

AGENDA
GROTON ZONING COMMISSION
SEPTEMBER 7, 2016 – 6:30 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 2

- I. ROLL CALL
- II. PUBLIC COMMUNICATIONS
- III. APPROVAL OF MINUTES
 - 1. July 6, 2016*
- IV. OLD BUSINESS
 - 1. Zoning Regulations Update*
 - a. WRPD Permitted Uses*
 - b. Definitions/Table of Permitted Uses*
- V. NEW BUSINESS
 - 1. Report of Commission
 - 2. Receipt of New Applications
- VI. REPORT OF CHAIRPERSON
- VII. REPORT OF STAFF
- VIII. ADJOURNMENT

* ENCLOSED

** Bring your notebooks

Next Regular Meeting: October 5, 2016

MINUTES
TOWN OF GROTON
ZONING COMMISSION
JULY 6, 2016 – 6:30 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Marquardt, Smith, Sutherland

Alternate members present:

Absent: Hudecek, Sayer

Staff present: Glemboski, Jones, Gilot

Chairperson Sutherland called the meeting to order at 6:30 p.m.

II. PUBLIC HEARING

1. Special Permit #349, 10 Water Street, PIN 261918306539, WDD Zone. Proposal is to convert 750 square feet of retail to a standard restaurant with up to 200 square feet of seating area. Review is per Sections 6.3 and 8.3 of the Zoning Regulations. (The Mystic Group at Mystic LLC, Owner; Melody Pere, Applicant)

Chairperson Sutherland read the legal notice.

Melody Pere, owner of Rise, 10 Water Street, Mystic, presented her application for a special permit. She proposes to convert a previous retail space into a full service restaurant. She detailed the location. The seating area will be over 100 square feet and thus requires a special permit. There will also be tables outdoors which will be used seasonally. The outdoor tables will be under an existing overhang and not in the right of way. The hours of operation initially will be 7 am to 3 pm, 7 days a week, with full breakfast and lunch service at this time. Three on-site parking spaces are allocated to the restaurant in a parking area behind the building, accessed through a driveway. At the suggestion of the commission, Ms. Pere may put signs up to direct customers to the parking. Small delivery vehicles will be able to access the building from the back parking area.

Staff said this was formerly a retail use, and the 750 ft. space will be converted into a full service restaurant. Staff noted that three parking spaces meet the 50% required per the Zoning Regulations. This allows for a maximum of 200 square feet of seating area. There is no outside work to be done on the site. The Fire Marshal, Building Official and Ledge Light Health District said all their requirements have been met for the site plan. The applicant will need to meet specific code requirements. Public Works requested an automatic grease recovery system in the kitchen. The front entrance will be modified to provide handicap access. Staff said the mailings were completed. The Planning Commission recommended approval of the special permit.

The Chair asked for comments from the public and there were none.

The public hearing was closed at 6:42 pm.

III. CONSIDERATION OF PUBLIC HEARINGS

1. Special Permit #349, 10 Water Street (The Mystic Group at Mystic LLC, Owner; Melody Pere, Applicant)

MOTION: To approve Special Permit #349, RISE, 10 Water Street, for a standard restaurant with a maximum of 200 square feet of seating area with the following findings:

The Commission finds that the restaurant use complies with the objectives of Section 6.3 of the Zoning Regulations in that it will enhance the unique qualities of Mystic, will preserve and enhance the historic features of the existing building, and is in keeping with the goals of the Plan of Conservation and Development.

The Commission also finds that this application complies with the special permit objectives in Section 8.3-8 of the Zoning Regulations in that it does not alter the essential characteristics of the Mystic area, does not cause traffic congestion or safety conflicts, does not conflict with the purposes of these regulations, and will reasonably minimize the potential environmental impacts on adjacent water bodies, including Long Island Sound.

Motion made by Smith, seconded by Marquardt. Motion passed unanimously.

IV. PUBLIC COMMUNICATIONS - None

V. APPROVAL OF THE MINUTES

1. May 4, 2016

MOTION: To accept the minutes of the meeting of May 4, 2016 as presented.

Motion made by Smith, seconded by Marquardt; motion passed unanimously.

2. May 23, 2016 Special Meeting

MOTION: To accept the minutes of the special meeting of May 23, 2016 as presented.

Motion made by Marquardt, seconded by Sutherland; motion passed unanimously.

3. June 1, 2016

MOTION: To accept the minutes of the meeting of June 1, 2016 as presented.

Motion made by Marquardt, seconded by Sutherland; motion passed unanimously.

VI. OLD BUSINESS

1. Zoning Regulations Update

a. WRPD Permitted Uses

Staff said they met with Horsley Witten Group and Groton Utilities. They have worked out an outline for the WRPD regulations. Staff expects to have information for the commission in August. Horsley Witten will be at that meeting, as there are no hearings scheduled for the August meeting.

b. Consolidation of Zones – no comments

c. Definitions/Table of Permitted Uses

Staff provided comments to the consultants. They will have information for the commission to review in August.

VII. NEW BUSINESS

1. Report of Commission – None
2. Receipt of New Applications – None

VIII. REPORT OF CHAIRPERSON - None

IX. REPORT OF STAFF

Staff said the Planning Commission adopted the Plan of Conservation and Development effective October 1, 2016. Some modifications were made at last week's public hearing.

The Town has hired a new civil engineer. She will be doing engineering projects and inspections for the Public Works Department.

Staff and commissioners discussed the August meeting. Due to schedules, staff will poll other commissioners for availability to move the meeting to the second week in August.

X. ADJOURNMENT

Motion to adjourn at 6:53 p.m. made by Smith, seconded by Marquardt, so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by Debra Gilot
Office Assistant III

M E M O R A N D U M

TO: Town of Groton Zoning Commission
FROM: Diane Glemboski, Planner II
DATE: September 2, 2016
SUBJECT: Zoning Commission Meeting 9-7-16 – Regulation Updates

At the Zoning Commission meeting on September 7, 2016, staff and the consultant will be working with the Commission on the following items:

1. Definitions for Table of Permitted Uses:

We have attached the updated draft list of definitions that will correspond to the future Table of Permitted Uses. We have removed the other definitions not associate with a use to make it easier to just focus on use definitions at this point. This is still a work in progress and we continue to work with the consultants on modifying these terms and we note the following:

- We have broken the definition list into categories and have assigned a specific use to a category. We believe this will make it easier for someone to find the uses and to compare uses within a category. We may also have individual uses listed alphabetically with a reference to the category where the full use definition will appear.
- There are some definitions we are continuing to work on with the Zoning Official and the Town Attorney and have not provided updated definitions at this time. These uses deal with mobile/manufactured homes, various group residential uses, and definitions of households and/or families. We will provide updates for these uses when available.
- We have some questions for the Commission that are outlined in the draft definition list (**in red**) and the consultants will go over these questions at the meeting to obtain your input.
- We will review the definitions and refer to and add to these use definitions as we move forward with creating a new table of permitted uses and revising other sections of the regulations.

2. WRPD:

Staff and the consultants have been working on the update of the WRPD section and we have provided you with a copy our work to date.

- We are still working on the Hazardous Materials Section of the WRPD and have not included this Section with your draft.
- We have noted (**in purple**) the items that we will be asking for the Zoning Commission input.

We are sending you the draft text for both sections in a word document. As always, please feel free to provide comments on anything within the documents and mark up the documents with comments.

Please bring your notebooks to the meeting. If you need additional help or information, please email dgilot@groton-ct.gov or dglemboski@groton.ct.gov .

Draft for Zoning Commission Review September 7, 2016 meeting**Purple = Discussion Points for Staff and Zoning Commission****Gray Boxes = Commentary from HW****Green Boxes = Commentary from the Town****Yellow Boxes = New content of note**

Commentary from Town: Groton Utilities would like the zoning map amended to capture the zone of influence around the emergency wells.

6.12 Water Resource Protection District**6.12-1 Statement of Intent**

Creation of this district is deemed essential to protect water supply sources in the Town and is promulgated under the following Connecticut General Statutes: 25-32 f, 25-32 g, 8-2 and 8-23 3(d). As groundwaters and surface waters have been shown to be easily, and in many cases, irrevocably contaminated by many common land uses, it is imperative that all reasonable controls over land use, waste disposal, and material storage be exercised within this district. This district is designed to protect the following existing and future water supply resources: extensive stratified drift aquifers, surface water reservoirs, and areas of future water supply.

6.12-2 Establishment of District

The Water Resource Protection District (WRPD) is herein established as an overlay district. The boundaries of this district are those shown on the map entitled Town of Groton Zoning on file with the Town Clerk and the Office of Planning and Development Services. The district includes all land over and upgradient of the current and future water supply resources as defined by the watershed drainage boundaries.

Discussion Point: Does the Commission want to modify the District boundary?

6.12-3 Divided Lots and Determination of Applicability

- A. Applicability. Where the boundary line of the WRPD divides a lot or parcel, the requirements established by this regulation shall apply only to the portion of the lot or parcel located within the WRPD.
- B. Separation. Where a lot is divided by the WRPD boundary line, applicants shall demonstrate, through the use of site plans, that development activity outside of the boundary shall not be connected to land within the boundary in such a way that could lead to the contamination of groundwater, wetlands, or surface waters within the WRPD.

- C. Determination of Applicability. If an applicant questions the accuracy of the WRPD boundary as presented on the Zoning Map, the applicant may request an interpretation of the map from the Zoning Official per section 3.3-4 or may amend the zoning map per section 8.2 of these regulations.
- D. Application. Where an applicant files for a zoning map change to move the WRPD boundary, the burden of proof shall be upon the applicant to determine the extent to which the boundary covers his/her property. A plan signed by a professional engineer or State of Connecticut registered Land Surveyor shall be required to determine more accurately the boundaries of the district with respect to individual parcels of land.
1. General Plan Information
 - a) Name and address of the applicant and current owner as listed on the Town's tax rolls.
 - b) Date, north arrow, and numerical and graphical scale on each map.
 - c) The property address and/or parcel identification number.
 2. Location Map – Applications shall include an accurate scale location map as depicted on the Zoning Map and shall be submitted showing the subject property and all property and streets within 1,000 feet of any part of the subject property, and the following information:
 - a) All lots and lot lines.
 - b) All zoning district boundaries including the WRPD.
 - c) All existing streets and roads with associated names.
 3. Proposed WRPD Boundary
 - a) Plan(s) shown at the extent required to demonstrate the justification for a determination of applicability.
 - b) Existing and proposed WRPD boundary lines.
 - c) Topography field survey information shown with two-foot contours or greater detail necessary to support requested modification.

- d) Arrows indicating the direction of overland flow that demonstrate the need to adjust the applicability of the WRPD on the subject site.
- e) All existing drainage structures and direction of stormwater flow.

Commentary: After discussing with Town staff, Sec. D will remain here for now, but Sec. 3.4.4 will be re-written to better reflect this.

6.12-4 Use Regulations

A. Allowed Uses

Allowable uses within the WRPD are all those listed as allowed in the underlying zone in the Land Use Table per Section 5.1 of these regulations that do NOT have any WRPD prohibitions or specific conditions associated with the use.

Allowable uses within the WRPD are required to meet the General Performance Standards of Section 6.12-5.

B. Exempt Uses or Activities

The following uses and activities are specifically exempt from the General Performance Standards related to the WRPD overlay district.

1. Any pollution treatment facilities exclusively designed for the temporary treatment of contaminated ground or surface water.
2. Repair and replacement of existing drainage structures and pipe.
3. Activities exclusively limited to municipal maintenance, improvements, or expansions to public roads.
4. Normal operation and maintenance by water companies (as defined by CGS 16-1) of existing water bodies and dams, and other water control, supply and conservation devices related to reservoirs and public drinking water supply.
5. Construction, maintenance, repair, and enlargement of ancillary drinking water supply related facilities such as, but not limited to, wells, pipelines, aqueducts, and tunnels. This exemption does not include

new or expanded buildings, parking lots or facility site construction activities.

C. Prohibited Uses and Activities

1. Categorical Prohibited Activities – The following activities are **prohibited** in the WRPD across any and all use categories:

- a) The establishment of any industrial, commercial, or other establishment in which the manufacture, use, storage, transport, process or disposal of hazardous waste is a principal activity.
- b) Discharge to the ground of non-sanitary wastewater including industrial and commercial process wastewater, unless specifically exempt.
- c) Establishment of septage lagoons.
- d) Stockpiling of sodium chloride, calcium chloride, chemically treated abrasives or other chemicals used for the removal of snow or ice on roads.
- e) Stockpiling and disposal of snow or ice containing sodium chloride, calcium chloride, chemically treated abrasives or other chemicals used for the removal of snow or ice on roads which has been removed from highways and streets located outside of the WRPD.

2. Prohibited Uses - Uses specifically prohibited in the WRPD are listed in Table 6.12-4.B.1.

D. Conditional Uses – Table 6.12-4.B.1 shows conditional uses in the WRPD. Specific performance standards for conditional uses can be found below at 6.12-6.

Table 6-12.4.B.1: WRPD Prohibited Uses and Uses with Specific Conditions

Key: S = Allowed on Sewer
 C = Allowed with Specific Conditions
 X = Prohibited

	USE & ALLOWANCE		CONCERNS
	AGRICULTURAL, ANIMAL AND FOOD		
	Agriculture, Commercial	C	Pesticides, animal waste, fuel

			storage and related hazards associated with heavy equipment.
	Kennel, Commercial	C	Animal waste
	Nurseries and Greenhouses, Commercial	C	Pesticides, fuel storage and related hazards associated with heavy equipment.
	Riding or Boarding Stable	C	Animal waste
	Veterinary or Animal Hospital	C S	Animal waste, medical waste, hazardous chemicals.
	Pet Grooming	S	Hazardous chemicals, ancillary animal waste.
	INDUSTRIAL		
	Alcoholic Beverage Production	C	Septic system design, storage of waste
	Heavy Industrial (<i>except for the specific activities below, which have further restrictions</i>) <i>Discussion Point: Should the Town allow any Heavy Industrial uses in the WRPD, whether or not they are on sewer?</i>	S	Storage, use & production of chemicals, equipment cleaning and maintenance, hazardous waste generation, machine shops. Organic and inorganic chemicals, heavy metals, chlorinated solvents, strong acids and alkalis, dyes, paint and thinner wastes, waste oils, phenols, PCBs, cyanides, metals, hydrocarbons.
	▪ Dry Cleaning and Dyeing	X	Dry cleaning solvents, storage, use, and disposal. Industrial strength cleaning solvent/agents, dyes.
	▪ Junk, Salvage or Scrap Yard	X	Fuel storage, use and storage of oils, paints, thinners, various solvents, brake and transmission fluids. Hydrocarbons, solvents, benzene
	▪ Chemically Treated Lumber and Wood Production Clarify that this doesn't include retail sale of treated lumber or wood	X	Chemical treatment of wood, chemical storage, storage and use of hazardous and non-hazardous materials, large quantities of waste generation. Creosotes, tars trichlorophenol, pentachlorophenol, metals, solvents, oils, toxic organic and inorganic chemicals metals, chlorinated hydrocarbons.
	▪ Solid Waste Disposal Facility	X	Spills, leaks, and possible leachate from storage and processing of wastes. Various potential organic and inorganic contaminants.
	▪ Waste Handling/Reduction Facilities	X	Spills, leaks, and possible leachate from storage and processing of wastes.

			Various potential organic and inorganic contaminants.
	<p>Light Industrial (<i>except for the specific activities below, which have further restrictions</i>)</p> <p>Do we have more conditions?, size limits? Restrictions on outdoor storage? Any other light industrial uses that should be listed below?</p> <p>There are already restrictions on outdoor storage and limits to the amount of indoor storage. So long as light industrial uses are conducted indoors, connected to sewers, and follow the general performance requirements for Hazardous Materials, the Town should be fine.</p>	C	Storage and use of ink chemicals, equipment cleaning, engraving Chlorinated solvents, phenols, hydrocarbon compounds.
	<ul style="list-style-type: none"> Furniture Strippers 	X	General use of cleaning solvents, hazardous materials. Chlorinated solvents.
	<ul style="list-style-type: none"> Screen Printing of Clothing 	C S	Ink waste, parts cleaning, screen disposal, chemicals and solvents.
	Outdoor Storage Yard	C	Spills, leaks, possible leachate, and runoff during rain storms, from storage of anything hazardous.
	Warehouse and Distribution	C	Spills, leaks, and possible leachate from storage of anything hazardous.
	RETAIL		
	Retail Establishment		
	<ul style="list-style-type: none"> With any outdoor storage or display of hazardous materials as defined in 40 CFR 302.4 and herein. (Indoor storage of hazardous materials will follow the standards for this section.) <p>Is there a limit to the amount of hazardous materials even if everything is indoors? Yes. No entity can store more than the definition of a Small Quantity Generator of Hazardous Materials, as explained in Sec. 6.12-5.</p>	X	Large volumes of various materials and products handled, stored and distributed that might contaminate groundwater as a result of accidents, poor management practices, flooding or fires. Solvents, organic and inorganic chemicals, and hydrocarbon contamination threats.
	SERVICES		
	Cemetery (new)	X	Embalming fluids, varnishes, sealers and preservatives for wood coffins, mercury from medical implants in the deceased.

	Beauty & Barber Services and Day Spas	S	Various chemicals, including solvents, formaldehyde, biocides, and acrylates in hair dyes, bleaching agents, nail polish, etc.
	Funeral and Crematory Services (with on site embalming)	X	Embalming fluids
	Health Care Facility	S	Hazardous chemicals, bodily fluids, medical waste
	Laundry	S	Cleaning agents and solvents.
	Medical Clinic	S	Hazardous chemicals, bodily fluids, medical waste
	Pest Control Services	X	Storage & mixing of chemicals, equipment cleaning, equipment fueling and maintenance. Various pesticides.
	Other Services		
	<ul style="list-style-type: none"> ▪ Any other service with outdoor storage or display of hazardous materials as defined in 40 CFR 302.4 and herein. (Indoor storage of hazardous materials will follow the standards for this section.) 	X	Large volumes of various materials and products handled, stored and distributed that might contaminate groundwater as a result of accidents, poor management practices, flooding or fires. Solvents, organic and inorganic chemicals, and hydrocarbon contamination threats.
	TRANSPORTATION, COMMUNICATIONS, AND UTILITIES		
	Airport	X	Fuel storage, leaks and drips of various solvents, brake and transmission fluids.
	Transit Stations and Hubs	C	Fuel storage, leaks and drips of various solvents, brake and transmission fluids.
	Utility Infrastructure		
	<ul style="list-style-type: none"> ▪ Power Plants 	X	Risks associated with fuel storage /use, large quantities of waste generation, machine shops, equipment maintenance.
	<ul style="list-style-type: none"> ▪ Sewer Treatment Plants 	X	Human waste, treatment chemicals, storm water runoff
	VEHICLE & HEAVY EQUIPMENT		
	Bus & Limousine Garage and Maintenance Does the Commission still want this use prohibited or allowed with conditions such as no maintenance/repair?	X	Fuel storage, use and storage of oils, paints, thinners, various solvents, brake and transmission fluids. Hydrocarbons, solvents, benzene

Construction, Farm & Heavy Equipment Rentals Does the Commission still want this use prohibited or allowed with conditions such as no maintenance/repair?	X	Fuel storage, use and storage of oils, paints, thinners, various solvents, brake and transmission fluids. Hydrocarbons, solvents, benzene
Construction, Farm & Heavy Equipment Sales	C S	Fuel storage, use and storage of oils, paints, thinners, various solvents, brake and transmission fluids. Hydrocarbons, solvents, benzene
Contractor Vehicle Parking And Construction Equipment Storage (does not include Contractor Vehicle Parking And Construction Equipment Storage, Residential)	X	Fuel storage, use and storage of oils, paints, thinners, various solvents, brake and transmission fluids. Hydrocarbons, solvents, benzene
Fuel Dealer	C	Leaks, drips, ruptures of tanks, pipelines or joints. Hydrocarbons, benzenes and other contaminants. Liquid fuel hazardous material.
Fuel Dispensing Station	C S	Leaks, drips, ruptures of tanks, pipelines or joints. Hydrocarbons, benzenes and other contaminants. Liquid fuel hazardous material.
Marine Craft & Equipment Display and Sales	C S	Fuel storage, use and storage of oils, paints, thinners, various solvents, brake and transmission fluids. Hydrocarbons, solvents, benzene
Motor Vehicle Dealers (New)	C S	Fuel storage, leaks and drips of various solvents, brake and transmission fluids.
Motor Vehicle Dealers (Used)	X	Fuel storage, leaks and drips of various solvents, brake and transmission fluids.
Motor Vehicle Repair & Service, Major	X	Fuel storage, use and storage of oils, paints, thinners, various solvents, brake and transmission fluids. Hydrocarbons, solvents, benzene
Motor Vehicle Repair & Service, Minor	C S	Fuel storage, use and storage of oils, paints, thinners, various solvents, brake and transmission fluids. Hydrocarbons, solvents, benzene
Motor Vehicle Washing Facility	C S	Wastewater discharge, acid based wheel cleaner, other cleansers and solvents.

6.12-5 General Performance Standards

All uses and activities within the WRPD shall be subject to the following performance standards unless specifically exempt under Section 6.12-4. These performance standards include:

- Erosion and Sediment Control (6.12-5 A)
- Stormwater Management (6.12-5 B)
- Site Design (6.12-5 C)
- Hazardous Materials (6.12-5 D)

Discussion Point: Need to decide if 1 and 2 family lots should be exempt from all of the above or just from Site Design.

A. Erosion and Sediment Control.

1. The requirements of Section 6.11 Erosion and Sediment (E&S) Control Plan shall apply to any proposed construction activity that will disturb more than [2,000 square feet] of a site.

Commentary: The purpose of #1 above is to cast a broader net for development proposals that will require a full E&S Plan. The language above reduces the threshold to 2,000 square feet from the town-wide threshold of 20,000 square feet. This lower threshold can be adjusted based on what the Town feels to be appropriate. A lawyer will be consulted about the legality of this being triggered by disturbances of less than ½ an acre.

Commentary from the Town: Need to confirm that we can legally regulate disturbances of less than ½ acre.

2. Where an applicant proposes to disturb [2,000 square feet] of land or less, the applicant shall specify the manner in which E&S controls will be used during construction through Site Plan Review. The Town will approve these measures where site plans show E&S control measures located appropriately and where the selection of best management practices is consistent with the Measure Selection Matrix provided in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control (as amended). (See Appendix X)

Commentary: The purpose of #2 above is to ensure that the Town gets the information it requires to feel comfortable with development/disturbances that fall below the threshold for a full E&S Plan. The Measure Selection Matrix was added to provide the Town with an objective way to measure the selection of E&S best management practices, and will be added as an appendix.

B. Stormwater Management.

Commentary from the Town: Groton Utilities is interested in applying the state required treatment standards for Class I watershed land to all land, including that not owned by the Utility, within 250 feet of the reservoir and possibly within 250 of a major feeder stream. We

need to analyze the impact on existing development and lots and discuss with the Zoning Commission.

Commentary: HW recommends sticking with a 50 foot non-disturbance area. As was seen in the mapping HW prepared for a “two-tiered” approach to the WRPD, a 250 foot buffer covers a lot of ground, particularly if you add feeder streams. We agree that the Zoning Commission should discuss a map of this scenario.

Discussion Point: Town staff is working to provide a separate sheet for analysis and ZC decision making that clarifies the following:

- *What is currently regulated under IWA in the WRPD and the width of the regulated area.*
- *Clarify what standards there are for Class I watershed areas.*
- *What is currently in the Zoning Regulations for non-development area in the WRPD.*
- *Clarify non-disturbance area vs non-development area and define whatever term we use.*
- *Options for the non-disturbance area in the new Zoning Regs*

1. Stormwater Management Objectives.

The Town of Groton herein requires stormwater management practices for the WRPD specifically designed to achieve the following objectives:

- a) To achieve the pre-construction hydrologic conditions on-site through the use of stormwater Best Management Practices (BMPs) to the maximum extent practicable.
- b) To minimize impacts to the quality of surface water streams, ponds, and wetlands within the WRPD.
- c) To minimize impacts to the quality of groundwater within the WRPD.

2. New Development and Redevelopment/Expansion

a) New Development:

All new development shall conform in its entirety with the standards and requirements provided in Subsections 3, 4 and 5, below.

b) Redevelopment or Expansion:

The redevelopment or expansion of an existing site shall comply with the following:

New Impervious Cover:

- Shall meet the standards and requirements for new development in Subsections 3, 4 and 5.

Existing Impervious Cover:

- Compliance with all standards and requirements in Subsection 3.

Is this what we want? Need to meet all requirements of Subsection 3?

- Comply with Subsection 4 by meeting at least one of the following standards and requirements:
 - 1) Reduce the total impervious cover by 40% from existing conditions; or
 - 2) Where site conditions prevent a reduction in impervious cover, implement stormwater controls that reduce runoff or improve water quality for at least 40% of the site's existing impervious cover; or

Commentary from the Town: What does stormwater controls mean? Quantity or quality or both?

Commentary: This means installing controls that reduce runoff or improve water quality on at least 40% of the area of the existing impervious surface. It does not measure the reduction in the total amount of runoff or the aggregate removal of impurities.

Commentary from the Town: Is 40% based on existing development or combination of existing and new development?

This section is specific to Existing Impervious Cover, so there would be no new development to include.

- 3) Implement a combination of impervious cover reduction and area treated with stormwater controls that shall equal or exceed 40% of the site's impervious cover.

Commentary from the Town: Not clear how this would work. Maybe give an example.

Commentary: As an example, the applicant could reduce the existing impervious surface by 20% and install controls that reduce runoff or improve water quality on 20% of the existing impervious surface.

Subsection 5? What needs to comply with Section 5?

3. Runoff Discharge

- a) Stormwater management systems shall be designed to ensure there is no net increase in the peak rate of runoff over pre-

developed conditions for the 1, 2, 5, 10, 25, and 100-year storms.

- b) The use of underground drywells or leaching trenches is not allowed for any stormwater from any areas except from rooftops in conformance with Section 6.12-5.D.4.i.
- c) Stormwater discharges from rooftops shall not be directed to impervious surfaces. The stormwater shall discharge to the ground or to other stormwater facilities in compliance with section 6.12-5.D.4.i.
- d) As part of the application process, Site Plans shall identify the water body and/or wetlands that directly receive stormwater runoff from the site predevelopment. All stormwater shall be directed to the same wetland or watercourse system that received the stormwater in predevelopment conditions to the greatest extent practicable.
- e) Stormwater discharges shall terminate at least 100' from all perennial watercourses in the watershed, unless a modification is approved by the Planning Commission due to the geometry of the lot, topographic conditions, or other physical constraints and where the applicant can clearly demonstrate that this reduction complies with other stormwater management standards and is consistent with the stormwater management objectives of the WRPD.

Commentary from the Town: Need to define perennial watercourses and map if we use this term.

Commentary: Definition to add for "Perennial Watercourse": A stream or river that has continuous flow in parts of its stream bed all year round during years of normal rainfall.

4. Water Quality Treatment

- a) Stormwater discharges to wetlands or watercourses shall be treated first by a sequence of BMPs and/or BATs designed to remove 85% of total suspended solids, 60% of pathogens, 30% of phosphorous and 30% of nitrogen from runoff generated from the first inch of rainfall. Pollutant removal efficiencies will be determined using Appendix [X] of the Zoning Regulations. Where proprietary structural BMPs are proposed, performance data for those BMPs shall be

submitted as part of an application and must be approved by the Town.

Commentary: Appendix X will consist of the New Hampshire Stormwater Manual, Volume 1: Stormwater and Antidegradation, Appendix E: BMP Pollutant Removal Efficiency. This appendix consists of a table that will make it easier for staff to determine whether applicants are complying with the above targets.

- b) Grease, oil, and other floating liquid/solid separators shall be incorporated into the stormwater management system for all parking lots and for any other areas that may have the potential for such pollution and where a piping system is used for stormwater.
- c) Pervious pavement, porous asphalt or other similar practices shall not be used except for areas used exclusively for pedestrian traffic or activities or non-motorized vehicles.

Commentary: HW does not recommend requiring pervious pavement for overflow parking areas. While this may be beneficial in some instances, there is too much uncertainty as to the condition of any vehicles that may park on the pervious surface or other potentially harmful storage or uses.

- d) The drainage design shall maximize overland flow of stormwater prior to discharge to wetlands or watercourses. This may be accomplished by the elimination of curbing, provision of leak-offs, the use of grassed swales and/or use of other best management practices to promote stormwater renovation, reduce point discharges, and reduce the discharge of heavy metals and nutrients. Vegetated stormwater best management practices shall be integrated into the treatment sequence to the maximum extent practicable.

Commentary: An exception for stratified drift was considered by HW per comments from Groton Utility. While flow over stratified drift will indeed likely reach groundwater faster than over other soil types, such a restriction would have minimal impact on the ultimate amount of pollutants that reach the groundwater. Flow over till and other soils will eventually reach the groundwater either way. Further, the mapping and enforcement required of the Town would likely be onerous, given the ultimate lack of much, if any, benefit.

- 5. Selection of BMPs: Stormwater management facilities shall be selected to meet the Stormwater Management Objectives listed in Subsection 1 above, and to achieve compliance with Subsections 2 through 4. The selection and design of stormwater management practices shall be consistent with the guidance provided in the 2004 Connecticut Stormwater Quality Manual, as amended, particularly

including all criteria for water supply aquifers. The project narrative shall explain how and why the BMPs were selected and evaluate consistency with the following sections of the 2004 Connecticut Stormwater Quality Manual:

- a) Stormwater Management Effectiveness (Table 8-1, Pg 8-3)
- b) Land Use Selection (Table 8-2, Pg 8-4)
- c) Physical Feasibility (Table 8-3, Pg 8-7)
- d) Downstream Resource (Table 8-4, Pgs 8-8 & 8-9)

Commentary: The four criteria sets listed above each have a selection matrix in the State Manual. The language above simply requires the applicant to show how he/she actually used the matrices to help decide on BMPs.

C. Site Design.

Within the district, the following additional lot requirements shall apply except for existing or proposed one- and two- family residential lots, whether in a subdivision or singly. Specifically for this subsection, in the instances where the underlying zone requirements are different, the more stringent shall apply.

1. Impervious Surface: Total impervious surface area shall not exceed 70% of total lot area.
2. Vegetated Areas: A minimum of 20% of total lot area shall be retained in its natural state with no more than minor removal of existing trees and vegetation.
 - a) Disturbance of Vegetated Area: Areas within this 20% minimum that should not be disturbed include 100-year flood plains, slopes in excess of 25 percent, and non-disturbance areas for wetlands and surface water bodies. An applicant may propose a minor disturbance or removal of existing vegetation where damaged or dead vegetation is present in significant quantity, or where the removal/management of invasive or otherwise harmful plant species is proposed. A revegetation plan that specifies native, to the extent practicable, and non-invasive plants shall be required.
 - b) Landscape and Buffer Requirements: All lots must still comply with the landscaping, screening, and buffer standards of

Section 7.4. Areas used for the buffering required by Section 7.4-4 may count toward the 20% vegetated minimum required within the WRPD so long as they are left in their natural state, as described above. Areas used to meet the requirements of Section 7.4-3 for front yards and Section 7.4-5 for parking areas, including all lawns, manicured plantings, new trees, planter boxes, and other such landscaping, may NOT count toward the 20% vegetated minimum.

- c) Restoration: On those sites where previous land disturbance has occurred, this 20% minimum may include restored land that is re-vegetated with non-invasive plant species appropriate for the site and soil conditions in keeping with the intent of this regulation.

3. Non-Disturbance Area: A minimum [50-foot non-disturbed area] shall be maintained between watercourses and directly adjacent lotic wetlands and the developed land area. This non-disturbance area shall be measured from the top edge of the watercourse bank or from the edge of the wetland.

Commentary from the Town:

- Define lotic
- Define developed land area
- What if there are wetlands that are not adjacent to a watercourse? Is a non-disturbance area still required for the wetlands?
- We need to discuss and clarify this.

Commentary: The definition of "Lotic Wetland" is: Any wetland associated with a river or stream.

The definition of "Developed Land Area" is: Land that has been disturbed from its natural state. The WRPD focuses on lotic wetlands because they will probably have a physical connection to a river or stream, and hence, the water supply. Isolated wetlands will not have such a direct nexus, and are best addressed elsewhere.

[See memo for discussion on clarification of "non-disturbed" area vs "non-developed" area](#)

Commentary from the Town: GU would like to see this buffer adjusted based on the type of use – larger for more dangerous uses. They also suggested using 250 feet along the reservoir and direct feeder streams. This could be problematic for small lots.

Commentary: HW provided language directly above calling for a 50-ft buffer. This is a common "no touch" buffer distance we find in other jurisdictions. HW provided a low number considering the complexity of the first order stream network. A larger buffer, for example 100-feet, could consume significant portions of the site area where individual lots could have more than one stream. HW recommends keeping the 50 foot buffer. If there are particular uses GU is concerned about, deeper buffers may be added under Sec. 6.12-6 Conditions for Specific Uses.

Discussion Point: Discuss with GU and ZC whether it would be effective to use deeper buffers for specific uses. If so, which uses and why?

- a) Modification or Reduction: In those areas where extreme topographic or landscape irregularity exists along water resource boundaries, the non-disturbance area may be modified or reduced by the Planning Commission. In these instances, the applicant must identify and justify specific site design measures that will mitigate impacts of a modified or reduced non-disturbance area such as:
 - directing site drainage away from these areas through the use of grading, berms, under drains, swales or other conveyance structures,
 - increasing the non-disturbance area in other areas along the water resource boundary, or
 - enhancing the proposed non-disturbance area with native and non-invasive plantings.
- b) Septic System: All components of on-site septic systems, including future septic reserve areas, shall be located [100 feet] from the edge of any perennial watercourse.
- c) Pre-Existing Access Ways or Structures:
 - Access Ways: The required non-disturbance area may be encroached upon where pre-existing access ways will remain in use and/or require maintenance and/or improvements to meet or maintain the minimum road safety standards for the type of road (private, local, state or federal).
 - Structures: Pre-existing structures shall be allowed to remain and be maintained in the required non-disturbance area. Enlargement of the structures shall not be allowed.

Commentary: Section D below on Hazardous Materials has been added to and edited based on specific comments and questions from the Town.

Town Staff have not reviewed the entire Hazardous Materials Section.

D. Hazardous Materials.

6.12-6 Conditions for Specific UsesA. Construction, Farm & Heavy Equipment Sales; Marine Craft & Equipment Display and Sales; Vehicle Dealers (New); and Vehicle Repair & Service, Minor

Commentary: The conditions below were inserted at the request of the Town, though some have additional comments from HW . . .

1. The facility shall be tied in to and use a sewer system.
2. Repair work or changing of fluids shall take place inside on non-pervious floors, and shall be prohibited outside.
3. Washing of vehicles or equipment shall take place inside with all wash water collected and recycled onsite, and shall be prohibited outside.
4. No washing or rinsing of vehicles shall be allowed that would allow wash or rinse waters to enter any storm drainage system or surface waters.
5. No more than 10% of inventory may consist of used vehicles or equipment.
6. Vehicle Repair & Service, Major, as defined herein, shall be prohibited.

Commentary: The above is redundant, as Vehicle Repair & Service, Major is already explicitly prohibited in Table 6-12.4.B.1.

7. Storage of batteries, fluids, and other hazardous materials and waste shall take place inside, and shall be prohibited outside.

Commentary: The above is redundant as such outdoor storage is already prohibited in 6-12.5.D.4.a.

8. Lips on doors where repair and hazardous materials stored and used.

Commentary: The above is redundant as such lips, and other standards, are already required in 6-12.5.D.4.b.

9. No discharge of waste, fluids, wash water, etc. to drainage system.

Commentary: The above is redundant as thorough drainage and plumbing standards are already required in 6-12.5.D.4.i.

B. Commercial Agriculture and Home Agriculture

1. All Commercial and Home Agriculture uses shall meet the non-disturbance area requirements for all crop fields and animal structures/fields/pastures, especially where runoff enters or leaves the field.
2. All outdoor pasture/recreation areas shall provide fencing along the non-disturbance area border to prevent the escape of the animals into neighboring water bodies or wetlands.
3. All animal wastes shall be properly stored and disposed of, so as not to contaminate nearby water bodies and wetlands. Manure shall be composted in enclosed bins or transported offsite, and shall be located beyond a minimum [XXX feet] non-disturbance area from any water body or wetland.

Discussion Point: Should such uses have a greater non-disturbance area than typical?

C. Fuel Dealer

1. All fuel dealers are prohibited with the exception of those who strictly store and vend propane without the use of underground storage tanks.

Commentary: Any Fuel Dealer facility that does not store fuel on site, and includes strictly administration and customer service, is considered a Professional Office.

Discussion Point: Should storage of vehicles carrying non-propane fuels be allowed in the WRPD? As this is currently written, such storage is NOT allowed.

D. Fuel Dispensing Station

Commentary: The conditions below were inserted at the request of the Town, though some have additional comments from HW . . .

1. Concrete pads at fuel dispensing stations shall have containment grooves that can trap and facilitate the recovery of spilled gasoline or other hazardous materials.
2. Fueling areas shall be covered with a roof or canopy to prevent stormwater runoff from washing away pollutants. The cover shall not drain into the fueling area.
3. The area around the fueling island shall be graded or curbing installed to prevent stormwater from flowing onto the area and becoming contaminated.

4. Fueling areas shall not be cleaned with water, but with dry methods such as spot cleaning with absorbents or mechanical sweepers.

5. Any Fuel Dispensing Station that also includes Vehicle Service and Repair, Minor shall follow the conditions for that use in addition to these conditions.

Commentary: The above would trigger a requirement for connection to and use of a sewer system.

6. Signs shall be posted near the fuel dispensers describing what to do if there is a spill and who to call in the case of an emergency.

Commentary: The above is redundant as such signs are already required in 6-12.5.D.2 and 3.

7. A readily accessible spill kit shall be kept on site, including absorbent materials such as spill pads or spill booms.

Commentary: The above is redundant as spill kits are already required in 6-12.5.D.2 and 3.

8. Hazardous materials shall be stored within an impermeable containment area capable of containing at least the volume of the largest container of the hazardous material present, or 10% of the total volume of the tanks/containers.

Commentary: The above is redundant as such standards are already required in 6-12.5.D.4.d.

E. Kennel, Commercial

1. Dipping is prohibited.
2. Outside runs shall be roofed and not allowed in flood zones or the non-disturbance area.
3. Excrement shall be removed from each run and recreation area at least once daily.
4. Swales or drains shall be required to direct stormwater away from runs.
5. A list of chemicals and cleaning agents to be used shall be provided. Handling of these chemicals and cleaning agents shall be managed in accordance with Sec. 6-12.5.D for hazardous materials.

E. Marine Craft & Equipment Display and Sales

(See Construction, Farm & Heavy Equipment Sales; Marine Craft & Equipment Display and Sales; Vehicle Dealers (New); and Vehicle Repair & Service, Minor)

F. Vehicle Dealers (New)

(See Construction, Farm & Heavy Equipment Sales; Marine Craft & Equipment Display and Sales; Vehicle Dealers (New); and Vehicle Repair & Service, Minor)

G. Vehicle Repair & Service, Minor

(See Construction, Farm & Heavy Equipment Sales; Marine Craft & Equipment Display and Sales; Vehicle Dealers (New); and Vehicle Repair & Service, Minor)

H. Vehicle Washing Facility

1. The facility shall be tied in to and use a sewer system.
2. Washing of vehicles shall take place inside with all wash water collected and recycled onsite, and shall be prohibited outside.
3. No washing or rinsing of vehicles shall be allowed that would allow wash or rinse waters to enter any storm drainage system or surface waters.

I. Nurseries and Greenhouses, Commercial

(See Outdoor Storage Yards for nurseries, greenhouses, retail garden supply stores or similar uses or activities)

J. Outdoor Storage Yards for nurseries, greenhouses, retail garden supply stores or similar uses or activities

1. Outdoor storage of any hazardous materials, other than as described below, shall be prohibited.
2. Runoff from areas where plants are regularly watered shall be recaptured and recycled or directed to areas where the water will be pre-treated before disposal to mitigate impacts from pesticides, fertilizers, or other harmful constituents.
3. Where such runoff is directed to outdoor stormwater management facilities, the applicant must demonstrate that the runoff volume

and pollutant removal calculations account for the addition of this source.

4. Bulk storage of fertilizers, pesticides, herbicides and other typical products shall remain in their original package, and shall be stored in a contained area, under permanent cover, and on an impermeable surface with no floor drains. The storage area shall be designed so that any drainage from the area shall not enter the storm drainage system or any wetlands.

K. Riding or Boarding Stable

1. Manure should be collected daily then contained and covered. Such manure, temporarily stored prior to removal off-site, should be covered with a waterproof cover on an impermeable surface to prevent liquid waste runoff and discharge to the ground. Manure storage areas should be designed to hold all manure collected prior to disposal and shall be located outside of the non-disturbance area.
2. Roof water shall be directed away from stable areas.
3. Uncontaminated surface runoff shall be directed away from stables, riding arenas, manure storage areas, exercise areas and wastewater storage ponds.
4. Fencing shall be used to prevent horses from congregating in poorly drained areas.
5. Wash-down and runoff from stables shall be directed to adequately designed septic tank systems or connected to a sewer system.

Discussion Point: Should such uses have a greater non-disturbance area than typical?

L. Screen Printing

1. There shall be no production discharge to a sewer system, on-site septic system or to groundwater/surface water.
2. All printers shall use wastewater filtration and recycling systems that filter wastewater down to no more than 20 microns nominal.

Discussion Point: Some sewer systems across the country allow screen printers to discharge wastewater to public sewers, while others do not. It all depends on the capacity of the system.

M. Transit Stations and Hubs

1. Passenger train stations are allowed so long as there is no outdoor storage or maintenance of vehicles, trains, and other equipment.

N. Veterinary or Animal Hospital

1. Should any activities with animals be conducted outside, they shall follow the conditions for Commercial Kennels under Sec. 6.12-6.D.

O. Warehouse and Distribution

1. Where Warehouse and Distribution is a primary use, no outdoor storage of any kind is allowed.

Commentary: The Town had asked about setting limits on hazardous material in Warehouse and Distribution uses. They will be allowed no more than a Small Quantity Generator of Hazardous Material, and will have to follow the standards for Hazardous Materials under Sec. 6.12-5.D like any other use in the WRPD.

6.12-7 Nonconforming Uses

Commentary from the Town: GU would like to prohibit the expansion of some non-conforming uses if they are over stratified drift.

- A. Expansion of Prohibited Uses. Any lawfully established use that was made prohibited by the adoption or subsequent amendment of the WRPD is allowed to expand subject to approval of a special permit by the Zoning Commission and a , site plan approval by the Planning Commission or administrative site plan approval by OPDS staff, whichever is appropriate, and the following conditions:

1. The proposed expansion shall not exceed an increase of more than 40% of the developed area of the parcel previously dedicated to the prohibited use, whether indoor gross floor area, outdoor developed area, or both. The expansion may reach an increase of up to 80% if the development retrofits the property to meet all current standards and rectifies any environmental issues on the original portion of the site.

Discussion Point: Do these numbers seem reasonable given the potential improvements made in return?

2. The proposed expansion shall not create any new dimensional non-conformity nor increase an existing dimensional non-conformity.

3. The applicant shall demonstrate to the Commission's satisfaction that the proposed expansion shall not in any way pose more of a threat to the existing or future water supply source than does the existing prohibited use.
 4. All other requirements contained in the general and/or specific performance standards of these WRPD regulations must be met by the proposed expansion applied for under this provision, and pose the same or less of a threat to the existing or future water supply source than does the existing prohibited use due to enhanced employment of best management practices.
- B. Relocation of Non-Permitted Uses. Any lawfully established use that was made prohibited by the adoption or subsequent amendment of the WRPD is allowed to relocate to other sites in the WRPD which have access to municipal sewer subject to approval of a special permit from the Zoning Commission and the following conditions:

Discussion Point: This draft identifies Special Permit review with the Zoning Commission as the appropriate review process. We should discuss this as a group.

1. The proposed relocation shall not result in an increase of more than 50% of the developed area of the parcel previously dedicated to the prohibited use, whether indoor gross floor area, outdoor developed area, or both.
2. The applicant shall demonstrate to the Commission's satisfaction that the proposed relocation shall pose less of a threat to the existing or future water supply source than does the existing prohibited use due to the new site's physical characteristics, location, and employment of best management practices.
3. All other general and specific performance standards of the WRPD must be met by the proposed relocation applied for under this provision. Once the non-permitted use is relocated, prior to the issuance of a Certificate of Occupancy at the new site, the non-permitted use at the old site shall cease. In no way shall this regulation result in the establishment of or the continued maintenance of a prohibited use at the old site.
4. After grant of special permit and prior to approval of the site plan by the Planning Commission or staff, soils at the old site shall be tested by a state certified laboratory and test results reported to the Town and DEEP.

Discussion Point: HW would like to discuss the above language and better understand why this particular sequence of events was chosen.

5. The old site shall be cleaned of any soil contamination found, and debris and other old underground tanks shall be removed, prior to the issuance of a Certificate of Occupancy at the new site. If the removal operation is under way but not completed at the time the use is ready to open for business at the new site, a bond may be posted for the remaining cleanup effort prior to issuance of a Certificate of Occupancy subject to Planning Commission approval.
 6. Upon recording of the special permit in Land Records, a statement shall be recorded in Land Records, indexed by the address of the old site, stating that during the time the WRPD overlays the site, the old site cannot be converted back to a prohibited use.
 7. The application shall include a statement from the owner of the property where the old use is located noting his understanding that once the use is relocated to the new site, the old site cannot be converted back to a prohibited use while overlain by the WRPD.
- C. Alteration of Prohibited Uses. Alteration includes any repair or replacement of an existing site element that will change provisions for hazardous materials storage (without increasing the amount of storage), or trigger the need for additional erosion and sediment control measures per Section 6.12-5.A, and/or stormwater management measures per Section 6.12-5.B (without increasing the footprint or intensity of the use). Alteration does not include the expansion of a prohibited use as regulated in 6.12-7.A.
1. Any lawfully established use that was made prohibited by the adoption or subsequent amendment of the WRPD is allowed to alter specific site elements subject to [Site Plan Approval from the Planning Commission].

Discussion Point: This draft identifies Site Plan Review with the Planning Commission as the appropriate review process. We should discuss this as a group.

2. The alteration shall be performed in a manner that brings that part of the site into greater conformity with the applicable general and/or specific performance standards related to the WRPD.
3. The proposed alteration shall not create any new dimensional non-conformity nor increase an existing dimensional non-conformity.

MEMORANDUM

TO: Zoning Commission

FROM: Deborah Jones, Assistant Director Planning and Development

DATE: September 7, 2016

SUBJECT: Water Resource Protection District Buffer Requirements

The Commission has received input from the public and Groton Utilities regarding the relationship between the Buffer Area required by the Water Resource Protection District (WRPD) Zoning regulations, the Upland Review Area regulated by the Inland Wetland Agency and the requirements for the area within 250 feet of a reservoir or 100 feet of a watercourse on Class 1 Watershed Lands. While all of these areas serve to provide protection for the public drinking water supply, they are not interchangeable and they can only be used by the Agency authorized by the Connecticut State Statutes. This memorandum will provide background information regarding these protection measures.

Inland Wetland Agencies are allowed to regulate areas around wetlands and watercourses for only those activities which are likely to impact or affect the wetland or watercourse. Within the existing and future public drinking water watershed, the Town of Groton Inland Wetland Agency has established an Upland Review Area around wetlands and the following watercourses: Great Brook, Beaver Dam Brook, Hatching House Brook, Hempstead Brook and Haley Brook. The Upland Review Area is 200 feet from the named watercourses and 100 feet from the boundary of any other watercourse of wetland. The Inland Wetland Agency has the authority to review activities in the Upland Review Area if it first determines that the activity is likely to impact or affect the wetland or watercourse. It is important to note that the existence of the Upland Review Area does not prohibit development, rather it requires a developer to obtain a wetland permit.

Class I Watershed Land is defined by Connecticut State Statutes and includes all land owned by a water company which is within 250 feet of a reservoir or 100 feet of a contributing watercourse. The Statutes deal primarily with how the utility can sell or lease land and requires a permit for a change of use within the Class 1 land. There are no land use or activity restrictions. Each sale, lease or change of use is evaluated on a case-by-case basis by the Department of Public Health.

The current WRPD Regulations require that a minimum 50 foot buffer be maintained between watercourses and directly adjacent streambelt wetlands and the developed land area. The buffer can be varied due to irregular boundaries or threat to the resource from the proposed use and can be eliminated for lot access. There is no definition of 'streambelt wetland' or 'developed land area' and staff has struggled to interpret this regulation. Should

the buffer be required from all wetlands or only those associated with a stream? Should it be applied only to named streams? What if the stream is intermittent? Does developed land area mean just the building and parking or does it include all areas disturbed during construction? What is an irregular boundary?

Unlike the Inland Wetland Agency's Upland Review Area and the Class I Watershed Land laws, the buffer required by the WRPD regulations prohibits development. Increasing the buffer will clearly have an impact on development. The revised regulations must be clear as to whether the buffer is a non-disturbance or a non-development area and the term must be defined. The following questions will be used to guide the Commission's discussion at the September 7, 2016 meeting:

- What size buffer should the buffer be?
- Should the buffer be measured from a watercourse, a wetland, or both?
- Should the buffer be larger for certain uses? What uses?
- Should the buffer area be a non-disturbance or a non-development area?
- Should there be options for reducing or eliminating the buffer?
- Should certain activities or uses be allowed in the buffer? What ones?

**Groton Zoning Regulations Definitions – Draft Restructure –
Zoning Commission Meeting - September 7, 2016**

Text highlighted in Gray is commentary from HW

Text highlighted in Teal are questions from the ZC

Text highlighted in Yellow are examples of certain terms that could be included in call out boxes

Text in purple is commentary from the Town

Text in red is for discussion with the **Zoning Commission on September 7th when noted.**

All terms are listed alphabetically by the categories below:

Accessory and Principal Terms

Agricultural, Animal and Natural Resources

Building and Construction Related

Cultural, Recreation and Entertainment

Day Care Related

Dimensions & Form

Flood Protection

Health Facilities Related

Industrial

Lodging Related

Residential

Restaurant / Drinking Establishment Related

Retail

Services

Signs

Transportation, Communication and Utilities

Use Related

Vehicle and Heavy Equipment

DEFINITIONS

Commentary: While the Zoning Regulations will ultimately include all definitions, for the time being, the definitions below are only those related to the Use Table.

Accessory and Principal Terms

ACCESSORY APARTMENT: A residential dwelling unit accessory to a single family dwelling.

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

CARETAKER/SECURITY SERVICE DWELLING: A dwelling for the provision of a caretaker or security services provided as an accessory use and located on the same property as the principal use. Such dwelling units are occupied by an employee or contractor of the principal use residing on the premises for the legitimate provision of maintenance and/or security services.

CONTRACTOR VEHICLE PARKING AND CONSTRUCTION EQUIPMENT STORAGE, RESIDENTIAL: The parking of a contractor's commercial vehicle and/or storage of construction equipment as accessory to a primary residential use. (See conditions in Sec. 7.1-6.)

DRIVE THROUGH FACILITY: Any facility associated with an allowed use with operations that includes a building opening, such as windows, doors, or mechanical devices, through which occupants of a vehicle receive or obtain a product or service.

HOME OCCUPATION: An accessory use which produces a good or provides a service for financial gain, is conducted entirely within and/or from a principal dwelling, carried on by the residents thereof, and which use is incidental and subordinate to the residential use of the dwelling. (Eff: 6/1/91) (Updated August 2016)

Commentary: The Town has listed some, but not all, of the accessory uses in the Use Table here (e.g. Agriculture, Home and Agriculture, Events are not listed here). Would the Town like ALL accessory uses from the Use Table listed here, to be consistent?

Agricultural, Animal, and Natural Resources

AQUACULTURE, INDOOR: The indoor farming and production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, in tanks or other built structures.

AQUACULTURE, OUTDOOR: The farming of waters 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.

Commentary: The definition for Aquaculture has been split in two, to address indoor and outdoor raising of fish. - Needs additional discussion with staff and clarification one is artificial environment (indoor or tank) and one is natural environment (coastal, ponds).

ANIMAL FEEDLOTS: The feeding of livestock, poultry, or small animals for commercial purposes usually in lots, pens, ponds, sheds or buildings where food is supplied primarily by means other than grazing, foraging, or other natural means.

AGRICULTURE: The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the accessory

uses and buildings for storing the products. Term may include incidental retail sales by the producer of products raised on the farm.

AGRICULTURE, COMMERCIAL: The production principally for the sale to others of plants, animals, or their products including, but not limited to: forage and sod crops, dairy animals and dairy products, livestock, including dairy, beef cattle, poultry, sheep, swine, horses and goats; including the breeding and grazing of all such animals, bees and apiary products; fruits and vegetables: nursery, floral ornamental and greenhouse products. Commercial agriculture shall not include animal feedlots operations, forestry and/or timber production.

AGRICULTURE, HOME: The production, principally for the use or consumption of the residents of the property, of plants, animals or their products, including gardening, fruit production, and raising of poultry and livestock. May include incidental sale of products grown or produced on the site.

FORESTRY/SILVICULTURE: Any ongoing activity which may alter the physical or vegetative characteristics of any forest land and which is undertaken in connection with the harvest of commercial forest products and the long term management of the forest land.

Commentary: This is taken from the definition of “Forest Practice” from CT Statute 23-65f. That definition goes on to say that the clearance of trees for approved development is NOT a Forest Practice. As the Town does not intend to regulate forestry as a use, I don’t think this exception is necessary. Instead, the definition above emphasizes the ongoing, long term nature of forestry, as opposed to a one-time clearance of land. – **needs additional discussion with staff**

AGRICULTURE, EVENTS: An event or activity accessory to and conducted on the same property as an ongoing bona fide Commercial Agriculture operation. Events or activities may be agricultural or non-agricultural in nature, but must use the scenic or agricultural setting of the farm as the basis for the enterprise. Agriculture events may include, but are not limited to, farm tours, classes and/or conferences related to agricultural production and skills, petting, feeding and viewing of farm animals, and special or seasonal events such as weddings, farm dinners, etc.

FILLING/EXTRACTION OF EARTH PRODUCTS: The removal, extraction, excavation, fill, or grading for any purpose of soil, sand, shell, gravel, ore, rock, clay or any similar material by whatever process.

Commentary: Most people will probably look for this under Industrial. It has been moved under that category. - **OK**

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

LIVESTOCK: Any apian, avian, bovine, equine, caprine, ovine, camelid, porcine, poultry, leporine, or other animal that is raised for production of food or fiber, or is used primarily for work, commerce, or exhibition. Such animals that are kept simply for companionship or enjoyment but that do not meet the definition of “pet” herein shall still be considered livestock. This definition also does not include wild animals.

NURSERIES AND GREENHOUSES, COMMERCIAL: Any business involved in the cultivation and sale of nursery products including living tree, plant or other flora, whether or not grown on site, and any products or materials ordinarily and necessarily associated with the growing of said tree, plant or other flora, including, but not limited to, soil, mulch, fertilizer, growing containers and water delivery systems. It may include ancillary sale of decorative materials such as paving stones and lawn ornaments, but may not include machinery, or equipment such as tractors or lawn mowers.

PET: A domesticated animal such as a dog, cat, common cage bird, rodent, rabbit, ferret, or aquarium-kept fish, reptile, or amphibian, which is traditionally kept in the home for companionship or enjoyment rather than for utility or commercial purposes. Does not include livestock and wild animals.

RIDING OR BOARDING STABLE: A commercial riding or boarding stable open to the general public, including: boarding and training of equines and/or camelids; riding instruction; and fields or arenas used for events.

VETERINARY OR ANIMAL HOSPITAL: An establishment of a licensed practitioner primarily engaged in the practice of veterinary medicine, dentistry or surgery for pets such as horses, rabbits, dogs, cats, and birds and other pets with overnight keeping of pets which require continued medical attention.

WILD ANIMAL: Any member of the animal kingdom, other than humans, that is capable of sustaining itself in its native habitat, was not born in captivity, and is not domesticated. Does not include livestock or pets.

Building and Construction Related

Commentary: There are no Use Table terms under this category.

Cultural, Recreation and Entertainment

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

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

CARNIVAL OR FAIR: A traveling or transportable group or aggregation of rides, shows, games, exhibits, demonstrations, or concessions or any combination thereof.

CLUB, LODGE OR ASSOCIATION: An association of persons which is the owner, lessee, or occupant of an establishment operated solely for a recreation, social, fraternal, religious, political, or athletic purpose whose activities are confined to the members and guests, are not extended to the general public, and

include the establishment so operated; but does not include such clubs the chief activity of which is a service customarily carried on primarily for business or gain. This use category does not include overnight accommodations.

COMMERCIAL RECREATION, HEALTH AND FITNESS, INDOOR, SMALL SCALE: A recreational activity, carried out for profit, generally conducted within a building or substantial structure in a space not to exceed 2,000 square feet.

Examples may include: small yoga and pilates studios, certified massage therapy, physical therapy, sports performance training, martial arts, etc.

COMMERCIAL RECREATION, HEALTH AND FITNESS, INDOOR, LARGE SCALE: A recreational activity, carried out for profit, generally indoors in a space greater than 2,000 square feet.

COMMERCIAL RECREATION, OUTDOOR: A recreational activity, carried out for profit, conducted primarily outside of an enclosed building. (See conditions in Sec. 7.1-27.)

Examples may include: golf courses, golf driving ranges, miniature golf, water parks, outdoor ropes courses, wall climbing, swimming pools, batting cages, tennis clubs, etc.

Commentary: The Town asked for a definition for golf course, but the intent was to include golf courses under this category. Discuss with Zoning Commission

This use is currently allowed with the conditions of 7.1-27 in the RU, CH, IL and IH. HW suggests eliminating the 10 acre minimum requirement in 7.1-27, to accommodate smaller tennis clubs, miniature golf, etc. The size of available/developable parcels and the other performance standards in 7.1-27 related to noise, setbacks, prohibition of racing motor vehicles, etc. will regulate what can reasonably go where. For example, golf courses would technically be allowed in the CH district. In actuality, this is probably not feasible, given the amount of space a golf course needs, the developable space actually available in the CH, and the setback standards in 7.1-27.

Alternatively, if there is a concern that any of the larger uses are not appropriate for an RU district, the Town may consider changing 7.1-27 to restrict such uses of five acres or more to the IL and IH districts, and allow such uses of under five acres in the RU, CH, IL and IH.

Lastly, if the feeling is that golf courses have a lesser impact than the other types of commercial outdoor recreation described above, and should be allowed in more places, whatever their size, Golf Course can be its own use. A potential definition for Golf Course is: "A tract of land laid out with a least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, shelters, etc. as accessory uses."

ENTERTAINMENT OR SPORTS FACILITIES: An indoor or outdoor land use attracting large numbers of both local and regional visitors for entertainment or sporting events. A large-scale entertainment or sports facility may include arenas, amphitheatres, megatheaters, stadiums and ball parks, other sports facilities, and theme parks. (New Eff: 10/1/97) (Updated July 2016)

EXHIBITION HALL: A commercial facility used for assemblies or meetings, including exhibition space, conventions, conferences, seminars, product displays, etc.

LIBRARY: A public or private, nonprofit facility, open to the general public or to members, in which literary, musical, artistic, or reference materials such as but not limited to books, manuscripts, computers, recordings, or films are kept for use by or loaning to patrons of the facility, but are not normally offered for sale.

MARINA: A facility for the secure mooring of boats, including facilities for the storage and repair of boats and sale of boating equipment, supplies and fuel and accessory facilities such as showers, restrooms and self-service laundries.

MUSEUM: Any space, building or set of buildings serving as a repository for a collection of objects, art or information of interest, arranged, intended, and designed to be used by members of the general public for viewing or interaction, with or without an admission charge, and which may include as an accessory use the sale of goods to the public.

THEATER OR CINEMA: An outdoor or indoor area, building, part of a building, structure, or defined area utilized primarily for rehearsal and production of dramatic, dance, musical, or other live performances or movies. Such establishments may include related services such as food and beverage sales and other concessions, office space for theater management, costume shops, set design shops, and set and costume storage areas.

YACHT CLUB: An institutional use that is classified as either a private club or community club that consists of structures and related grounds and/or moorage used for social and recreational purposes related to pleasure boating and/or swimming, the use of which is primarily restricted to members and their guests.

Day Care Related Terms

DAYCARE: A place that provides for the care of children or adults. Those receiving care are not all related to each other by blood or marriage and are not legal wards or foster children of the attendant adults, and for which care a payment, fee, or grant is made. Of those receiving care, only dependents of an attendant adult living at the premises may reside on the site.

ADULT DAY CARE CENTER: A non-residential facility in which custodial care is provided for related or unrelated adults who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention (including drug or alcohol rehabilitation services). Programs may include training in things such as self-care, activities on daily living, personal and social adjustment, work habits and skills, and speech and language development, and/or recreational activities of a social, athletic or purely diversionary nature.

(Updated August 2016)

FAMILY DAY CARE HOME: A facility which consists of a private family home caring for not more than six (6) children, including the provider's own children not in school full time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a twenty-four (24) hour period and where care is given on a regularly recurring basis. During the regular school year, a maximum of three (3) additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three (3) children who are in school full time, all of the provider's children shall be permitted. Said facility shall be considered to conform to this definition if it operates either as a for profit or nonprofit business, and meets all the requirements of the State of Connecticut Office of Early Childhood, Division of Licensing "Statutes and Regulations for Licensing Family Day Care Homes", Connecticut General Statutes Section 19a-87b through 19a-87e inclusive, as amended, and any other applicable regulations, statutes or ordinances. This definition shall be deemed not to represent an intensification of use of a property. (New Eff: 10/31/89) (Updated July 2016)

CHILD DAY CARE CENTER: A facility which offers or provides a program of supplementary care to more than twelve (12) related or unrelated children outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week, which is operated either as a for profit or nonprofit business, and meets all the requirements of the State of Connecticut Office of Early Childhood, Division of Licensing "Statutes and Regulations for Licensing Child Day Care Centers and Group Day Care Homes," Connecticut General Statutes Sections 19a-77 through 19a-87 inclusive, as amended, and any other applicable regulations, statutes or ordinances. (New Eff: 10/31/89) (Updated July 2016)

GROUP DAY CARE HOME: A facility which offers or provides a program of supplementary care to not less than seven (7) nor more than twelve (12) related or unrelated children on a regular basis for part of the twenty-four (24) hours in one or more days in the week, which is operated either as a for profit or nonprofit business, and meets all the requirements of the State of Connecticut Office of Early Childhood, Division of Licensing "Statutes and Regulations for Licensing Child Day Care Centers and Group Day Care Homes," Connecticut General Statutes Sections 19a-77 through 19a-87 inclusive, as amended, and any other applicable regulations, statutes or ordinances. (New Eff: 10/31/89) (Updated July 2016)

Dimensions & Form

Commentary: There are no Use Table terms under this category.

Flood Protection

Commentary: There are no Use Table terms under this category.

Health Facilities

HOSPITAL/EMERGENCY TREATMENT CENTER: A facility or institution, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of human diseases, pain, injury, deformity, or physical condition. Such facility may include overnight accommodations for patients, ancillary services such as pharmacies, cafeterias and gift shops, and emergency room facilities with accommodations for ambulance traffic.

MEDICAL/HEALTH CARE PROFESSIONAL OFFICE/CLINIC: An establishment where human patients who are not lodged overnight are admitted for examination and treatment by one or a group of physicians, dentists, other health care professionals, or similar professions. Such facility may include ancillary laboratory, rehabilitation and pharmacy services.

MEDICAL LABORATORY: A building or group of buildings in which are located facilities for the analysis of blood, tissue, or other human medical products.

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

Industrial

ALCOHOLIC BEVERAGE PRODUCTION: A processing plant used for the commercial purpose of processing grapes, other fruit products, grains or vegetables to produce wine, beer or spirits. Processing includes wholesale sales, crushing, brewing, distilling, fermenting, blending, aging, storage, bottling, administrative office functions and warehousing. Retail sales and tasting facilities of wine, beer, spirits and related promotional items, as well as a café with limited food service, may be permitted as part of any winery, brewery or distillery operations.

ALCOHOLIC BEVERAGE PRODUCTION, LARGE SCALE: Includes the definition for Alcoholic Beverage Production, with the following standard: Wine, beer or spirits production of greater than 55,000 gallons per year.

ALCOHOLIC BEVERAGE PRODUCTION, SMALL SCALE: Includes the definition for Alcoholic Beverage Production, with the following standards: Wine, beer or spirits production of 55,000 gallons per year or less.

Do we want something smaller than 55,000 gallons?

1 barrel = 31 gallons 55,000 gallons = 1774 barrels Mystic Nano-Brewery = 144 barrels/year.

CT Has separate permits for [Manufacturer Permit for Beer](#), [Manufacturer Permit for Brew Pub](#) and [Manufacturer Permit for Beer and Brew Pub](#).

Commentary: 144 barrels per year is VERY small, and while many companies must start out that small in order to grow sustainably, few, if any, can afford to stay that small while maintaining a healthy business. The Town would not want to get in a position of having a business start, and then quickly outgrow production limits and be forced to move. There needs to be at least some opportunity to expand from “tiny” to “small”. 55,000 gallons per year, which is the CT State limit for the definition of a “small winery” is WELL below the Brewers Association’s definition of a micro-brewery, at 465,000 gallons per year. As a comparison, The B’everd Brewing Company in Stonington is on track to produce 87,000 barrels this year. Brewpubs such as Trinity Brewhouse in Providence, RI and Cambridge Brewing Company in Cambridge, MA each produce between 40,000 – 50,000 gallons per year. –Discuss with Zoning Commission

ARTISAN AND CRAFT WORKSHOPS: An establishment, not exceeding 3,000 square feet of floor area, for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items.

BREWERY: Included under the definition for Alcoholic Beverages Production

DISTILLERY: Included under the definition for Alcoholic Beverages Production.

FILLING/EXTRACTION OF EARTH PRODUCTS: The removal, extraction, excavation, fill, or grading for any purpose of soil, sand, shell, gravel, ore, rock, clay or any similar material by whatever process.

FLEX SPACE: A building designed to accommodate a combination of office, light industrial, wholesale, and warehousing functions, the exact proportions of each use being subject to user needs over time.

Commentary: FYI - the mix of uses described above under Flex Space would be explicitly allowed in the new IL district. Is it desired anywhere else? – Discuss with Zoning Commission

FOOD AND KINDRED PRODUCTION, MAJOR: Any establishment of more than 10,000 square feet that engages in commercial on-site production and packaging of food, food related products, and/or non-alcoholic beverages, including wholesale.

Examples may include: machine-produced bakery and confectionary products; machine processing and jarring or canning of fruits and vegetables; large-scale dairy, meat and fish processing; etc.

FOOD AND KINDRED PRODUCTION, MINOR: Any establishment of no more than 10,000 square feet that engages in commercial on-site production of artisan or small-batch food, food related products and/or non-alcoholic beverages, generally produced by hand or with limited mechanization and not including wholesale.

Examples may include: coffee roasting, ice cream, baked goods, confectioneries, canned and preserved fruits and vegetables, sodas and seltzers, and other foodstuffs.

Commentary: This category was split in two at the Town’s request. Major production will be allowed in the IL and IH districts. Minor may be allowed in those districts, as well as the CH, MVC and MTC with conditions that may include:

- All storage shall be within an enclosed building.
- Hours of operation shall be limited to 7:00 a.m. until 9:00 p.m. so that neighboring residential development is not disturbed by noise and lights.
- Distribution facilities are not permitted adjacent to residentially zoned property, or mixed-use property that includes residential. *Discuss with Zoning Commission; 10,000 sq.ft. might be too large for minor use that we may want to allow in a mixed use area.*

HEAVY INDUSTRIAL: Uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous conditions.

Examples may include: The manufacture of clothing, fabrics, and other textiles; Production of chemicals, drugs, plastics; Dry cleaning plants and dyeing facilities; Fabrication of metal for tools and machines; Jewelry Manufacturing or plating; Lumber, wood and paper production; Non-ferrous foundries and rolling and extruding of non-ferrous materials; Waste handling/reduction facilities; Solid waste disposal facility; Electrical equipment production.

LAUNDRY/DRY CLEANING: A building, portion of a building, or premises used or intended to be used for the cleaning of fabrics, textiles, wearing apparel, or articles of any sort ~~by immersion and agitation, or by immersion only~~. Includes commercial laundries, **dry cleaners** and Laundromats. **Does not include self-service or pick-up-only dry cleaning and laundry services.**

Was there a reason to keep dry cleaners out of this definition? Should it go someplace else?

*Commentary: Pick-up-only dry cleaning and laundry services are currently captured by the Personal Services category. Dry cleaning plants, because of the chemicals used, are considered part of Heavy Industrial. This left "commercial laundries," which are generally too large a scale to be considered a Personal Service and lacking the chemicals of a dry cleaners to be considered Heavy Industrial. If the Town feels that laundries and dry cleaners are a common enough use that it would be confusing to keep them under Personal Services and Heavy Industrial, we can separate them back out. **Staff would keep these together. Discuss with the Zoning Commission***

LIGHT INDUSTRIAL: A use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products.

Examples may include: Manufacturing of furniture and fixtures; Jewelry assembly; Musical instruments and parts; Moving and storage uses; Photo processors and photo labs; Printing and publishing; Professional, scientific, and controlling instruments; Research and testing services; Scientific and research laboratories; Screen printing/embroidery of clothing; Stone, clay, and glass production.

OUTDOOR STORAGE YARD: A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging large finished goods and equipment, or scrap or discarded material, goods, or equipment.

SAILMAKING/SAIL LOFT: A manufacturing establishment that makes and repairs sails for sailboats, kites, hang gliders, wind art, architectural sails, or other structures using sails. A sailmaker typically works on shore in an indoor sail loft large enough to lay out sails for construction or repair. Modern sailmaking may involve computer-aided design and manufacturing tools, including low-power lasers to cut sail materials.

WAREHOUSE AND DISTRIBUTION: A use where goods are received and/or stored for delivery to the ultimate customer at remote locations. This definition includes parking lots for overnight truck, railcar or shipping container storage, and such establishments as commercial distribution services, freight forwarding services, and freight agencies. May include intermodal distribution facilities for a mix of truck, rail, or shipping transport.

WINERIES: Included under Alcoholic Beverage Production.

Lodging Related

BED AND BREAKFAST: An owner-occupied building which is open to the general public, designed, used and occupied as a single-family residence managed by the property's owner and having, as an accessory use, bedroom accommodations and meal provisions for those accommodated as paying guests.

HOTEL/MOTEL: A building or buildings open to the general public and providing lodging for compensation with or without meals and/or kitchen facilities, and intended for the accommodation of transients.

ROOMING OR ROOMING/BOARDING HOUSE: A dwelling whose principal use is to provide lodging, without separate kitchen facilities, with or without meals, for compensation by prearrangement for definite periods, to between 3 and _____ persons.

We need to review all residential and lodging uses with Town Attorney. See [the separate document that](#) is being sent to the Town Attorney for review and additional discussions.

*Commentary: Will wait to hear what the Town Attorney has to say. **Waiting for Review of this Section with the Town Attorney. Will provide Zoning Commission update after TA review.***

TEMPORARY RENTAL: A private dwelling or room in a dwelling available for short-term, temporary rentals of less than 30 days per party per stay. The dwelling must be the primary home of the owner for at least six months out of any calendar year.

*Commentary: The above would address Airbnb and other short-term home rentals. It would also keep people from buying investment properties and turning them into full-time inns. Temporary Rentals would likely be allowed in any zoning district where a Bed & Breakfast is allowed. **Needs additional discussion with staff and the Town Attorney and Zoning Commission.***

Residential

ACCESSORY APARTMENT: A residential dwelling unit accessory to a single family dwelling.

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

ASSISTED LIVING FACILITY: Housing designed for seniors who require some level of assistance in their day to day care, including such facilities licensed and designed to meet the needs of seniors with Alzheimer's or other dementia-related illnesses, that provides nursing services, communal dining facilities and meal services, and/or assistance with personal care activities of daily living to clients living within a managed residential community having supportive services that encourage clients, aged 55 or older, to maintain a maximum level of independence. (New Eff: 5/31/97; 12/10/2004)

COMMUNITY RESIDENTIAL COUNSELING FACILITY: A residential building or group of buildings for the temporary, transitional housing of detoxified resident persons and/or their dependents seeking to arrest, reverse, or ameliorate the compulsive use of alcohol or drugs pursuant to an organized and structured program. Such a facility will include onsite counselors and staff members providing counseling, rehabilitation, evaluation and other supportive services to the detoxified resident persons. This definition shall not include community-based service programs under the jurisdiction of the Department of Correction pursuant to Section 18-100 of the Connecticut General Statutes or court ordered treatment programs under Chapter 319j, Section 17a-680 to 17a-701 of the Connecticut General Statutes. (New Eff: 7/1/93) (*Added word 'Counseling' to the name, March 2016. Updated August 2016.*)

Commentary: Is the Town Attorney being asked to consider the issue of regulating such a use that provides counseling and support services off site? Under review by the Town Attorney.

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

DWELLING: A building that contains one or more dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

DWELLING, ONE FAMILY: A detached building with one dwelling unit.

DWELLING, TWO FAMILY: A detached building with two independent dwelling units.

Do we want to allow 2 separate units on one lot where a Dwelling, Two Family (duplex) is allowed?

Commentary: That's a policy decision for the Town to make, but HW would not recommend allowing two primary one-family residences on a single lot. [Discuss with the Zoning Commission](#)

DWELLING, MULTI-FAMILY: A building or group of buildings on one lot containing three or more separate dwelling units.

DWELLING, MULTI-FAMILY CONVERSION: A multi-family dwelling developed by converting an existing building from another use.

Commentary: This use will require new conditions.

DWELLING, MULTI-FAMILY MICRO-UNIT: A small multi-family dwelling, typically less than 500 square feet, with a fully functioning and accessibility-compliant kitchen and bathroom, designed with features that mitigate the small size. See Conditional Uses, 7.1-X.

Commentary: Added per the Town's request. There is no standard definition, but in more urban communities, the maximum size is generally closer to 350 or 400 sq ft. However, extremely small units generally only work in urban areas that are active "24-7," where residents can use the City as an extension of their living space. Further, micro-units will most definitely need Conditions to ensure high-quality, comfortable spaces, and not just cheap and cramped ones. For example, a certain amount of built-in furniture, including book cases or beds; greater ceiling heights than are required in other apartments; a higher level of common amenities, such as roof decks, bicycle storage, private storage lockers, etc. [Discuss with the Zoning Commission](#)

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

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

Review Hartford definition of [Dwelling, Dwelling Unit, Household and Household Unit](#). Need to review with Town Attorney if use this approach instead of defining and using Family.

We have sent a separate sheet to Town Attorney to address.

Commentary: HW agrees that defining "Household" rather than "Family" is a good approach. Defining "Family" at the local level is a tricky business. We will await the opinion of the Town Attorney. [Under Town Attorney Review](#)

All Manufactured Home and Mobile Home terms are being reviewed by Kevin Quinn for consistency with CT codes. He is on vacation for several weeks. If you include them in any draft just list use without definition until we hear back from Kevin.

Commentary: We will delete the definitions of the terms below related to manufactured and mobile homes if this list has to be sent to the Zoning Commission before Kevin weighs in. All below terms related to manufactured and mobile homes will be updated after Kevin Quinn review.

MANUFACTURED HOME: Any home factory-built to a state code built either on a permanent chassis or with removal of the chassis frame in mind. Typically, a manufactured home is not moved from its initial installed site.

MOBILE HOME: A transportable single family dwelling unit in one or more sections which is suitable for year round habitation, and equipped with a means to connect to water, sanitary and electric facilities.

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

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

We may not want to use the term subdivision.

Commentary: It seems the Town has been using the term "subdivision" in relation to mobile home parks for several decades. Would the term no longer be used because none of these parks are actually subdivided, but held in common ownership by the residents or a single property manager? HW will defer to the Town on this.

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

MOBILE HOME PARK OR SUBDIVISION (NEW): Any area or tract of land designed for the parking or other type of installation of mobile homes on spaces or lots offered for lease or rent, including all improvements, buildings, structures, recreation areas, or other facilities for the use of the residents of such development, and situated in such a way as to comply with the Town's adopted floodplain management regulations.

RESIDENTIAL LIFE CARE COMMUNITIES: A service-enriched community comprised of a building or group of buildings located on one or more contiguous parcels of land containing dwelling units including such housing and facilities defined hereunder as congregate living facilities, assisted living facilities, and

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

Retail

RETAIL: A commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser.

RETAIL, LARGE-SCALE: A single user commercial building, having a gross floor area of 75,000 square feet or greater, serving local and regional consumer needs.

RETAIL, SMALL-SCALE: add definition

Commentary: In the last draft, Retail falls under two main categories: Large-Scale (of 100,000 sq ft or greater, now 75,000 sq ft or greater) and Retail (anything smaller). Does the Town want Small-Scale to be anything less than 75,000 sq ft? Or a third category of Retail that's even smaller? If the latter, what would be the purpose/intent? Where would Small-Scale Retail be allowed that Retail would not? If the Town does want a three tiered definition for Retail, 15,000 sq ft is generally the size of a small CVS or other similar chain stores, while 40,000 sq ft is the minimum size of a "big box" store. Anything smaller than 15,000 sq ft is generally going to be a small, local business. Discuss with Zoning Commission

RETAIL WITH OUTDOOR STORAGE: Any retail establishment with an outdoor area that has been cleared for the temporary or longer term storage of equipment, supplies, products and materials as an accessory use. Such materials are generally in bulk and/or collectively do not serve the purpose of outdoor display.

RETAIL OUTDOOR SALES LOT: Part of a retail establishment with an outdoor arrangement of products or materials, designed and used primarily for the purpose of advertising or identifying a business, product, service, or other non-residential use. Said display includes items normally vended by the contiguous business, is generally deemed integral but accessory to the operation of the business, and may be a fixed, formal element of site design. Said goods are generally too heavy to be returned to the inside of the structure while the business is not in operation.

RETAIL WITH LARGE INDOOR DISPLAY AND STORAGE: A retail establishment that sells large items that require significant display and storage space, and larger facilities for loading and warehousing than a typical retail establishment.

Examples may include: furniture stores, appliance stores, hardware stores, carpet stores, etc.

Commentary: This use has been kept per the Town's request, in order to account for parking, loading, and warehousing needs different from those of typical retailers.

Restaurant/Drinking Establishment Related Terms

DRINKING ESTABLISHMENT (CAFÉ, BAR OR COCKTAIL LOUNGE): A commercial establishment open to the general public which sells and serves alcoholic beverages for consumption on the premises, and in which the service of food is only incidental to the consumption of such beverages. Dancing and musical entertainment may also be permitted.

FOOD TRUCK: See RESTAURANT, MOBILE

RESTAURANT, FAST-FOOD: Any establishment whose business involves the sale of pre-prepared or rapidly prepared foods, confections or beverages to the customer in a ready-to-consume state, and whose method of operation is such that customers normally order and obtain the product at a central location separate from the tables or counters used for consumption on site. This definition includes convenience stores which sell prepared food for on-site consumption, as well as take-out-only restaurants. (New Eff: 12/16/88) (Updated July 2016)

RESTAURANT, MOBILE: A licensed, motorized vehicle or other mobile food unit which is temporarily parked on a privately or publicly owned lot where food items are sold to the general public.

*Commentary: As noted by the Town, Conditions will be created for this use. It will be marked as Conditional and Accessory in the Use Table. However, are there any zoning districts where food trucks would NOT be allowed? Given their temporary nature, HW suggests allowing them with conditions in ALL zoning districts. (There are reasonable instances where a food truck might park for a few hours on a residential driveway for a party or other event.) The Town also suggests moving this to the Accessory category. Again, should all accessory uses be moved to that category? Or might they be listed twice (Once under the Accessory category, and once under whatever other category best applies)? **List under both. Discuss use with Zoning Commission***

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

Services

CEMETARY: Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes including columbariums, crematoriums, mausoleums, and funeral establishments, when operated in conjunction with and within the boundary of such cemetery.

CHURCHES AND OTHER PLACES OF RELIGIOUS WORSHIP: A building, together with its accessory buildings and uses, where persons regularly assemble for religious purposes and related social events and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes. Includes associated residential structures and associated buildings for religious personnel, but not any school buildings or activities.

FUNERAL AND CREMATORY SERVICES: An establishment providing services such as preparing the human dead for burial and arranging and managing funerals, and may include limited caretaker facilities. This classification excludes cemeteries, columbariums, and other permanent storage of human remains. The facility may include a chapel for the conduct of funeral services and other spaces for funeral services and informal gatherings or display of funeral equipment.

PERSONAL SERVICES: Establishments primarily engaged in providing non-medical, individual services generally related to personal needs.

Examples may include: Tailoring and shoe repair; Beauty and barber services and day spas; Laundry and dry cleaning, self-service or pick-up only; Repair of office equipment and personal and household items.

PROFESSIONAL OFFICES: Establishments primarily engaged in providing professional assistance, as opposed to retail products, to individuals, business, industry, government, and other enterprises.

Examples may include: Offices for architects, engineers, lawyers, real estate, insurance, and other professional occupations; Banks and financial services; Offices of Government agencies.

SCHOOLS, PUBLIC/PRIVATE (K-12): A site that is operated as a primary or secondary school and which contains all improvements required by local, State of Connecticut, and/or federal regulations necessary for general primary or secondary academic instruction.

SCHOOLS, PUBLIC/PRIVATE (Post-High School / College): A post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. This may also include community colleges and trade schools that grant certificates of completion in business, technical or vocational fields.

SCHOOLS AND STUDIOS, PROFESSIONAL DEVELOPMENT AND THE ARTS: Non-degree granting professional and educational service businesses or organizations providing specialized education and instruction for children and/or adults.

Examples may include: business and office skills, public speaking, computer training, music, dance, acting, fine art, etc.

Commentary: This entire use has been reconsidered, per the Town's comments. Business, professional, and labor organizations do not need a category of their own, and can easily fall under Professional Offices. They have been removed. The major difference between this category and the Recreation categories is that this category involves formal education and instruction vs. a recreational use that involves activity for health or for fun. A ballet studio would fall under the former, whereas a gym with a zumba or barre class would fall under the latter.

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

Transportation, Communication and Utilities

ANTENNA: A device used to receive or transmit telecommunications or radio signals. Such signals shall include, but not be limited to, radio, television, cellular telephone, paging, personal communication services (PCS), and microwave communications. Such antennae are typically mounted on a tower or support on the rooftop of a structure, or on free-standing towers. Examples include panels, microwave dishes, and single poles known as whip antennae. (New Eff: 4/15/97)

Need to review current requirements for CT Siting Council and what Town still wants to review, have standards for, or needs to review because not subject to Siting Council.

Commentary: The Council has jurisdiction over the following things related to New Electric Transmission, Generating, and Substation Facility Construction.

1. An electric transmission line of a design capacity of 69 kilovolts (kV) or more, including associated equipment but not including a transmission line tap as defined in General Statutes § 16-50i (e); (General Statutes § 16-50i (a) (1))

2. Any electric generating or storage facility using any fuel, including nuclear materials, including associated equipment for furnishing electricity but not including an emergency generating device, as defined in General Statutes § 16-50i (f) or a facility:

- owned and operated by a private power producer, as defined in General Statutes § 16-243b;
- a qualifying small power production facility or a qualifying cogeneration facility under the Public Utilities Regulatory Policies Act of 1978, as amended, or a facility determined by the Council to be primarily for the producers own use; and is
- a facility utilizing renewable energy sources generating one megawatt (MW) of electricity or less, or utilizing cogeneration technology generating 25 MW or less (General Statutes § 16-50i (a) (3)); and

3. Any electric substation or switchyard designed to change or regulate the voltage of electricity at 69 kV or more or to connect two or more electric circuits at such voltage. (General Statutes § 16-50i (a) (4)).

The Council has jurisdiction over the following things related to New Telecommunications Facility Construction.

1. Community antenna television towers and head-end structures; (General Statutes § 16-50i (a) (5))

2. Telecommunication towers, including associated equipment:

- owned or operated by the State;
- owned or operated by a public service company, as defined in General Statutes § 16-1;
- owned or operated by a person, firm, or corporation certified by the Department of Public Utility Control (DPUC) to provide intrastate telecommunications services pursuant to General Statutes §§ 16-247f through 16-247h, inclusive; or
- used in a cellular system as defined in the Code of Federal Regulations Title 47, Part 22, as amended. (General Statutes § 16-50i (a) (6))

The Town may consider regulating smaller electricity generation (generally designed to provide electricity just to the owner and his or her property) and smaller renewable energy location. Otherwise, there is not much leeway for municipalities to regulate these uses.

COMMUNICATION ANTENNA:

PHOTOVOLTAIC SYSTEM: A photovoltaic system is a power system designed to supply usable solar power by means of photovoltaics. It consists of an arrangement of several components, including solar panels (collectively a solar array) to absorb and convert sunlight into electricity, a solar inverter to change the electric current from DC to AC, as well as mounting, cabling and other electrical accessories to set up a working system. It may also use a solar tracking system to improve the system's overall performance and include an integrated battery solution.

Commentary: Currently, solar power is not mentioned in the Regulations. As the Regulations evolve, this definition will have to be updated, and additional solar-related definitions added.

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

TRANSIT STATIONS AND HUBS: Any property, equipment and improvements used, maintained and operated to provide public or private mass transportation for passengers and their luggage, including bus, rail, air, and ferry services, as well as associated passenger parking. May also include related ticketing sales and offices and accessory retail sales of food and sundries. This definition does not include curbside bus stops, with or without shelters.

TRANSMISSION TOWERS:

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

UTILITY INFRASTRUCTURE: The structures necessary to deliver services essential to the health, safety, and general welfare of the public, which may be provided by a public or a private agency.

Examples may include: Electric substations; Telecommunication facilities and towers; Telephone stations; Water and sewer facilities; Water and sewer treatment plants

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

WIND TURBINE: An alternate energy device which converts wind energy by means of a rotor to mechanical or electrical energy. A wind generator may also be deemed a windmill.

Vehicle and Heavy Equipment

BUS AND LIMOUSINE GARAGE AND MAINTENANCE: Any lot or land area used for the storage, layover, maintenance or repair of limousines, passenger buses or motor coaches.

CONSTRUCTION, FARM, AND HEAVY EQUIPMENT RENTALS: The use of any building, land area, or other premises or portion thereof, for the display and rental or lease of tractors or construction and heavy equipment, including incidental parking and servicing of associated vehicles and equipment.

CONSTRUCTION, FARM, AND HEAVY EQUIPMENT SALES: The use of any building, land area, or other premises or portion thereof, for the display and sale of tractors or construction and heavy equipment, including incidental parking and servicing of associated vehicles and equipment.

CONTRACTOR VEHICLE PARKING AND CONSTRUCTION EQUIPMENT STORAGE: The storage of a contractor's construction equipment and the parking of a contractor's commercial vehicle(s), as a primary, industrial use. See Conditional Uses, 7.1-X.

Commentary: A separate use for residential districts has been placed under the "Accessory" section above. New conditions will need to be written for this primary use.

FUEL DEALER: A business that sells and delivers fuel to residential, institutions and businesses and may also provide ancillary services such as equipment repair, cleaning, and maintenance. May include office and truck storage facilities.

This use should not include storage of fuel. Or break into 2 sections.

Commentary: By its nature, a Fuel Dealer is going to have to have fuel storage. If it doesn't store fuel and is strictly an office space where administration and customer service take place, then it is simply a Professional Office. Needs additional discussion with staff. Typically in our area fuel dealers are office with truck storage space and equipment storage. Fuel is on an offsite location. If it is only an office, it could go under professional office. The fuel truck overnight storage onsite is the issue.

FUEL DISPENSING STATION: Any lot or parcel of land or portion thereof used partly or entirely for dispensing flammable liquids, combustible liquids, liquefied flammable gas, or flammable gas into the fuel tanks of vehicles. This does not include bulk storage and wholesale of liquid fuels. May also include, separately or in conjunction, electric fuel stations for electric and hybrid plug-in vehicles.

MARINE CRAFT AND EQUIPMENT SALES AND RENTALS: A marine retail sales and service use in which marine craft are rented or sold, and in which equipment is rented or sold.

Question from Sue S.: What about fuel?

Commentary: This is a good question. Because this allows rentals, I imagine fuel would need to be provided to rental customers, but perhaps not sold separately as a retail use? The same would be true for other vehicle and equipment rentals. Also, this use had formerly been under the "Retail" category, but it makes more sense under "Vehicle and Heavy Equipment."

VEHICLE DEALERS (NEW): The use of any building, land area, or other premises or portion thereof, for the display, sale, or lease of new automobiles, panel trucks or vans, trailers, recreational vehicles, motorcycles, all terrain vehicles, and other such new vehicles, and including any warranty repair work and other repair service conducted as an accessory use.

VEHICLE DEALERS (USED): The use of any building, land area, or other premises or portion thereof, for the display, sale, or lease of used automobiles, panel trucks or vans, trailers, recreational vehicles, motorcycles, all terrain vehicles, and other such used vehicles, and including any warranty repair work and other repair service conducted as an accessory use.

VEHICLE PARTS AND SUPPLIES (NEW): Stores that sell new automobile parts, tires, batteries, and accessories. May also include minor parts installation. Does not include businesses dealing exclusively in used parts.

VEHICLE RENTAL: The use of any building, land area, or other premises or portion thereof, for the display and rental of automobiles, panel trucks or vans, trailers, or recreational vehicles, including incidental parking and servicing of vehicles for rent or lease.

VEHICLE REPAIR AND SERVICE, MAJOR: Repair of construction equipment, commercial trucks, agricultural implements, and similar heavy equipment, including automobiles, where major engine and transmission repairs are conducted. Typical uses include automobile and truck repair garages, transmission shops, radiator shops, body and fender shops, equipment service centers, machine shops, and other similar uses where major repair activities are conducted.

VEHICLE REPAIR AND SERVICE, MINOR: The business of minor repairs to any vehicle, including repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing, and repair and replacement of shock absorbers, ignition systems, and mufflers.

VEHICLE WASHING FACILITY: A commercial establishment for washing, polishing and/or detailing vehicles.

VEHICLE: Shall include all automobiles, trucks, trailers, vans, camp trailers, house trailers, recreational vehicles, motor homes, motorcycles, or any other wheeled vehicle used on or off road and which may be required to be registered by the State of Connecticut Motor Vehicle Department. Devices powered by humans are not considered a vehicle under this definition. (New Eff: 5/1/89) (Updated July 2016)