisions shall not be required to comply with the requirements in §14.7.A.
- (2) Interior lots may be created as part of a division of a tract or parcel of land which is not a subdivision or re-subdivision within the meaning of §8-18 of the Connecticut General Statutes. The Director of Public Works shall review and approve access locations on Town roads and the State Department of Transportation shall review and approve access locations on State highways.

B. Non-residential Districts.

- (1) Interior lots may be permitted in the non-residential districts subject to the requirements set forth in the schedule of "Area and Bulk Schedule", with the following conditions and/or exceptions
 - (a) The frontage requirement along a Town or State road shall be a minimum of thirty (30) feet.
 - (b) The access strip shall be a minimum of thirty (30) feet throughout.
 - (c) The area of the thirty (30) foot access strip shall not be included as part of the minimum lot area requirement.
 - (d) The minimum building setback line for interior lots shall be twenty (20) feet from the front lot line.

SECTION 15.0: ADMINISTRATION AND ENFORCEMENT

14.8 Junk and Hobby Motor Vehicles

- A. Junk, as defined by these regulations, where not covered or screened, shall not be placed, stored, co-located, or maintained outside on any lot in any District.
- B. A maximum of one (1) hobby motor vehicle, as defined by these regulations, may be located in a side yard or rear yard provided it is screened from view from adjacent properties and access roads. Such screening may be achieved by use of a fence or vegetation. There is no limitation on the number of hobby motor vehicles that are stored or parked in a building, provided the building is maintained in a structurally sound and safe condition.
- C. No more than one (1) vehicle that has an expired registration, but which can be re-registered in its current physical condition, may be parked or stored outside on any lot in any district.
- D. It is the intent of these regulations that the term "Junk" not apply to:
 - (1) Materials or items being temporarily stored in rodent-proof containers that are placed on the curb on a regular schedule for refuse pickup,
 - (2) Farm equipment ordinarily and regularly used with an active farming operation on the same premises,
 - (3) Sawmill inventory,
 - (4) Cordwood,
 - (5) "Hobby Motor Vehicles" that are in compliance with these regulations, and
 - (6) Construction materials and associated debris that are directly associated with a construction project on the same premises with a valid and active building permit provided that the construction materials and associated debris are removed from the premises within fifteen (15) days after the construction project is materially completed.

SECTION 15.0: ADMINISTRATION AND ENFORCEMENT

15.1 Enforcement

- A. Pursuant to CGS §8-3(e), CGS §8-12, and CGS §8-12a, these regulations shall be enforced by the Zoning Official appointed by the Mayor pursuant to Chapter IV §4 of the Ledyard Town Charter. The Zoning Official is an Agent of the Commission and is given the power and authority to enter and inspect property at reasonable times as required in the performance of his duties, and may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair or conversion of any building or structure, or the unlawful use of land, to restrain, correct or abate such violations, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about the premises.

15.2 Violation Procedure

- A. Procedures to be followed in the event of violations of these regulations shall be pursuant to CGS §8-12, CGS §8-12a, and Ordinance #118 as appropriate.

15.3 Procedure for Changing Zoning Districts and Zoning Regulations

- A. Changes to these regulations will be processed in accordance with CGS §8-3.
- B. Applications to change zoning districts and/or zoning regulations submitted by the Planning and Zoning Commission are exempt from time limits.
- C. The Planning and Zoning Commission shall be the Applicant when changes to the Zoning Regulations are desired by other town agencies.

SECTION 15.0: ADMINISTRATION AND ENFORCEMENT

15.4 Zoning Board of Appeals

- A. Appeals for variances to these Zoning Regulations shall be made to the Zoning Board of Appeals (ZBA) in accordance with the provisions of Chapter 124, Section 8-7 of the Connecticut State Statutes.
- B. The zoning board of appeals shall have the following powers and duties:
- (1) To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the zoning official charged with the enforcement of chapter 124 or any bylaw, ordinance or regulation adopted under the provisions of Chapter 124 - Such appeal shall be taken within fifteen (15) days of the action of said official.;
 - (2) to determine and vary the application of the zoning bylaws, ordinances or regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of such bylaws, ordinances or regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured. The regulations that may be varied are limited to the following:
 - (a) lot size and area requirements,
 - (b) lot coverage limitations,
 - (c) setback requirements,
 - (d) height limitations,
 - (e) parking requirements,
 - (f) loading requirements,
 - (g) sign area and location limitations,
 - (h) screening requirements, and
 - (i) accessory use limitations.
 - (3) The ZBA shall be prohibited from granting any variance for a use in any Residential district in which such use is not otherwise allowed as a permitted, by right, use.
 - (4) No building or use of land shall be permitted, converted, enlarged, or reconstructed for any purpose other than for a use that is permitted in the district in which it is located.
 - (5) Hear and decide all matters required by the specific terms of the Connecticut General Statutes.
- D. Decisions:
- (1) The ZBA shall not grant a Variance on any allegation of hardship resulting from an act of the applicant.
 - (2) Prior to granting a variance there must be a finding by the ZBA that all of the following conditions exist:
 - (a) If the owner complied with the provisions of these regulations that he would not be able to make any reasonable use of his property.
 - (b) The difficulties or hardship are peculiar to the property in question, in contrast with other properties in the same district.
 - (c) The hardship was not result of the applicant's own action.

SECTION 15.0: ADMINISTRATION AND ENFORCEMENT

(d) The hardship is not merely financial or pecuniary.

E. Effectiveness Date – No variance shall be effective until a copy thereof, certified by the Zoning Official, is recorded in the land records. The Clerk shall index the same in the grantor's index under the name of the then record owner and the record owner shall pay for such recording.

15.11 Aquifer Protection Agency

A. Designation of Membership:

- (1) In accordance with the provisions of CGS §22a-354a et seq., and the Town of Ledyard Ordinance 95, the Planning and Zoning Commission is designated as the Aquifer Protection Agency (the "Agency") of the Town of Ledyard. The staff of the Commission shall serve as the staff of the Agency.
- (2) Members of the Commission shall serve coexisting terms on the Agency. The membership requirements of the Agency shall be the same as those of the Commission including, but not limited to the number of members, terms, method of selection and removal of members, and filling of vacancies.
- (3) At least one (1) member of the Agency or staff shall complete the course in technical training formulated by the Commissioner of Energy and Environmental Protection (DEEP) of the State of Connecticut, pursuant to CGS 22a-354V.

B. Adoption of Regulations:

- (1) The Agency shall adopt regulations in accordance with CGS §22a-354p and Regulations of Connecticut State Agency (RCSA) §22a-354i-3, which shall provide for:
 - (a) The manner in which boundaries of aquifer protection areas shall be established and amended or changed.
 - (b) Procedures for the regulation of activity within the area.
 - (c) The form for an application to conduct regulated activities within the area.
 - (d) Notice and publication requirements.
 - (e) Criteria and procedures for the review of applications.
 - (f) Administration and enforcement.

C. Inventory of land use:

- (1) In order to carry out the purposes of the Aquifer Protection Program, the Agency will conduct an inventory of land use to assess potential contamination sources.
- (2) Within and not to exceed three (3) months following the Commissioner's approval of Level A mapping of aquifers, the Agency shall inventory land use within and overlying the mapped zone of contribution and recharge areas of such mapped aquifers in accordance with guidelines established by the Commissioner pursuant to CGS 22a-354r. Such inventory shall be completed not more than one (1) year after the authorization of the Agency pursuant to CGS §22a-354e.

SECTION 15.0: ADMINISTRATION AND ENFORCEMENT

15.12 Fees

- A. Pursuant to CGS §8-1(c) and Town Ordinance #84, the Zoning Official shall establish a schedule of Zoning Fees for zoning review of residential and commercial building permits, site-plan reviews, special permits, change of use (permits), certificates of use and compliance, and all other zoning applications to reasonably defray the municipal costs of administering the State of Connecticut General Statutes and the Ledyard Zoning Regulations and publishing the public hearings and decisions of the Commission. The fee schedule may be amended from time to time.
- B. The Zoning Official shall not issue any permit, and the Commission shall take no final action, until the Zoning Official or his representative has received payment of applicable fees.
- C. No fee shall be charged for zoning applications for projects by or for the Town of Ledyard, or for permits for repair or replacement of owner-occupied single-family residential buildings that have been destroyed or damaged by fire, storm, or other casualty.

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS
5 Connecticut Avenue, Norwich, Connecticut 06360
(860) 889-2324/Fax: (860) 889-1222/Email: office@seccog.org

R E C E I V E D

JAN 18 2017

January 13, 2017

Mr. Joseph M. Larkin
Zoning & Wetlands Official
Town of Ledyard
741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

LAND USE DEPARTMENT

Dear Mr. Larkin,

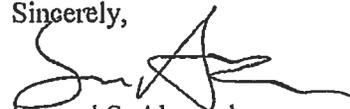
I am writing in response to proposed text revisions to the Zoning Regulations of the Town of Ledyard, and amendments to the town's Zoning Map, as referenced in your correspondence dated January 9, 2017. The proposed revisions and map amendments were referred to this agency under the provisions of Section 8-3b of the Connecticut General Statutes and received on January 12, 2017.

The proposed text revisions replace Section 2: Definitions; Section 6: Site Plans and Site Plan Review; Section 7: Special Permits; Section 8: Supplemental Regulations; Section 9: Signs; Section 10: Off-Street Parking and Loading; Section 11: Alternative Energy Systems; Section 12: Natural Resources; Section 13: Non-Conforming Uses, Structures, and Property; Section 14: Miscellaneous; and Section 15: Administration and Enforcement. The proposed text revisions and map amendments seek to clarify existing requirements of these sections, as well as establish an Incentive Housing overlay zone.

Based on a review of the material submitted, SCCOG staff concluded that the proposed text revisions and map amendments would not have a significant and adverse impact to adjoining municipalities or to the health and ecology of Long Island Sound.

If you have any question, please contact me at 860-889-2324.

Sincerely,

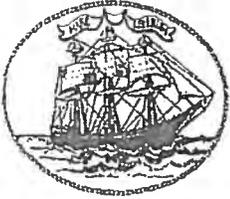


Samuel S. Alexander
Planner II

Member Municipalities:

Bozrah * Colchester * East Lyme * Franklin * Griswold * City of Groton * Town of Groton * Lebanon * Ledyard * Lisbon * Montville * New London * North Stonington * Norwich * Preston * Salem * Sprague * Stonington * Stonington Borough * Waterford * Windham

Ledyard Ref.



CITY OF NEW LONDON CONNECTICUT
 OFFICE OF DEVELOPMENT & PLANNING
 Planning, Zoning, & Wetlands Division

-ZONE MAP AMENDMENT-
 -APPLICATION-
 Planning & Zoning Commission-

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 CITY OF NEW LONDON
 OFFICE OF DEVELOPMENT & PLANNING

APPLICATION FEES \$360 + \$45 per Public Hearing Sign (one per parcel)

Applications and all supporting materials (18 COPIES/SETS OF EACH PLUS THE ORIGINAL) shall be submitted to the Office of Development and Planning at least eighteen (18) days prior to a regularly scheduled meeting in order to be received at that meeting.

Please be advised that this application will not be considered complete unless all of the information required on this form and in the regulations are submitted. The Commission will reject the proposal if the application or plans are incomplete.

1. Street Address(es) of Proposed Zone Map Change

** See attached list.

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 CITY OF NEW LONDON
 OFFICE OF DEVELOPMENT & PLANNING

2. Briefly describe the proposed Zone Map Amendment:

The proposed Map Amendment would change parcels that are currently zoned C-1, R-2 to LI-O. It is noted,

the subject parcels are contiguous to an existing LI-O zone, located along the Howard Street corridor (Shaw's Cove Office Park parcels) north of Hamilton Street. Further, it is noted that Parcel J located at the corner of Bank & Howard Street was zoned LI-O at one time.

3. Tax Map/Block/Lot Lot Area Zoning District

**See attached list for this information

4. Is the property located within 500 feet of the City Line? o YES x NO

5. Is any portion of the site within the Coastal Area Management Boundary? x YES o NO

* It is noted that a CAM application is not required. The current C-1, R-2 zones permit residential uses already, as well as the intended LI-O zone. CAM applications will be required as part of future site plan submissions.

6. Attach a letter addressed to the Planning and Zoning Commission that thoroughly describes the purpose of the Zone Map Amendment.

7. The following information should also be included:

- o Location map (500' scale) ATTACHED
- o A map showing the current zone & the proposed zone ATTACHED

New London Ref.
 2/16/17 P.H.



CITY OF NEW LONDON
CONNECTICUT
OFFICE OF DEVELOPMENT & PLANNING
Planning, Zoning, & Wetlands Division

111 Union Street
New London CT 06320
(860) 437-6379
(860) 437-4467 FAX

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Debra J. MacLaws
TOWN CLERK GROTON, CONN

CERTIFIED MAIL / RETURNED RECEIPT
ARTICLE # 7011-2000-0000-9069-0104

January 10, 2017

Ms. Barbara Tarbox
Town Clerk
Town of Groton
45 Fort Hill Road
Groton, CT 06340

**Re: *Application of Renaissance City Development Association
Zone Map Amendment
Specific parcels as outlined below***

Dear Ms. Tarbox:

Attached is an application for a Zone Map amendment to allow the zoning designation of 160 Shaw Street (Map F16/Block 101/Lot 51), Change from R-2 to LI-O Zone; Parcel J (Map F14/Block 110/ Lot 1.00/6), Parcel 5C-1 (Map F16/ Block 101/ Lot 5C-1) ,5C(Map F15/ Block 101/ Lot 5C-2), 197 and 203 Howard Street (Map F16/ Block 101/ Lots 22,23); 1, 11-13, 15-17 and 19-21 Hamilton Street (Map F15/ Block 101/ Lots 2,2R,3,4), 154 and 158 Shaw Street(Map F15/ Block 101/Lots 52, 54)), Change from R-2 to LI-O Zone.

Per the Connecticut General Statutes, , I am referring said application to the Town of Groton for any questions or comments you may have.

The public hearing for this application is scheduled for Thursday, February 16, 2017 at 7:00 p.m. in the City Council Chambers, City Hall, 3rd Floor, 181 State Street, New London, CT 06320

Sincerely,

Shelly Briscoe

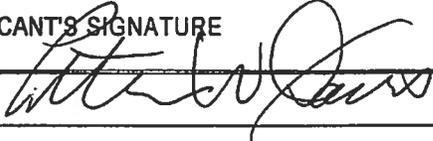
Shelly Briscoe
Land Use Coordinator

The undersigned hereby acknowledges that this application and statements submitted herewith are true to the best of his/her knowledge and conform to the Zoning Regulations of the City of New London and that approval of the plan is contingent upon compliance with all requirements of said regulations. The undersigned hereby authorizes the New London Planning & Zoning Commission and its agents, the right to enter upon the subject property for the purpose of inspection and enforcement of the Zoning and Subdivision Regulations. ~~ALL NAMES MUST BE PRINTED AND SIGNED.~~

APPLICANT (PRINT) / *If a Corporation - Please Print Name of Member Representing Corporation*
RENAISSANCE CITY DEVELOPMENT ASSOCIATION - PETER W. DAVIS
EXECUTIVE DIRECTOR

MAILING ADDRESS 216 HOWARD STREET EMAIL ADDRESS PDAVIS@RCDA.CO

TOWN/CITY NEW LONDON STATE CT ZIP 06320 PHONE NUMBER 860-917-5283

APPLICANT'S SIGNATURE  DATE 12/23/16

AGENT (PRINT)
PETER W. DAVIS PDAVIS@RCDA.CO

MAILING ADDRESS 216 HOWARD STREET EMAIL ADDRESS _____

TOWN/CITY NEW LONDON STATE CT ZIP 06320 PHONE NUMBER 860-917-5283

AGENT'S SIGNATURE  DATE 12/23/16

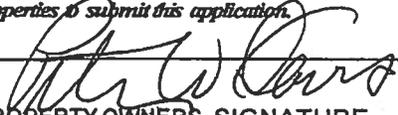
PROPERTY OWNER (PRINT)
* SEE ATTACHED LIST OF PROPERTY OWNERS AND SUPPORTING LETTER

MAILING ADDRESS SEE ATTACHED LIST EMAIL ADDRESS SEE ATTACHED LIST

TOWN/CITY SEE ATTACHED LIST STATE ZIP _____ PHONE NUMBER _____

PROPERTY OWNERS SIGNATURE SEE LETTERS OF SUPPORT ATTACHED DATE 12/23/16

Upon penalty of perjury, I represent by this signature that I have the consent, authority and agreement of all other owners of the involved properties to submit this application.


 PROPERTY OWNERS SIGNATURE _____ DATE _____

Upon penalty of perjury, I represent by this signature that I have the consent, authority and agreement of all other owners of the involved properties to submit this application.

N.L. Ref.

ERIC R. HAMBURG

December 19, 2016

New London Planning and Zoning Division
Office of Development and Planning
City Hall, 2nd Floor
181 State Street
New London, CT 06320

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TOWN CLERK, GASTON, CONN

Re: Support of the pending RCDA application for zoning map and text amendments relative to the "Howard Street Corridor"

To Whom It May Concern:

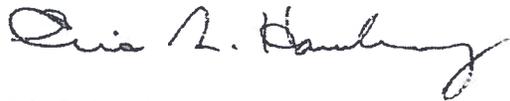
I fully support RCDA's proposed zone change and text amendment to modify and expand the LI-O district provided my properties are included in the proposed zone change.

Therefore I formally request and hereby grant authorization to include the following properties on Hamilton Street into the expanded district and text amendment:

- 1 Hamilton Street
- 11-13 Hamilton Street
- 15-17 Hamilton Street

The proposed zone change and text amendments will enable development of 11-13 Hamilton Street and 15-17 Hamilton Street to commence, so these currently vacant and underperforming properties can be developed into a vibrant and cohesive residential community that will significantly enhance the quality and value of the neighborhood.

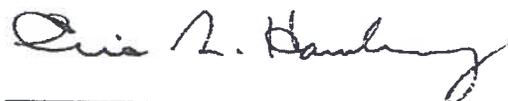
Very truly yours,



Eric R. Hamburg

And

1 Hamilton Street Residences, LLC

By: 

Eric R. Hamburg, Manager

JAMES T. CROWLEY

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PLANNING & ZONING OFFICE

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January 4, 2017

 *James T. Crowley*
CITY OF NEW LONDON, CONN

New London Planning and Zoning Division
Office of Development and Planning
City Hall, 2nd Floor
181 State Street
New London, CT 06320

Re: Support of the pending RCDA application for zoning map and text amendments relative to the "Howard Street Corridor"

To Whom It May Concern:

I fully support RCDA's proposed zone change and text amendment to modify and expand the LI-O district and wish that my properties are included in the proposed zone change.

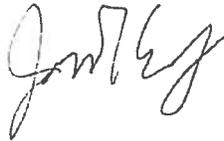
Therefore I formally request and hereby grant authorization to include the following properties on Shaw Street into the expanded district and text amendment:

- 154 Shaw Street- Owned by Kevin Crowley
- 158 Shaw Street- Owned by Deirdre Crowley
- 160 Shaw Street- Owned by Deirdre Crowley

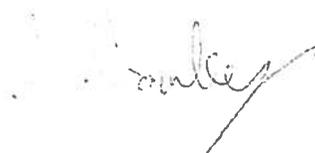
Thank you.

Very truly yours,

James T. Crowley



Deirdre Crowley



Kevin Crowley



N.L. Ref.

Yale
NewHaven

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January 6, 2017

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BRUCE D. CUMMINGS
TOWNSHIP OF NEWTON, CONN

Linda Mariani
President, RCDA
216 Howard Street
New London, CT 06320

Re: Proposed Zoning Map Amendment - Howard Street Corridor

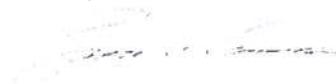
Dear President Mariani:

Lawrence + Memorial Hospital, Inc. is the owner of record for properties located at 197 and 203 Howard Street, which are included in the proposed zoning map amendment application submitted by the Renaissance City Development Association.

We are pleased to support the application and believe that the amendment will provide additional development opportunities that are currently not available under the existing C-1, General Commercial zoning designation.

It was a pleasure to meet with you and RCDA staff to discuss the details of the proposal, as well as our mutual interests in the community.

Sincerely,


Bruce D. Cummings, FACHE
President and CEO

Office of the President & CEO
365 Montauk Avenue
New London, CT 06320
Phone: 860-442-0711
Email: bcummings@lmhospa.org
lmhospital.org

Hammond, Ned

Subject: Cassidy Brown 19-21 Hamilton St

From: Peter Davis
Sent: Monday, January 09, 2017 9:56 AM
To: 'Kassidy Brown' <kassidyjbrown@gmail.com>
Subject: RE:

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William J. G. G. G. G.
TOWN OF NEW HAMMOND, CONN

Kassidy,

I just spoke with New Hammond, City Economic Development Director and in anticipation of your letter or email, we have added you to the application. I appreciate you participating in the effort and I believe it will be of benefit to you and the neighborhood. We will send notice of the hearing on February 16th. Attendance is optional. Thanks again !

Peter

From: Kassidy Brown [<mailto:kassidyjbrown@gmail.com>]
Sent: Friday, January 06, 2017 4:57 PM
To: Peter Davis <pdavis@rcda.co>
Subject: Re:

Peter,

I'm sorry for the delay. I mistakenly assumed my letter of support was optional. I assume I would have to petition separately now if interested?

Kassidy

On Jan 5, 2017, at 3:54 PM, Peter Davis <pdavis@rcda.co> wrote:

Hi Kassidy,

Just a follow up from the other day. Any chance you can drop the letter off by noon tomorrow? I have to submit by 2:00 to P&Z. If I do not have your letter, we will have to pull your parcel from the application. Call me if you have questions. Thanks –

Peter

N. L. Ref.



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December 23, 2016

Barbara J. MacKawher
TOWN CLERK, STONINGTON, CONN.

Barry Levine, Chairman

City of New London

Planning & Zoning Commission

Subject: Proposed Zone Map Amendment; C-1, General Commercial and R-2, Residential, to LI-O, Light Industrial-Office

Dear Chairman Levine and Members,

On behalf of the Renaissance City Development Association, (RCDA) and the City of New London Office of Development & Planning, we are pleased to submit the attached application for a Zone Map Amendment. The amendment proposes to change the current zoning designation of the subject parcels from C-1- "General Commercial" and R-2, Residential, to LI-O - "Light Industrial Office District".

The purpose of the amendment is to allow for additional flexibility and development opportunities that are not available under the current C-1, General Commercial and R-2, Residential zoning designations. The map amendment would also support more consistent land use decisions in the Howard Street corridor. Parcels in the Shaw's Cove Office Park, between Bank and Hamilton Street, are currently zoned LI-O. It is noted that Parcel J within the Shaw's Cove Office Park, was also zoned LI-O at one time.

In closing, we would submit that the proposed map amendment is consistent with the City of New London Plan of Conservation and Development. In Chapter 8, entitled, "Economic Development", the stated goal reads in part, "Encourage the growth of the local economy with the strength and diversity to increase/expand employment opportunities, the tax base and provide jobs." An additional economic development growth strategy is cited in Section 8.324, entitled, "Downtown Housing". The promotion of additional residential housing in the downtown, is noted as a component of the City's economic development strategy.

Thank you for your consideration of this matter.

Respectfully submitted,

Linda Mariani,

President, Renaissance City Development Association



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Betty Moskauer
TOWN OF FREDERICKTOWN, CONN

December 23, 2016

Barry Levine, Chairman
City of New London
Planning & Zoning Commission

Subject: *Waiver of fees; Proposed Zone Map and Regulation Amendment applications*

Dear Chairman Levine and Members,

On behalf of the Renaissance City Development Association, (RCDA) and the City of New London Office of Development & Planning, we are requesting that the fees be waived for the subject applications.

In accordance with our MOA, RCDA is acting as the City's economic development agent and has been charged with facilitating the application process. We have discussed this matter with ODP staff and concluded that the protocol of requesting the waiver should still be observed.

Thank you for your consideration of this matter.

Respectfully submitted,

Peter W. Davis, Executive Director

Renaissance City Development Association

N.L. Ref.



NEW LONDON'S DEVELOPMENT PARTNER

www.DevelopNewLondon.com

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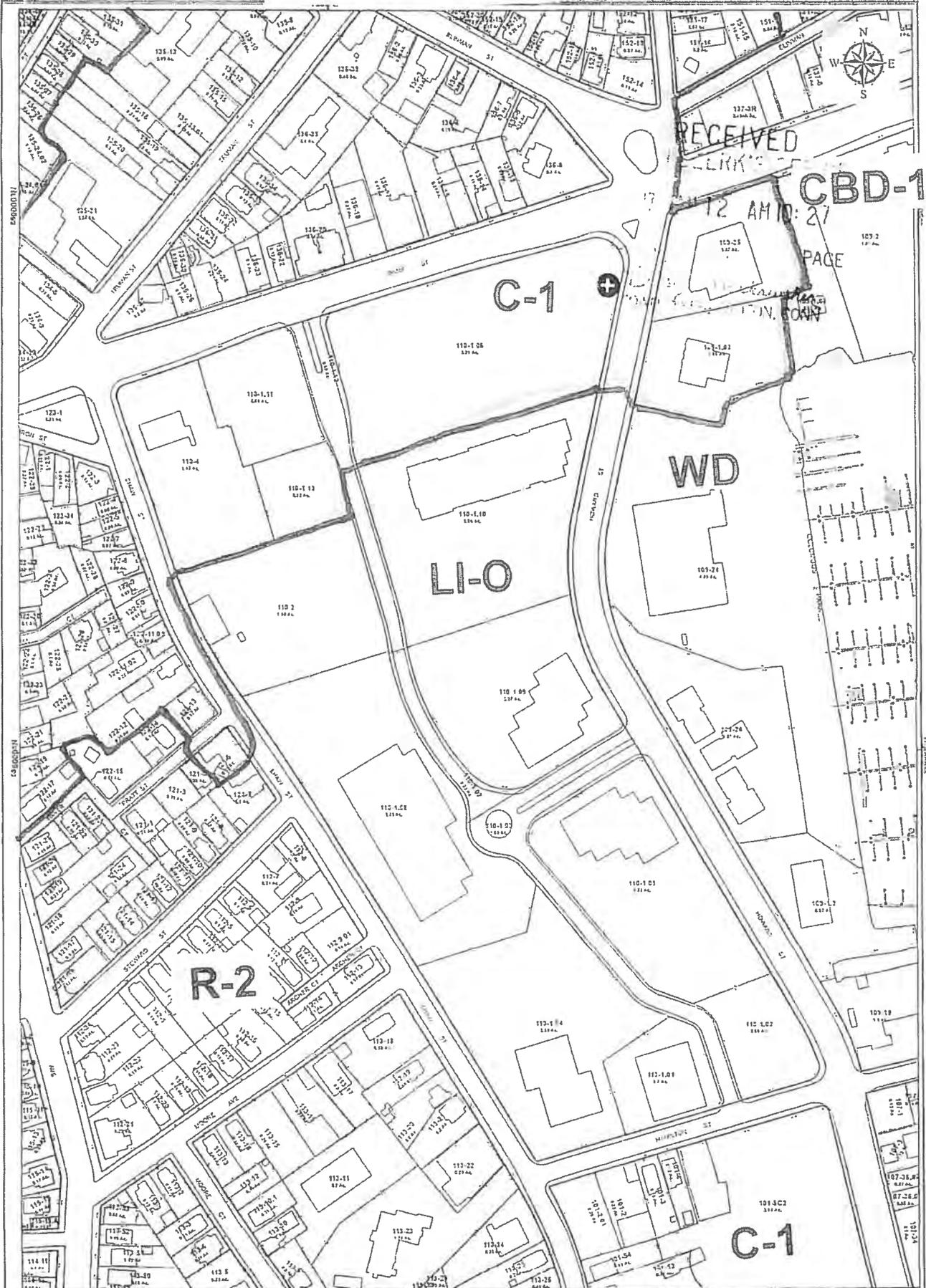
January 9, 2016

 *[Signature]*
TOWN CLERK, TOWN OF NEW LONDON, CONN.

LIST OF PROPERTIES ASSOCIATED WITH RCDA APPLICATION FOR PROPOSED ZONE MAP AMENDMENT
SOUTHWEST CORNER OF BANK & HOWARD STREET - SHAW STREET – HAMILTON STREET

1)	Parcel J @ Corner of Bank & Howard	M-F14	B-110	L-1.0/6	2.5 acres	C-1
2)	Parcel 5C-1 Howard Street	M-F16	B-101	L-5C1	2.7 acres	C-1
3)	Parcel 5C-2 Howard Street	M-F15	B-101	L-5C2	3.12 acres	C-1
4)	197 Howard Street	M-F16	B-101	L-22	0.27 acres	C-1
5)	203 Howard Street	M-F16	B-101	L-23	0.13 acres	C-1
6)	1 Hamilton Street	M-F15	B-101	L-2R	0.28 acres	C-1
7)	11-13 Hamilton Street	M-F15	B-101	L-2	0.24 acres	C-1
8)	15-17 Hamilton Street	M-F15	B-101	L-3	0.15 acres	C-1
9)	154 Shaw Street	M-F15	B-101	L-54	0.15 acres	C-1
10)	158 Shaw Street	M-F15	B-101	L-52	0.22 acres	C-1
11)	160 Shaw Street	M-F16	B-101	L-51	0.17 acres	R-2
12)	19-21 Hamilton Street	M-F15	B-101	L-4	0.12 acres	C-1

EXISTING ZONING DISTRICTS



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1:77600FE
 The City of New London, Connecticut, is a city of approximately 16,000 people. It is a coastal city with a rich history and a diverse economy. The city is known for its beautiful beaches, historic architecture, and vibrant community. The city is also home to several major employers, including the United States Coast Guard and the Naval Air Station.

CITY OF NEW LONDON
 EXISTING ZONING DISTRICT

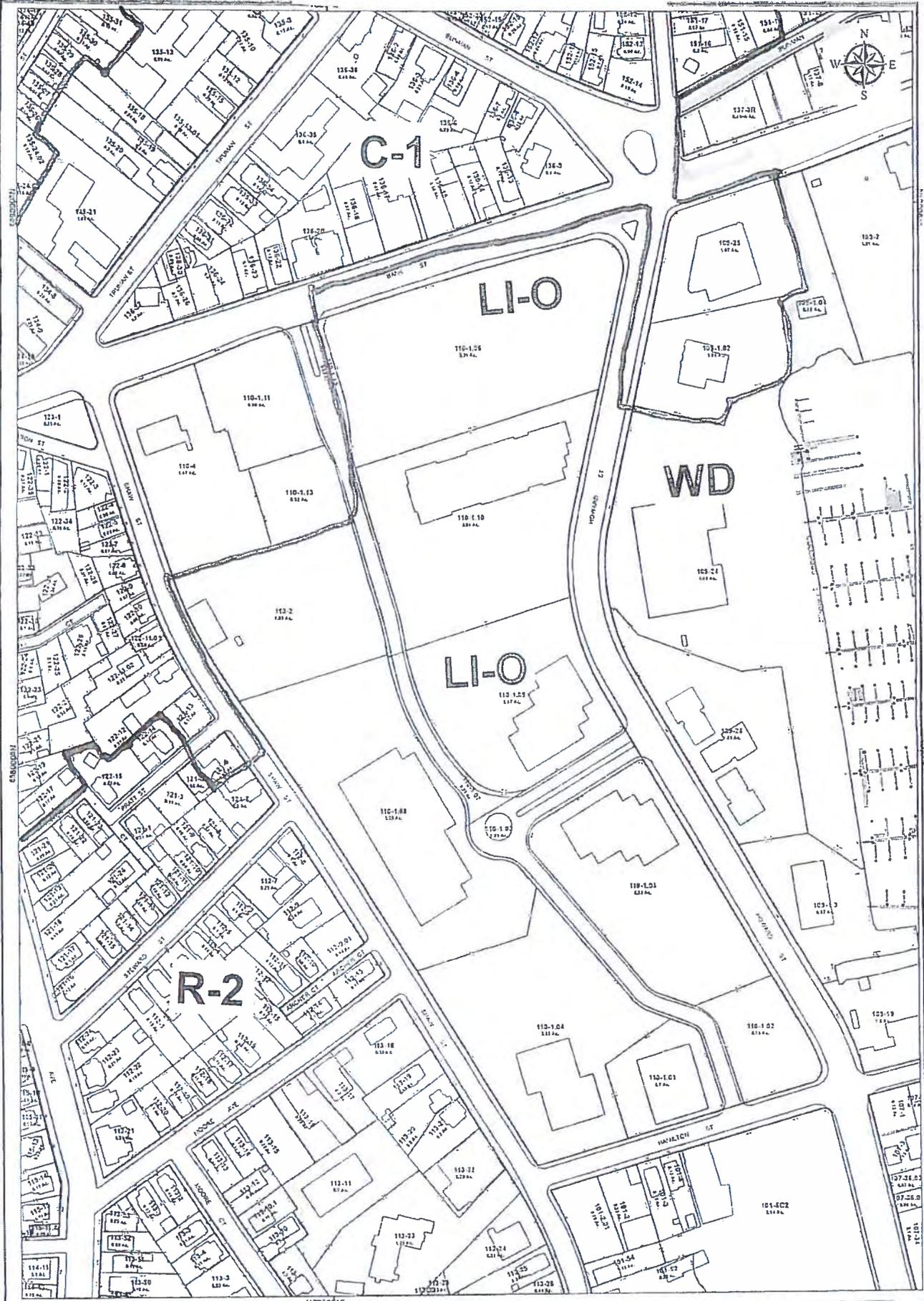
C-1	LI-O
R-2	WD

LEGEND

Symbol	Description
○	City Center
□	Commercial Center
△	Industrial Office
◇	Warehouse District
○	Residential Medium Density

N.L. Ref.

PROPOSED ZONING DISTRICT



Platting and zoning laws administered by the Planning Department and the Board of Planning and Zoning. This map is a preliminary map and is subject to change without notice. The City of New London, Connecticut, is not responsible for any errors or omissions in this map. The City of New London, Connecticut, is not responsible for any errors or omissions in this map. The City of New London, Connecticut, is not responsible for any errors or omissions in this map.

CITY OF NEW LONDON

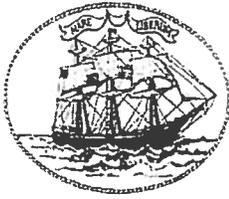
PROPOSED ZONING DISTRICTS

100-1105	1105
110	110
110	111

LEGEND	
	City of New London
	Planning Department
	Board of Planning and Zoning
	City of New London
	Planning Department
	Board of Planning and Zoning



December 2018



CITY OF NEW LONDON
CONNECTICUT
OFFICE OF DEVELOPMENT & PLANNING
Planning, Zoning, & Wetlands Division

111 Union Street
New London CT 06320
(860) 437-6379
(860) 437-4467 FAX

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Betsey Parkhauser
TOWN CLERK GROTON, CONN

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January 10, 2017

Ms. Barbara Tarbox
Town Clerk
Town of Groton
45 Fort Hill Road
Groton, CT 06340

Re: *Application of Renaissance City Development Association
Zone Regulation Amendment
Public Hearing- Planning & Zoning Commission – February 16, 2017*

Dear Ms. Tarbox:

We are currently in receipt of an application for a Zone Regulation Amendment application submitted by Renaissance City Development Association to modify Section 560 (LI-O, Light Industrial Office District) of the Zoning Regulations for the City of New London.

Per the Connecticut General Statutes, I am referring said application to the Town of Groton for any questions or comments you may have.

The public hearing is scheduled for Thursday, February 16, 2017 at 7:00 p.m. in the City Hall Council Chambers, 181 State Street, New London, CT 06320.

If you have any questions or comments please feel free to contact Michelle Scovish, Assistant Planner or myself at 437-6379.

Sincerely,

Shelly Briscoe

Shelly Briscoe
Land Use Assistant

Enclosure

N.L. Ref.
2/16/17 P.H.



December 23, 2016

Barry Levine, Chairman
City of New London
Planning & Zoning Commission

Subject: Proposed Zoning Text Amendment; LI-O zone

Dear Chairman Levine and Members,

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On behalf of the Renaissance City Development Association, (RCDA) and the City of New London Office of Development & Planning, we are pleased to submit the attached application for a Zoning Regulation Amendment. The proposed amendment is relative to Section 560 entitled, "LI-O – Light Industrial Office District". The general basis for the proposed amendments, is to allow for increased residential densities consistent with Transit Oriented Development and Smart Growth and to allow flexibility in the permitted uses.

Transit Oriented Development (TOD) and Smart Growth principles and practices are supportive of development policies that provide a greater choice of transportation and housing within communities and facilitate infill and redevelopment/reinvestment. In part, implementing regulations that support TOD and Smart Growth create opportunities to leverage market rate housing choices, increase housing densities, facilitate population growth proximate to major employment centers, enhance pedestrian based infrastructure and increase access to alternate means of transportation.

We would submit, that the proposed text modifications to the LI-O zoning district are minor in nature. It is noted, that the LI-O zone currently permits residential development at the R-4 Multi-family- Office-High Density District, at one residential unit per 1,000 square feet of lot area. The primary change would be permitting a stand-alone residential project, as opposed to the current limitation that requires some percentage of commercial occupancy, in conjunction with the proposed residential use. This change to Section 560.2 (10) would provide complete flexibility within the LI-O zoning district. Allowing proposed developments to consist of either stand-alone residential, stand-alone commercial or mixed use residential/commercial, reflecting existing or future markets.



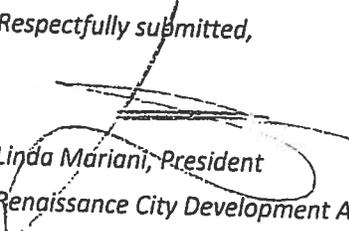
NEW LONDON'S DEVELOPMENT PARTNER

Proposed amendments to Section 560.4 entitled, "Lot and Bulk Requirements", are also minor in nature in that they reflect the current setbacks/yards permitted in the C-1 district. Maximum height would be based upon the number of "stories", instead of a numerical calculation based on average grade surrounding the structure. The number of "stories" is more easily defined as the open area between the floor and ceiling and would allow for a wider variety of interior design choices in the unit. Maximum lot coverage would increase from 40 to 80 percent, also consistent with the C-1 district.

In closing, we would reiterate that the proposed modifications do not add any uses that are not currently permitted in the LI-O zone district. The residential density calculation also remains the same. The primary purpose of the proposed modifications, are to permit additional flexibility in choosing the nature of the proposed development. Choices that should be based on market conditions and current and future opportunities to support Transit Oriented Development and Smart growth principles and practices.

Thank you for your consideration of this matter.

Respectfully submitted,


Linda Mariani, President
Renaissance City Development Association

N.L. Ref.
2/16/17



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Robert M. Lauder
TOWN CLERK, BROTON, CONN

December 23, 2016

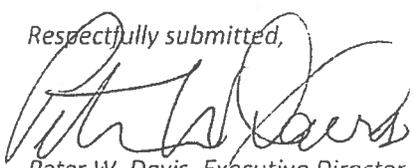
Barry Levine, Chairman
City of New London
Planning & Zoning Commission

Subject: Waiver of fees; Proposed Zone Map and Regulation Amendment applications

Dear Chairman Levine and Members,
On behalf of the Renaissance City Development Association, (RCDA) and the City of New London Office of Development & Planning, we are requesting that the fees be waived for the subject applications.

In accordance with our MOA, RCDA is acting as the City's economic development agent and has been charged with facilitating the application process. We have discussed this matter with ODP staff and concluded that the protocol of requesting the waiver should still be observed.

Thank you for your consideration of this matter.

Respectfully submitted,

Peter W. Davis, Executive Director
Renaissance City Development Association



CITY OF NEW LONDON
CONNECTICUT
OFFICE OF DEVELOPMENT & PLANNING
Planning, Zoning, & Wetlands Division

181 State Street
New London CT
06320

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(860) 437-4467 FAX
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**-ZONE REGULATION AMENDMENT-
-APPLICATION-**
Planning & Zoning Commission-

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B. J. ...
APPLICATION FEE \$360.00
NEW LONDON, CONN

Applications and all supporting materials (~~18 COPIES/SETS OF EACH PLUS THE ORIGINAL~~) shall be submitted to the Office of Development and Planning at least eighteen (18) days prior to a regularly scheduled meeting in order to be received at that meeting.

Please be advised that this application will not be considered complete unless all of the information required on this form and in the regulations are submitted. The Commission will reject the proposal if the application is incomplete.

1. Briefly describe the proposed Zone Regulation Amendment
Amendment of LI-O, Light Industrial- Office zone regulation; Section 560

The proposed amendment would allow for either stand-alone residential, or commercial, or mixed use/commercial residential, consistent with Smart Growth and Transit Oriented Development principles and practices. The current regulation is restrictive. It does not allow flexibility, relative to the percentage of commercial development/floor area. Requiring a set percentage of commercial space, that is not reflective of markets, does not support the efforts of the City to maximize the economic value of a potential projects and address community and regional needs.

The attached cover letter explains the proposed amendments in more detail.

2. Attach a letter addressed to the Planning & Zoning Commission that describes the purpose of the zone text amendment.

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The undersigned hereby acknowledges that this application and statements submitted herewith are true. ALL NAMES MUST BE PRINTED AND SIGNED.

Renaissance City Development Association, Inc. Peter W. Davis, Executive Director
APPLICANT (PRINT) / *If a Corporation - Please Print Name of Member Representing Corporation*

216 Howard Street PDavis@RCDA.co
ADDRESS EMAIL

New London CT 06320 (860) 917-5283
TOWN/CITY ZIP PHONE NUMBER

Peter W. Davis 12/23/16
APPLICANT'S SIGNATURE DATE

Peter W. Davis
AGENT

216 Howard St PDavis@RCDA.co

New London CT 06320 PHONE NUMBER 860-917-5283

Peter W. Davis 12/23/16
AGENT'S SIGNATURE DATE

ERIC R. HAMBURG

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December 19, 2016

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New London Planning and Zoning Division
Office of Development and Planning
City Hall, 2nd Floor
181 State Street
New London, CT 06320

PAGE

 *William Mastawski*
TOWN OF NEW LONDON, CONN

Re: Support of the pending RCDA application for zoning map and text amendments relative to the "Howard Street Corridor"

To Whom It May Concern:

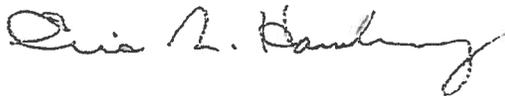
I fully support RCDA's proposed zone change and text amendment to modify and expand the LI-O district provided my properties are included in the proposed zone change.

Therefore I formally request and hereby grant authorization to include the following properties on Hamilton Street into the expanded district and text amendment:

- 1 Hamilton Street
- 11-13 Hamilton Street
- 15-17 Hamilton Street

The proposed zone change and text amendments will enable development of 11-13 Hamilton Street and 15-17 Hamilton Street to commence, so these currently vacant and underperforming properties can be developed into a vibrant and cohesive residential community that will significantly enhance the quality and value of the neighborhood.

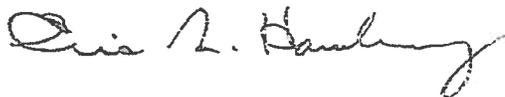
Very truly yours,



Eric R. Hamburg

And

1 Hamilton Street Residences, LLC



By: _____
Eric R. Hamburg, Manager

1852 HILLSIDE ROAD • FAIRFIELD, CONNECTICUT • 06824
CELL (203) 209-5972 • OFFICE (203) 254-7420 • FAX (203) 254-8669
E-MAIL EHAMBURG@INDREN.COM

N.L. Ref.

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Proposed text – italicized and yellow

Section 560 LJ.O - Light Industrial Office District

(Amended 11/15/98)

560.1 Purpose of District. To provide areas for a wide range of industrial office and research activity that conforms to a high level of performance standards, that can be located in close proximity to residential, institutional, and commercial areas without objectionable influence, and that can serve as a buffer in some cases between more objectionable industrial activities and residential and/or certain commercial areas, *and to allow for increased residential densities consistent with Transit Oriented Development and Smart growth principles and practices.*

560.1a Permitted Uses. The following uses are permitted by right:

- 1) Home Based Businesses in accordance with Article IV, Section 400.2 (2) and Article V, Section 500.2 (7). *(Amended 12/21/12)*

560.2 Uses subject to issuance of a Special Use Permit by the Planning & Zoning Commission in accordance with Article VIII, Section 810 of this regulation:

- 1) Business and professional offices and office buildings.
- 2) Light manufacturing, fabrication, processing and assembly activities, provided that such activities are designed, constructed, and enclosed so that there will be no observable external evidence thereof other than loading and unloading functions which shall be fully screened from any adjacent R or NB district. Industrial uses involving primary production from raw materials, such as but not limited to asphalt, cement, charcoal, fuel briquettes, chemicals, and related products which may be dangerous, offensive, or create nuisances, and processes, whether or not related to such production, including but not limited to nitrating, milling, reduction, refining, melting, alloying and distillation shall be prohibited.
- 3) Research, design, and development laboratories.
- 4) Radio or television station studios including antenna.

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Barbara DeCoster
 TOWN CLERK, TOWN, CONN

- 5) Wholesale businesses, and building material storage and sale, but excluding storage of coal, coke, fuel oil, gravel, sand, loam, fill material or junk. ^{LI-0}
- 6) Retail stores and service businesses as part of a planned development. (*Amended 07/11/88*)
- 7) As a means of preserving existing housing stock and providing housing, residential uses may be permitted in accordance with requirements of the R-1A district. (*Amended 4/26/85*)
- 8) Parking facilities. (*Amended 06/04/85*)
- 9) Institutions for high learning, business, vocational, and training schools, including colleges, universities, junior colleges, business, banking, business management, secretarial and office service schools, computer and data processing schools, art and drafting schools, barber, beauty, and cosmetology schools, commercial or non-commercial food preparation schools, photography schools, schools for training in the martial arts, dancing, gymnastics, and music, and schools for fashion design; subject to the following requirements:
- (a) The curriculum shall satisfy the requirements of the Connecticut State Department of Education.
 - (b) Where such use is on a parcel that adjoins any R district, no music or noise shall be audible in such districts.
- 10) Residential uses subject to the density restrictions and requirements of the R-4 Multi-family Office - High Density District **{subject to the following requirements:}** *in either stand-alone residential or mixed use commercial/residential buildings*
- {(a) That the residential uses be a part of a mixed use development containing at least 60% of the total project gross building square footage in a use permitted by right within the LI-0 Light Industrial Office District. (*Amended 11/21/88*)}**
- 11) Self-Service Storage Facility subject to the following conditions: (*Amended 09/25/01*)
- (a) No commercial, wholesale or retail sales or miscellaneous garage sales,
 - (b) No outside storage.
 - (c) No operations of power tools, spray painting equipment, refrigerators, or other similar equipment or appliances.
 - (d) No use that is noxious or offensive because of odors, dust, noise, fumes or vibrations,
 - (e) No service, sales, repairs or fabrications of motor vehicles, trailers or other similar equipment, appliances, or machinery.
 - (f) No storage of hazardous materials or flammable chemicals,

N.L. Ref.

- (g) If a travel isle between storage units is provided, the isle must be a minimum of 24 feet in width.
 - (h) The facility must be completely enclosed by fencing a minimum height of six (6), feet of material to be determined at the discretion of the Commission. Additionally, the site must be appropriately landscaped to effectively screen the activity from neighboring uses and comply with Section 614 C 13) of the City of New London's Zoning Regulations
 - (i) The minimum required lot size is one acre or 40,000 square feet.
 - (j) Access to the facility is limited to normal hours of operation, as determined by the Commission.
 - (k) Parking shall be required per Section 614 B 1). The minimum number of parking spaces for employees shall be four (4).
- 12) Additions and expansions of facilities in existence as of the effective date of this regulation for out of school and after school programs for children including customary programs providing recreation, tutoring and instructing in the performing arts and other subjects, subject to the following requirements: *(Amended 03/11/05)*
- (a) The applicant shall obtain all applicable licenses, certifications, or approvals that may be required by Federal, State or Local law;
 - (b) The existing facility shall have a minimum of eighty thousand (80,000) square feet of land area;
 - (c) Any addition or expansion of this use shall be limited to the land area owned by the applicant on the effective date of this regulation.

560.3 Accessory Uses

- 1) Off-street parking and loading.
- 2) Garden houses; greenhouses.
- 3) Signs, subject to the requirements of Article VI, Section 615 of this regulation.
- 4) Fully enclosed storage.
- 5) Cafeteria and recreation facilities for use of employees or clientele.
- 6) Public utility installations.
- 7) Accessory uses customary or incidental to a permitted use.

- 8) Keeping of animals according to Section 622 A. *(Amended 08/10/12)*

560.4 Lot and Bulk Requirements

- 1) Minimum required lot area - 20,000 square feet.
- 2) Minimum lot width - 150 feet.
- 3) Minimum required lot frontage - 100 feet.
- 4) Minimum required yards:

Front - {25} 10 feet
 Side- {25} 6 feet
 Rear- {25} 10 feet

Except as otherwise provided, where a lot in any LI-O district adjoins any R or NB district, a landscaped buffer of at least 20 feet in width shall be provided along the property line in accordance with the provisions of Article VI, section 603.

- 5) Maximum height - {50 feet} 7 stories, except the maximum height may be increased by special permit, provided that parking is created under, within, or on top of the structure, or the commission finds that the parking requirements are substantially exceeded in some other manner of off-street parking. *(Amended 12/05/88)*
- 6) Maximum lot coverage - {40} 80 percent.

560.5 Off-Street Parking and Loading

Off-street parking and loading spaces shall be provided for each lot within this district in accordance with the provisions of Article VI, Section 614 of these regulations.

PC Agenda
1/24/17



TIER 1 EIS

Tier 1 Final EIS

Volume I

Volume II

-- Jump to section --

-- Jump to section --

The FRA has prepared this Tier 1 Final Environmental Impact Statement (Tier 1 Final EIS) in compliance with the National Environmental Policy Act and other applicable laws and regulations. The Tier 1 Final EIS describes the Preferred Alternative identified for NEC FUTURE and evaluates its service characteristics and effects on the built and natural environment. It also provides responses to the comments received on the Tier 1 Draft EIS during the public comment period, and provides corrections to the Tier 1 Draft EIS in response to comments received.

30-Day Waiting Period

The FRA will hold a 30-day waiting period after release of the Tier 1 Final EIS, ending on January 31, 2017. This waiting period allows the public to review and provide feedback on the Preferred Alternative and the contents of the Tier 1 Final EIS. This is not a formal comment period and the FRA will not respond to individual comments as was required for the Tier 1 Draft EIS. The FRA will consider feedback on the Preferred Alternative received during the waiting period and then identify an alternative, referred to as the Selected Alternative, in the Record of Decision (ROD). The Selected Alternative documented in the ROD may or may not be the same as the Preferred Alternative described in this Tier 1 Final EIS. The FRA will also prepare a Service Development Plan for the Selected Alternative.

Organization of the Tier 1 Final EIS



FRA's responses to those comments.

Volume 2 contains the entire Tier 1 Draft EIS that the FRA released in November 2015, with updates in response to the input received during the public comment period. Updates include clarifications and errata-style edits. At the beginning of each chapter and appendix for Volume 2, an errata sheet is included that either identifies the changes that have been made to that chapter or notes that no changes were made.

How to Access the Tier 1 Final EIS

Volumes 1 and 2 of the Tier 1 Final EIS and appendices are available for download at the links below, along with a brochure providing the highlights of the Preferred Alternative. Hard copies of Volume 1 of the Tier 1 Final EIS as well as Appendix AA (Mapping Atlas) and Appendix GG (Programmatic Agreement) are available at public libraries along the NEC.

[View list of libraries displaying a hard copy of the Tier 1 Final EIS](#)

[View the Highlights brochure](#) [Download as PDF](#)

Volume 1: Chapters

- [Cover, Title Signature Pages](#) [View as PDF](#) [View as web page](#)
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- [1. Introduction](#) [View as PDF](#) [View as web page](#)
Answers common questions about the Tier 1 Final EIS and explains how the document can be used in the future
- [2. Readers' Guide](#) [View as PDF](#) [View as web page](#)
Familiarizes the reader with the document and defines key concepts, methodologies, and terminologies used in the environmental analysis



representative service characteristics, Representative Route, and rationale for the Preferred Alternative

- **5. Transportation** [View as PDF](#) [View as web page](#)
 Analyzes regional and local effects of the No Action Alternative and Preferred Alternative on the multimodal transportation network, including changes in mode of travel, volume of travel, and services offered
- **6. Economic Effects and Growth, and Indirect Effects** [View as PDF](#) [View as web page](#)
 Analyzes direct and indirect economic and induced growth effects of the No Action Alternative and Preferred Alternative, including employment, construction activity, monetized total values for transportation effects, and long-term market effects
- **7. Affected Environment, Environmental Consequences, and Mitigation**
 Analyzes existing conditions and potential effects of the No Action Alternative and Preferred Alternative on the built and natural environments
[Select to unroll/roll up sub-chapters for Chapter 7](#)
- **8. Construction Effects** [View as PDF](#) [View as web page](#)
 Presents an overview of the potential construction activities associated with the Preferred Alternative and related short-term effects associated with those activities
- **9. Evaluation of the Preferred Alternative** [View as PDF](#) [View as web page](#)
 Compares the Preferred Alternative to the No Action Alternative based on a range of metrics to evaluate how well they perform relative to service, operations, ridership, economic benefits, environmental effects, and other evaluation criteria
- **10. Phasing and Implementation** [View as PDF](#) [View as web page](#)
 Describes the process to work with stakeholders to define the Initial Phase for the alternative that FRA ultimately selects in the Record of Decision
- **11. Agency and Public Involvement** [View as PDF](#) [View as web page](#)
 Summarizes agency and public involvement activities undertaken since publication of the Tier 1 Draft EIS and summarizes comments on the Tier 1 Draft EIS.
- **12. References** [View as PDF](#) [View as web page](#)
 Lists sources and references for the analysis and documentation presented
- **13. Glossary** [View as PDF](#) [View as web page](#)
 Explains terminology and acronyms used throughout this Tier 1 Final EIS
- **14. List of Preparers** [View as PDF](#) [View as web page](#)
 Identifies persons involved in the analysis and development of this Tier 1 Final EIS
-



VOLUME 1: APPENDICES

- **Appendix AA, Mapping Atlas of the Preferred Alternative View as PDF**

Presents maps from south to north and allows the reader to follow the Preferred Alternative along its Representative Route from Washington, D.C., to Boston and from New Haven through Hartford, CT, and to Springfield, MA, in relation to mapped resources. The atlas highlights areas where new infrastructure is proposed for the Preferred Alternative and coincides with the discussed mapped resources (Part 1). It also provides a separate map series that highlights the Representative Route construction types used for analytical purposes (Part 2).
- **Appendix BB, Technical Analysis on the Preferred Alternative View as PDF**

Provides the documentation that supports the deliberative process to identify the Preferred Alternative as presented in Chapter 4.
- **Appendix CC, Transportation Effects of the Preferred Alternative View as PDF**

Provides information on the representative stations used in the analysis presented in Chapter 5, Transportation. The analysis of transportation effects relies on the technical analysis of the Preferred Alternative presented in Appendix BB.
- **Appendix DD, Economic Effects of the Preferred Alternative View as PDF**

Provides the technical data that supports the economic effects and indirect effects analyses presented in Chapter 6.
- **Appendix EE, Environmental Resource Documentation for the Preferred Alternative**

Provides detailed documentation that supports Chapter 7. Each resource presented in Chapter 7 has its own corresponding section within Appendix EE; each of these sections is organized geographically for the existing NEC and Preferred Alternative to provide more-detailed information at the state and county level. Note that Appendix E of Volume 2 contains the original effects-assessment methodologies that describe how effects to the various resources in Chapter 7 were analyzed.

[Select to unroll/roll up sub-chapters for Appendix EE](#)
- **Appendix FF, Agency and Public Involvement View as PDF**

Provides supporting documentation for the agency and public involvement activities and resources described in Chapter 11. Specifically, the appendix includes information pertaining to various stakeholder engagements, briefings, and meetings undertaken since the publication of the Tier 1 Draft EIS, public hearings, and the distribution list for the Tier 1 Draft EIS. Materials produced prior to the Tier 1 Draft EIS are provided in Appendix F of Volume 2.



documentation includes a record of the coordination with State Historic Preservation Offices, the Advisory Council on Historic Preservation, and Government-to-Government Tribal coordination. It also provides the executed Programmatic Agreement for NEC FUTURE. Correspondence prior to the Tier 1 Draft EIS is provided in Volume 2, Appendix G.

[Select to unroll/roll up sub-chapters for Appendix GG](#)

- [Appendix HH, Preliminary Section 4\(f\) and Section 6\(f\) Resources View as PDF](#)
Documents the preliminary assessment and evaluation of resources protected under Section 4(f) of the U.S. Department of Transportation Act and Section 6(f) of the Land and Water Conservation Fund Act that were identified within the Affected Environment and that could be affected by the Preferred Alternative. Appendix HH does not represent a Section 4(f) Determination.
- [Appendix II, Endangered Species Act Correspondence View as PDF](#)
Provides the correspondence with the U.S. Fish and Wildlife Service and National Marine Fisheries Service related to the Endangered Species Act.
- [Appendix JJ, Comments and Responses View as PDF](#)
Provides all of the individual comments received on the Tier 1 Draft EIS and responses to those comments. An index to this appendix is provided in order to locate individual comments submitted by commenters.

Volume 2: Chapters

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Familiarizes the reader with the document and define key concepts, methodologies, and terminologies used in the environmental analysis



Draft EIS

- **5. Transportation** [View as PDF](#) [View Errata Sheet](#) [View as web page](#)
Analyzes regional and local effects of the No Action and Action Alternatives on the multimodal transportation network, including changes in mode of travel, volume of travel, and services offered
- **6. Economic Effects and Growth, and Indirect Effects** [View as PDF](#) [View Errata Sheet](#) [View as web page](#)
Analyzes direct and indirect economic and induced growth effects of the No Action and Action Alternatives, including employment, construction activity, monetized total values for transportation effects, and long-term market effects
- **7 Affected Environment, Environmental Consequences, and Mitigation**
Analyzes existing conditions and potential effects of the No Action and Action Alternatives on the built and natural environments
[Select to unroll/roll up sub-chapters for Volume 2, Chapter 7](#)
- **8. Construction Effects** [View as PDF](#) [View Errata Sheet](#) [View as web page](#)
Presents an overview of the potential construction activities associated with each of the Action Alternatives and related short-term effects associated with those activities
- **9. Evaluation of Alternatives** [View as PDF](#) [View Errata Sheet](#) [View as web page](#)
Compares the No Action and Action Alternatives based on a range of metrics to evaluate how well they perform relative to service, operations, ridership, economic benefits, environmental effects, and other evaluation criteria
- **10. Phasing and Implementation** [View as PDF](#) [View as web page](#)
Describes preliminary phasing plans and associated costs and benefits, as well as implementation opportunities and challenges, for each Action Alternative
- **11. Agency and Public Involvement** [View as PDF](#) [View as web page](#)
Summarizes agency and public involvement activities undertaken as part of the development of this Tier 1 Draft EIS
- **12. References** [View as PDF](#) [View as web page](#)
Lists sources and references for the analysis and documentation presented
- **13. Glossary** [View as PDF](#) [View as web page](#)
Explains terminology and acronyms used throughout this Tier 1 Draft EIS
- **14. List of Preparers** [View as PDF](#) [View as web page](#)
Identifies persons involved in the analysis and development of this Tier 1 Draft EIS



VOLUME 2: Appendices

- **Appendix A: Mapping Atlas View as PDF**
Presents maps of each Action Alternative from Washington, D.C., through New York City and into Boston in relation to mapped resources
- **Appendix B: Alternatives Documentation View as PDF**
Provides technical reports and memoranda that support the development of the Action Alternatives presented in Chapter 4
[Select to unroll/roll up sub-chapters for appendix B.01-B.09](#)
- **Appendix C: Transportation View as PDF**
Provides the effects-assessment methodology and technical data that support the transportation analysis presented in Chapter 5
- **Appendix D: Economic Effects View as PDF**
Provides the effects-assessment methodology and technical data that support the economic effects and indirect effects analysis presented in Chapter 6.
- **Appendix E: Environmental Resource Documentation**
Provides detailed documentation that supports Chapter 7. Each resource presented in Chapter 7 has its own corresponding section within Appendix E; each of these sections is organized geographically and by alternative to provide more detailed information at the state and county level.
[Select to unroll/roll up sub-chapters for Appendix E.01-E.20](#)
- **Appendix F: Agency and Public Involvement View as PDF**
Provides supporting documentation for the agency and public involvement described in Chapter 11
- **Appendix G: Section 106**
Provides documentation relevant to compliance with Section 106 of the National Historic Preservation Act and a draft Programmatic Agreement for public review and comment
 - Section 106 Documentation [View as PDF](#)
 - Section 106 Programmatic Agreement [View as PDF](#)
- **Appendix H: Preliminary Section 4(f) and Section 6(f) Evaluations View as PDF**
Documents the preliminary assessment and evaluation of Section 4(f) of the U.S. Department of Transportation Act and Section 6(f) of the Land and Water



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[Environmental Review Process](#)

[Purpose and Need](#)

[Alternatives Development](#)

[Tier 1 Draft EIS](#)

[Tier 1 Final EIS](#)

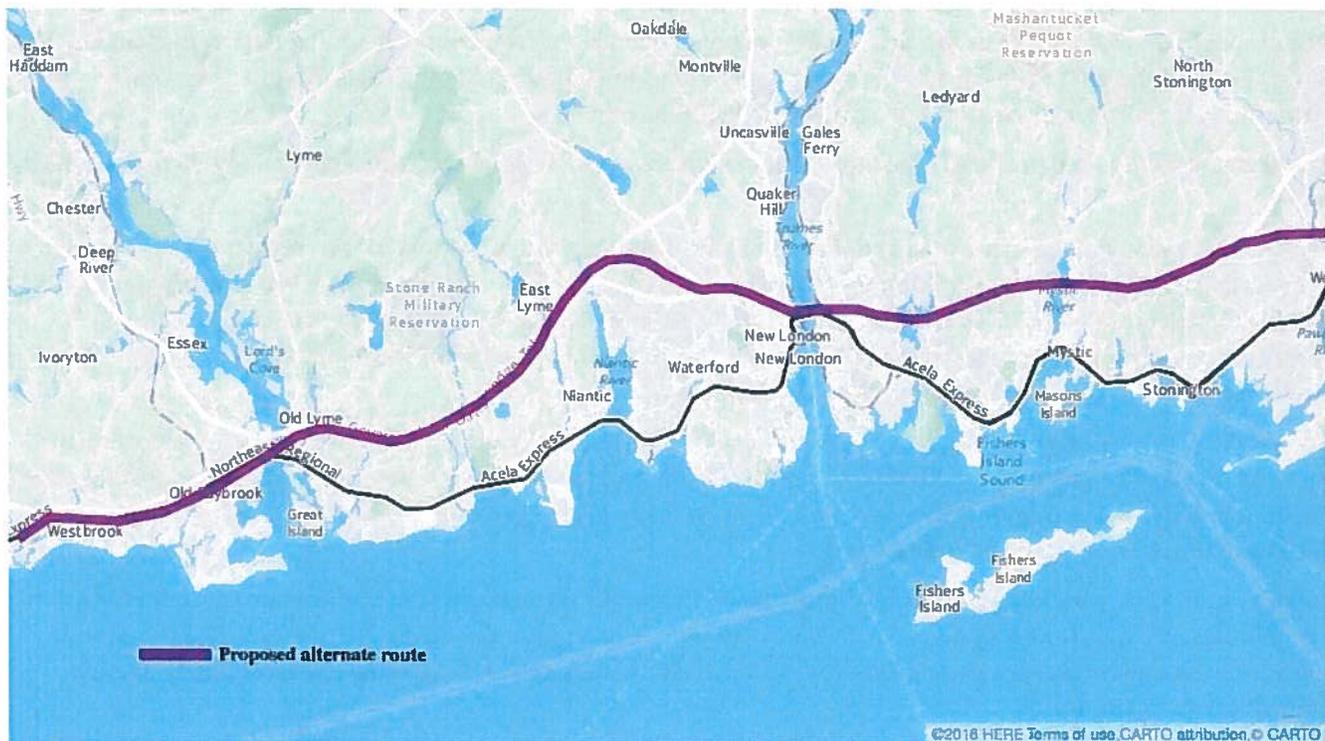
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Rail bypass included in 'preferred alternative' for future of Northeast Corridor



Proposed alternate Northeast Corridor rail line in southeastern Connecticut.

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The Federal Railroad Administration released Friday a recommendation for future investments in the Northeast Corridor that includes an Old Saybrook to Kenyon, R.I., rail bypass, through Old Lyme and the region — an announcement that was met with strong opposition from local and state officials.

The FRA said in the news release (http://www.necfuture.com/tier1_eis/feis/) announcing the preferred alternative for NEC FUTURE (<http://www.necfuture.com/>), a planning proposal for investments and capacity improvements along the 457-mile Northeast Corridor, that the recommendation represents "one step in the process."

The bypass wouldn't be able to move forward without agreement from state leadership, support from the Connecticut congressional delegation and significant funding. Local officials and residents have vocally opposed the plan (<http://www.theday.com/article/20160831/NWS01/160839816>).

"The FRA cannot take additional steps toward any changes to the corridor, including the portion of the corridor that runs along coastal Connecticut, without agreement from the state leadership of Connecticut, without support from the Connecticut congressional delegation and without significant funding for any work," the release states.

Gov. Dannel P. Malloy, Rep. Joe Courtney, D-2nd District, and Sens. Richard Blumenthal and Chris Murphy, both Conn., issued a joint statement Friday that they "will continue to do all we can do to remove this bypass from the final FRA plan in order to provide our communities with the certainty they deserve."

"Should the FRA continue in its pursuit of its proposed alignment, we will work to ensure that Connecticut exercises every tool at its disposal at the state and federal levels to stop any effort to move forward with this misguided plan," they said.

The proposed 50-mile Old Saybrook-Kenyon, R.I., segment would cross the Connecticut River in a tunnel under Old Saybrook and Old Lyme, according to the recommendation, which notes that the FRA is avoiding an aerial structure in the historic district of Old Lyme, due to local concerns.

The segment would then proceed in "a series of tunnels, trenches, and aerial structures parallel to I-95 through East Lyme."

"The new segment shifts northeast and continues a short distance parallel to I-395 in Waterford before crossing to the south of I-395 in tunnel and continuing east adjacent to I-95," according to the description. "The segment crosses the Thames River in New London, between the eastbound and westbound bridge spans of I-95 and continues on embankment or aerial structure parallel to I-95 through Groton and Stonington, crossing the Pawcatuck River north of the NEC into Westerly, Rhode Island."

The FRA said the rail segment will provide a redundant rail segment in southeastern Connecticut for a portion of the NEC that is most vulnerable to flooding." NEC FUTURE Program Manager Rebecca Reyes-Alicea said at a public meeting in Old Lyme in August that the tracks in the region are challenged by at-grade crossings, bridge chokepoints and their closeness to the water.

On Friday afternoon, a bipartisan group of local officials from Old Saybrook to Stonington, state legislators, U.S. Sen. Blumenthal, Rep. Courtney and state Department of Transportation Commissioner James P. Redeker stood together at a news conference at the Legislative Office Building in Hartford, next to the State Capitol, to express opposition to the bypass.

Many speakers called for upgrades to the existing line, rather than building a bypass, which legislators estimated would cost \$20 billion to build the tunnel portion alone.

Blumenthal, while lauding certain aspects of the FRA's recommendation, such as the Hartford-Springfield service and a commitment to rail infrastructure, called the FRA's continued adherence to the shoreline bypass concept "deeply troubling" and said the concept is "dead on arrival."

While eliminating "chokepoints" is a worthwhile goal, the proposed re-alignment imposes environmental, quality-of-life, financial and potentially historic costs, he said.

"It imposes costs that are intolerable, and I will fight it with every ounce of my energy and power in Washington, D.C.," he said. "But we know, as well, that it cannot be done without state of Connecticut, in the permits and rights of way that are necessary, so this concept or plan, just to reassure people in Connecticut, is simply not happening."

Old Lyme First Selectwoman Bonnie Reemsnyder said that even with a tunnel, officials still have "grave concerns" about the environment and historical preservation issues.

The mouth of the Connecticut River is one of the few in the world that is not industrialized and developed, she noted. She said residents are invested in the preservation of the environment, open space and history.

"They've given their time, their effort and their money to preserve what is best about our community," she said. "So, yes, we have been very vocal, but it's because we have something very precious to protect, and I'm glad to see my colleagues behind me supporting protecting Southeastern Connecticut from this."

State Sen. Paul Formica, R-East Lyme, and state Rep. Devin Carney, R-Old Lyme, announced that they were co-introducing legislation to prevent using state dollars to fund a plan that would negatively affect any Connecticut communities. Holly Cheeseman, the newly elected state representative for East Lyme and Salem, said she would support the legislation.

Courtney noted the role of the public grass-roots opposition in spurring a revision of the plan toward a tunnel, rather than an aerial structure, in the historic district of Old Lyme. But he said the tunnel raises other questions and hasn't been studied in depth, so officials would continue to "stay vigilant and use any lever that we possibly can, whether it's at the local, state or federal level."

Stonington First Selectman Rob Simmons, Old Saybrook First Selectman Carl Fortuna, New London Mayor Michael Passero also voiced their opposition during the news conference.

The FRA says the proposal emphasizes bringing the corridor to a state of good repair first. In addition to the bypass in Southeastern Connecticut, the preferred alternative "integrates direct service on the Hartford/Springfield Line into the NEC" and includes recommendations such as an intercity station at the Philadelphia International Airport, replacement of the Baltimore and Potomac tunnel, and two new tracks for tunnels under the Hudson and East Rivers to Penn Station in New York, according to a document on the recommendation.

The recommendation would reduce travel from New York City to Boston by 45 minutes and take off 35 minutes from New York City to Washington, D.C., according to the FRA.

"In order to keep moving forward, we need a new vision for the Northeast Corridor — a corridor that can move an ever-increasing population safer, faster and more reliably than before," Administrator Sarah E. Feinberg said in a statement. "We need a corridor that provides more options and more trains for commuters. One that allows for seamless travel between the nation's capital and New York, and New York and Providence and Boston. A corridor that provides streamlined connections between a city's airports and its city center. And a corridor that can efficiently and reliably serve a population that is growing quickly."

The FRA will hold a 30-day "waiting period" for public review of the recommendation, according to the NEC FUTURE website. The FRA said it will consider comments and then issue a Record of Decision with its selected alternative, followed by a Service Development Plan.

In a phone interview Friday, Gregory Stroud, the executive director of SECoast, took issue with the process of releasing the decision on a Friday nine days before Christmas and the precedent that would set for future infrastructure projects.

He also expressed concerns that an aerial structure in Old Lyme could be added back in at a later stage, if a tunnel was determined to not be feasible.

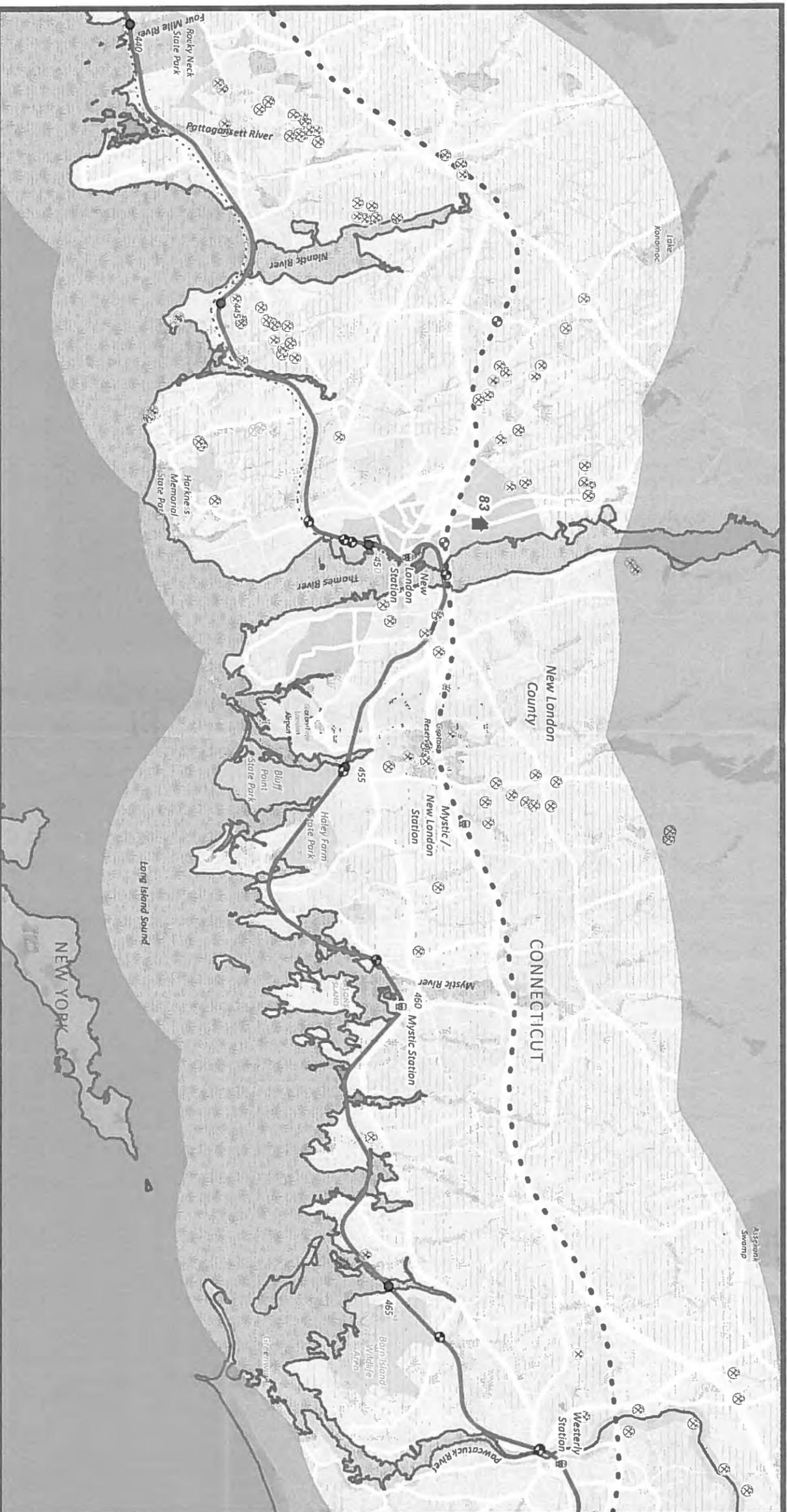
At the news conference, Redeker, the DOT commissioner, said the document released Friday represents the completion of the federal government's role in outlining a vision for the Northeast Corridor, but no project can move forward without a detailed, Tier II environmental impact review in partnership with the state where the project would occur.

He said the governor has been clear from the beginning that it is the existing railroad that needs investments, long before any new undertaking.

"We have needs that are immediate in the near term, and that really is our priority, and we want to invest in that," he said, adding that better rail service in southeastern Connecticut is important to the region.

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|------------------------------|-----------------------------|---------------------------------|--|--------------------------------|-------------------|-------------------|
| ● Milepost: NEC | ● Major Hub and Hub Station | ● Commuter Rail | ● Existing NEC + Hartford/Springfield Line | ● New Segment | ● County Boundary | ● State Boundary |
| ● Environmental Resource | ● Geologic Resource | ● Cultural Resource (and total) | ● Hazardous Material (H-P) | ● Stream | ● Water | ● Wetlands |
| ● Floodplain | ● Terrestrial ESH | ● Aquatic ESH | ● Parks and Recreation | ● EI - Minority and Low Income | ● EI - Minority | ● EI - Low Income |
| ● Airport (Large/Medium Hub) | | | | | | |

The location shown for new segments is illustrative and represents the information used to analyze effects of the new segment as part of the Tier 1 EIS process; the location of new segments will be determined in Tier 2 project studies.

Source of Data: NEC FUTURE, 2016

U.S. Department of Transportation Federal Railroad Administration

0 0.5 1 Mile

Map Sheet #19

RESOURCE CONCENTRATIONS

PREFERRED ALTERNATIVE

New London County, CT