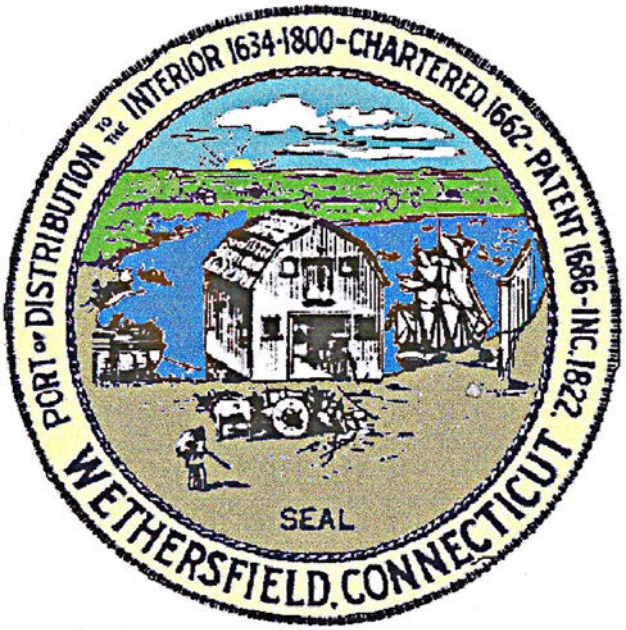
WETHERSFIELD
ZONING REGULATIONS



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Chapter 167A of the
CODE of the Town of WETHERSFIELD

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ARTICLE I - INTRODUCTION

1.1. Authority.

These regulations are adopted under the authority of Chapter 124 of the General Statutes of the State of Connecticut, as amended.

1.2. Purpose.

These regulations are adopted for the purpose of:

A. Promoting and protecting the public health, safety, comfort, and general welfare of the community in living and working conditions;

B. Preventing the overcrowding of land and avoiding undue concentration of population;

C. Conserving the value of buildings and encouraging the most appropriate use of land throughout the town;

D. Regulating and restricting the location of trades and industries and the location of buildings designed for specified uses;

E. Regulating and limiting the height, bulk and area of buildings hereafter erected;

F. Regulating and determining the area of yards, courts and other open spaces for buildings hereafter erected;

G. Lessening congestion in the streets;

H. Securing safety from fire, panic, flood, and other dangers;

I. Providing adequate light and air;

J. Facilitating adequate provision of transportation, water, gas, electric light and power lines, sewerage, drainage, schools, parks and other public requirements;

K. Minimizing and, where possible, preventing loss of life, injury and damage to public and private property caused by flooding and attendant hazards; and

L. Addressing other matters authorized by statute.

1.3. Zoning Districts.

A. To accomplish the purpose of these Regulations, the Town of Wethersfield is hereby divided into different classes of districts or zones as enumerated in these Regulations.

B. The districts or zones are shown on the official Zoning Map, as amended, which are declared to be part of these regulations. This map is on file with the Office of the Town Clerk and in the Office of the Building Official.

C. Unless otherwise dimensioned on the Zoning Map, zone boundaries shall be construed as follows:

1. Following the center line of a street, highway, railroad, right-of-way, or easement.

2. Following the lines of a particular geophysical feature including brooks, streams, floodplains, or steep slopes.

3. Following lot lines, such being lines of record at the time of adoption of these Regulations or relevant amendments hereto.

4. Where zone boundaries are set back from such lines, they shall be considered running parallel thereto, at distances indicated.

D. In case of uncertainty regarding zone boundaries on the Zoning Map, the zone boundary shall be determined by the Commission.

E. The operative date for the establishment of zoning regulations in the Town of Wethersfield is May 24, 1926.

1.4. Applicability.

A. CONFORMITY OF USE OR OCCUPANCY

No building, structure or land shall be used or occupied except in conformity with these regulations for the zone in which the building or land is located.

B. CONFORMITY OF BUILDINGS

No building or other structure or part thereof shall be erected, raised, moved, replaced, reconstructed, extended, enlarged, or altered except in conformity with these regulations for the zone in which the building or land is located.

C. CONFORMITY OF AREA AND BULK

1. No lot shall be diminished in area nor shall any yard, setback, or other open space be reduced except in conformity with the provisions of these Regulations.

2. No lot on which a building is or shall be erected shall be reduced or diminished so that the frontage, area, yards, courts or other open spaces shall be smaller than prescribed by these regulations for the zone in which the building or land is located.

D. CONFORMITY OF SIGNS

1. No sign shall be established, constructed, reconstructed, enlarged, extended, moved or structurally altered except in conformity with these Regulations and until a sign permit, if required by these Regulations, has been issued.

2. Any sign not expressly permitted is prohibited.

E. CONFORMITY OF SUBDIVISIONS

The subdivision of land shall be subject to the appropriate regulations herein contained for the zone shown on the zoning map.

ARTICLE II - INTERPRETATION

2.1. General Interpretation.

A. PROHIBITED IF NOT CLEARLY PERMITTED

1. Use of land, buildings or structures not clearly permitted in the various zoning districts is prohibited.

2. Activities not clearly permitted in the Regulations are prohibited.

B. CONSTRUAL OF PROVISIONS.

In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare, unless the context clearly indicates that such provision is intended to be a maximum limitation.

C. IN THE EVENT OF CONFLICT

Where any conflict arises between the provisions of this Chapter and any other law, ordinance, easement, covenant, rule, regulation, or permit, the provision that establishes the greatest restriction upon the use of land, buildings or structures or imposes the highest standard shall control.

2.2. Word Usage.

A. For the purpose of interpretation and enforcement of these regulations, certain words contained herein shall be interpreted as follows:
   1. The word "shall" is mandatory and not discretionary.
   2. The word "may" is permissive.
   3. When not inconsistent with the context:
      a. words in the present tense include the future and vice-versa,
      b. words in the singular include the plural and vice-versa, and
      c. words in the masculine include the feminine and neuter and vice-versa.
   4. The word "lot" includes the word "plot."
   5. The words "occupied" or "used" include the words "designed, arranged or intended to be occupied or used."
   6. The words "zone", "zoning district", and "district" have the same meaning.
   7. The word "person" also includes a partnership, association, trust, corporation or other legal entity.
   8. The phrase “these Regulations” shall refer to the entire Zoning Regulations.

B. For the purpose of interpretation and enforcement of these regulations, certain words not defined in this Section shall be defined by the Commission after consulting:
   1. The Building Code.
   2. The Illustrated Book of Development Definitions.
   3. The Connecticut General Statutes.
   4. Black's Law Dictionary.
   5. Webster's Third *New International Dictionary*.

2.3. Definitions.

A --

ABANDONMENT – To cease/discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, renovation or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

ACCESSORY – Subordinate to and customarily incidental to.

ACCESSORY APARTMENT - A complete and separate housekeeping unit (containing cooking, bathing, and sleeping quarters) that is accessory to a detached single family unit.

ACCESSORY BUILDING -- A detached building subordinate to and customarily incident to a principal building on the same lot and supported by a permanent foundation.

ACCESSORY STRUCTURE -- A detached structure subordinate to and customarily incident to a principal building on the same lot.

ACCESSORY USE -- A use subordinate and customarily incident to a principal use on the same lot in compliance with the same standards and procedures that govern the principal use of a property.

ADULT ORIENTED ESTABLISHMENT – As defined in Chapter 46 of the Wethersfield Code of Ordinances.

ANTENNA Any device used to collect or transmit telecommunications or radio signals. Examples include but are not limited to panel, whip and dish antennae.

ASSISTED LIVING -- A congregate housing facility that assists residents with personal care, basic health care, and supervision of self-administered medication as a transition between independent living and skilled nursing care.

ACTIVE ADULT HOUSING –A managed residential community consisting of single-family residential structures the occupancy which is limited, to those persons aged fifty-five (55) years and older.

B –

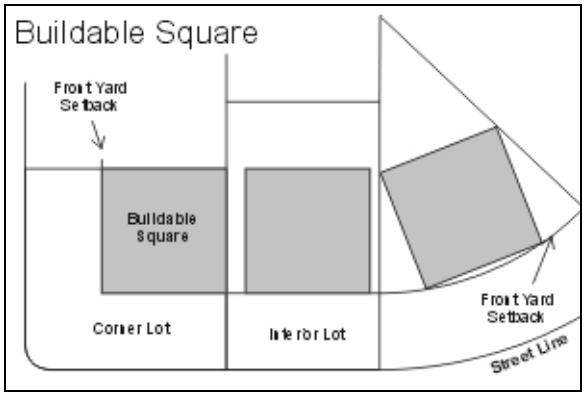
BASE FLOOD ELEVATION (BFE) - The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. (9/26/08)

BASEMENT- A story having any part of its height below grade. A “basement” shall not be included in computing either the number of stories, building height, or minimum floor area. For the purpose of these regulations, the words “cellar” and “basement” are synonymous. For floodplain management purposes, a basement is any area of the building having its floor subgrade (below ground) on all sides.(9/26/08)

BED AND BREAKFAST – An owner-occupied residential dwelling where overnight accommodations and a morning meal are provided to guests for compensation.

BOARDER, LODGING - The use or occupancy of a dwelling by not more than three (3) persons or paying guests, in addition to members of the family residing in the dwelling.

BUILDABLE SQUARE – A square of a specified dimension on each side that will fit on a residential lot behind and touching the required setback of the front yard for all frontages.



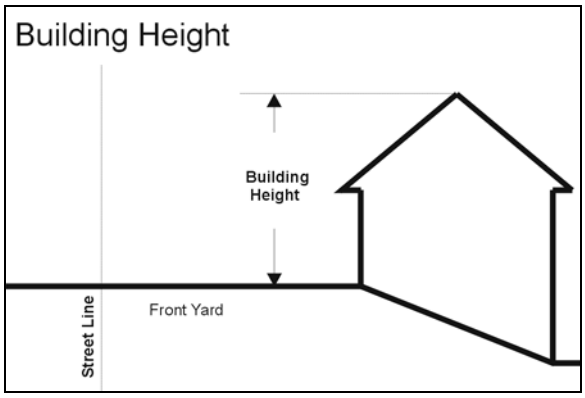
BUILDING -- A structure having a roof supported by columns or walls for the shelter of persons, animals, chattels or property of any kind. Each of the units into which a building is divided by party walls shall be regarded as a separate building. The term "building" shall be construed as if followed by the words "or part thereof."

BUILDING, PRINCIPAL – The primary building on a property. A building attached to the principal building by a covered passageway or by having a wall or part of a wall in common with it shall be considered an integral part of the principal building for the purpose only of computing the mandatory open spaces.

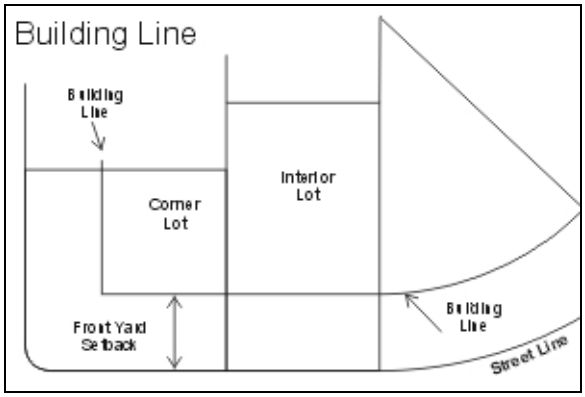
BUILDING AREA -- The maximum ground area enclosed by the walls of a building and the area of all covered porches and other roofed portions.

BUILDING FRONTAGE –The horizontal, linear dimension of that side of a building measured at ground level that abuts a street or parking area which is open to the general public and that has either the primary window display of the enterprise or the primary public entrance to the building. Where more than one tenant occupies a building, each tenant having a primary window display or primary public entrance for its exclusive use is considered to have its own building frontage, which is the front width of the portion of the building frontage occupied by that use.

BUILDING, HEIGHT OF -- The vertical distance from the average ground level along the front wall of the building to the highest point of the roof or parapet, whichever is higher.



BUILDING LINE -- A horizontal line, drawn parallel with the street line, beyond which, in the direction of the street line, the foundation wall or walls of a building or structure shall not encroach or extend.



C --

CARE CENTER -- Premises or portion thereof used as a place for the day care, guidance and/or supervision of seven (7) or more persons not of common parentage on a recurring basis for six (6) or more hours each day.

CARPORT -- A structure with a permanent floor and roof covering used for the storage of not more than two (2) private passenger motor vehicles that may be free-standing or may be attached to and architecturally integrated with the design of the dwelling. A "carport" shall be open on at least three (3) sides, except that trelliswork or other decorative work may occupy not more than fifty percent (50%) of the otherwise open area.

CAR WASH -- Any facility, including structures and accessory uses operated wholly or partly to wash cars. (10/18/05)

CELLAR – See “Basement”.

CEMETERY -- Any place that is used or intended to be used for interment of human remains, and includes a graveyard, burial park, or mausoleum. (5/6/05)

CHANGE OF USE – A change of use shall occur whenever an existing use in a building or on a tract of land is changed so that a more stringent section of the Zoning Regulations becomes applicable.

CGS – “Connecticut General Statutes”.

COST- As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor’s estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing components, structural components, utility and service equipment); sales tax on materials; building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor’s overhead; contractor’s profit; and grand total. Items to be excluded include: cost of plans and specifications; survey costs; permit fees; outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.(9/26/08)

COMMERCIAL VEHICLE -- Commercial Vehicle – Any vehicle or equipment regularly used to carry, deliver, handle or move goods in the conduct of a business, commerce, profession, or trade, and which has two (2) or more of the following characteristics:

- exceeds a gross vehicle weight rating (GVWR) of ten thousand (10,000) pounds,
- exceeds seven (7) feet in height from the base of the vehicle to the top,
- exceeds twenty (20) feet in length,
- has more than 2 axles,

- has more than 4 tires in contact with the ground,
- used, designed and built to carry more than 8 passengers,
- designed to sell food or merchandise directly from the vehicle or trailer itself,
- bears signs, logos, advertising or markings identifying the owner or registrant, a trade, business, service or commodity,
- has modifications such as a platform rack or mechanical equipment such as a hoist used to facilitate the carrying of goods or equipment.

The following types of vehicles when regularly used to carry, deliver, handle or move goods in the conduct of a business, commerce, profession, or trade shall all be considered commercial vehicles: step vans, cargo vans, box trucks, flat bed or stake bed trucks, buses, semi trailers, tractor trailers, dump trucks, wreckers and trailers used for commercial purposes. The following types of equipment shall also be considered commercial vehicles: earth moving equipment, cement mixers, trenching, pipe laying equipment or other similar type of construction equipment. (10/15/10)

COMMISSION -- The Planning and Zoning Commission of the Town of Wethersfield.

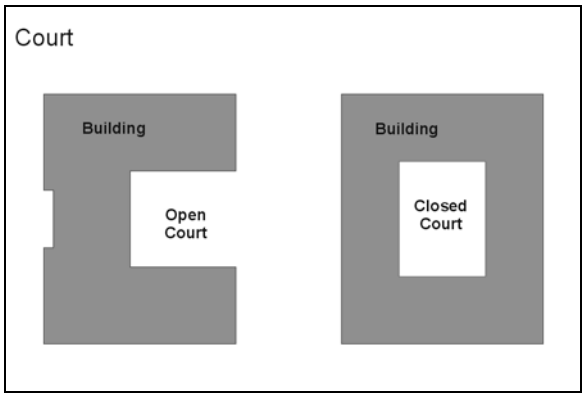
CONGREGATE HOUSING -- A residence facility for elderly or disabled residents that contains independent living units with provisions for cooking, eating, sanitation, and sleeping; that provides communal dining facilities and other appropriate support services such as security, housekeeping, organized social and recreational activities, and/or transportation; and that is appropriately staffed on a 24-hour a day basis.

CONSERVATION EASEMENT -- The grant of a property right stipulating that the described land will remain in its natural or pre-existing state and precluding future or additional development.

CONTRACT -- A contract between the Town of Wethersfield and an applicant for an approved Special Permit.

COUNTRY CLUB -- A nonprofit membership organization having as its primary purposes golf, swimming or tennis and including other activities normally incident thereto.

COURT -- A portion of a lot unoccupied above grade but partially or wholly surrounded by walls of a structure.



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D --

dBA – A measure of sound level, in decibels, using the flat network of a sound-level meter and octave band filter manufactured in accordance with the American Standards Association.

DEVELOPMENT – Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the construction of additions or substantial improvements to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of

equipment or materials; and the storage, deposition, or extraction of materials, and public or private sewage disposal systems or water supply facilities.(9/26/08)

DRIVE THROUGH – Any business or facility or any portion thereof that is dependent upon serving customers while in the motor vehicle rather than within a building or structure.

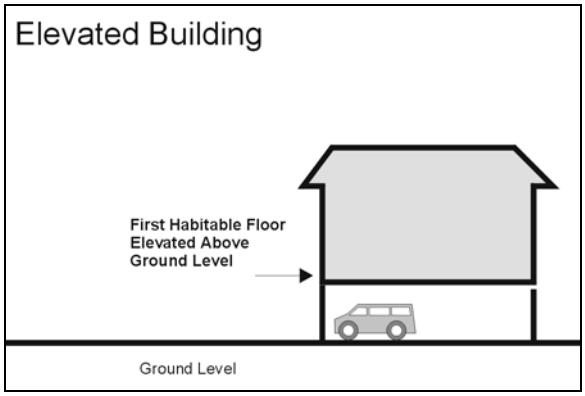
DWELLING -- Any building or portion thereof which is designed or used for residential purposes.

DWELLING, TWO-FAMILY -- A building designed for or occupied by two (2) families living independently of each other.

E --

ELDERLY HOUSING -- Housing designated to be occupied exclusively by persons fifty-five (55) years of age and over who are eligible for such housing as determined by the federally established criteria as being elderly. Such housing would enable these elderly, as well as younger persons who have been certified as being totally disabled under the Federal Social Security Act, to live in pleasant, safe and adequately planned and built dwellings.

ELEVATED BUILDING - A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls, as allowed under applicable standards.



ENCROACHMENT - Any development activity which intrudes upon the floodplain in a manner which diminishes its width, area or flood storage capacity or causes any change in flood elevation within such floodplain.

F --

FAMILY -- Any number of individuals living and cooking together as a single housekeeping unit, whether related to each other legally or not, and shall be deemed to include domestic help but not to include paying guests.

FARM -- A parcel or parcels of land of five (5) or more acres under single ownership or leasehold and used for farming. The term "farm" shall include farm buildings and accessory buildings, nurseries, orchards, ranges, pastures, greenhouses and structures used primarily for the raising and incidental sale of agricultural and horticultural commodities.

FARMING -- The use of a farm for agricultural activities:

- including forestry; cultivation of the soil for raising and harvesting any agricultural or horticultural commodity; the raising, dairying, shearing, feeding, caring for, training and management of livestock;, the production or harvesting of maple syrup or another agricultural commodity as an incident to ordinary farming operations; and the handling, packing, storing or delivery to storage or to market or the direct sale of any agricultural or horticultural commodity as an incident to ordinary farming operations.

- excluding the commercial raising of pigs, commercial slaughtering, commercial reduction of inedible animal matter, commercial kennels, or animal hospitals.

FARMLAND RECLAMATION - Filling of land for the express purpose of increasing its utility and productivity as cropland, pastureland or for silviculture, but not for structural development of any form, excepting the erection of fences.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - The federal agency that administers the National Flood Insurance Program (NFIP).(9/26/08)

FILLING STATION -- Any premises or building or any part thereof where fuel used in the propelling of motor vehicles using combustion-type engines is sold or offered for sale at retail.

FINISHED LIVING SPACE- Space that can include, but is not limited to, a space that is heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), had sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathroom, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.(9/26/08)

FLOOD, BASE - The one-hundred-year-flood; the flood having a one percent (1%) chance of being equaled or exceeded in any given year.

FLOOD ELEVATION - The base flood water surface elevation, without floodway, specified for each flooding source cross section in Table 1 of the Flood Insurance Study. The headings “With Floodway” and “Without Floodway”, as they appear in Table 1, mean with floodway fringe obstruction and without floodway fringe obstruction.

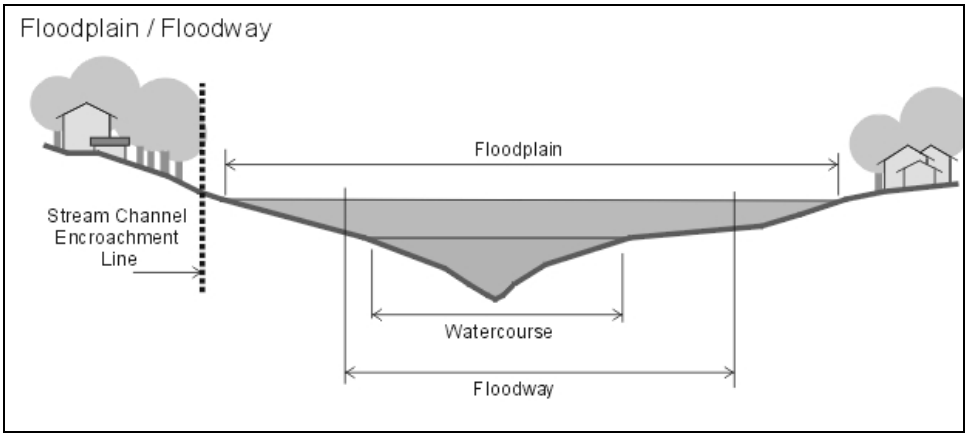
FLOOD INSURANCE RATE MAP (FIRM) – An official map of the Town of Wethersfield on which the Federal Emergency Management Agency (FEMA) has delineated the areas of special flood hazards and the risk premium zones applicable to the Town, as well as base flood elevations at selected.(9/26/08)

FLOOD INSURANCE STUDY (FIS) – The official report for the Town of Wethersfield provided by the Federal Emergency Management Agency (FEMA). The report contains flood profiles, water surface elevation of the base flood and includes the Flood Insurance Rate Map (FIRM).(9/26/08)

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

FLOODPLAIN - That area designated as subject to periodic flooding by the base flood, consisting of the floodway and the floodway fringe of the one-hundred-year flood as shown on the Flood Boundary and Floodway Maps in the Flood Insurance Study, as amended.

FLOODWAY - The channel of a river or other watercourse and the adjacent land area specified for each flooding source cross section in Table I of the Flood Insurance Study that must be reserved in order to discharge the base flood without exceeding the base flood water surface elevation, with floodway, specified in said Table 1.



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

FLOOR AREA - The cumulative area of the habitable floors of a building as measured from the exterior faces of exterior walls or, where applicable, from the center line of interior party walls.

FOOT CANDLE (fc) – A measure of luminance. A unit of luminance on a surface that is everywhere one foot from a uniform point source of light of one candlepower and equal to one lumen per square foot. (12/20/05)

FRONTAGE – See Lot Frontage.

FULL CUT OFF – A luminaire or light fixture that by design of the fixture housing does not allow any light dispersion or direct glare to shine above a ninety-degree, horizontal plane from the base of the fixture. (12/20/05)

FUNCTIONALLY DEPENDENT USE OR FACILITY- A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.(9/26/08)

G --

GARAGE, COMMUNITY -- An accessory building or portion of a principal or accessory building used for the storage or housing of more than three (3) motor vehicles.

GARAGE, PRIVATE -- An accessory building or portion of a principal or accessory building used for the storage or housing of up to three (3) motor vehicles.

GARAGE, PUBLIC -- Any building, other than a private garage or community garage, used for selling, renting, servicing or repairing motor vehicles

GLARE – The sensation produced by light within the visual field that is sufficiently greater than the light to which the eyes are adapted to cause annoyance, discomfort or loss in visual performance or visibility. (12/20/05)

GUN CLUB -- A nonprofit membership organization having as its primary purpose the sport of target shooting with firearms and including other activities normally incident thereto.

GVWR – Gross vehicle weight rating.

H –

HIGHEST ADJACENT GRADE (HAG)-The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.(9/26/08)

HISTORIC STRUCTURE- Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.(9/26/08)

HOME OCCUPATION -- Any use of residential premises carried on for a business or as a business by a person or persons residing on the premises.

HOME OFFICE -- Any portion of a residential premises used on an occasional basis by a person or persons residing on the premises in conjunction with employment typically occurring elsewhere.

HOSPITAL -- Any building designed, equipped or actually used to receive and treat or care for more than five (5) sick, injured or infirm persons at one (1) time, excluding correctional institutions and institutions for insane and feebleminded patients, alcoholics and drug addicts.

HOTEL -- A building or group of buildings used for the accommodation of transient guests with each unit of accommodation having access to a common interior hallway.

I --

INDOOR AMUSEMENT CENTER - An establishment of which the use is a mixture of assorted amusements and other family activities.

J --

K --

KENNEL – A site or structure used for the keeping of animals for compensation.

L --

LANDSCAPED AREA -- Areas that contain wooded vegetation, lawn, mulched planting beds, ornamental or shade trees, shrubbery, buffer vegetation, and similar landscaped treatment.

LIFE CARE -- A congregate housing facility that is planned, designed and operated to provide a full range of accommodations and services for elderly or disabled residents, including independent living, assisted living, and nursing facility.

LIVESTOCK -- Horse, cow, sheep, goat, hen, rabbit or similar animal.

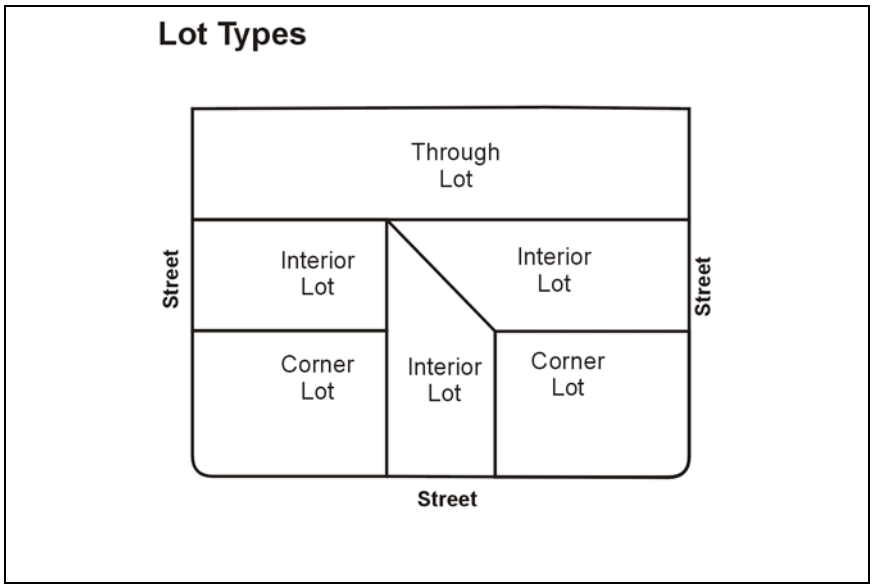
LOT -- A parcel of land occupied or intended to be occupied by a single use and the buildings and uses customarily incident thereto.

LOT LINES -- The lines bounding a lot as defined herein.

LOT, CORNER -- A lot abutting two (2) or more streets at their intersection.

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

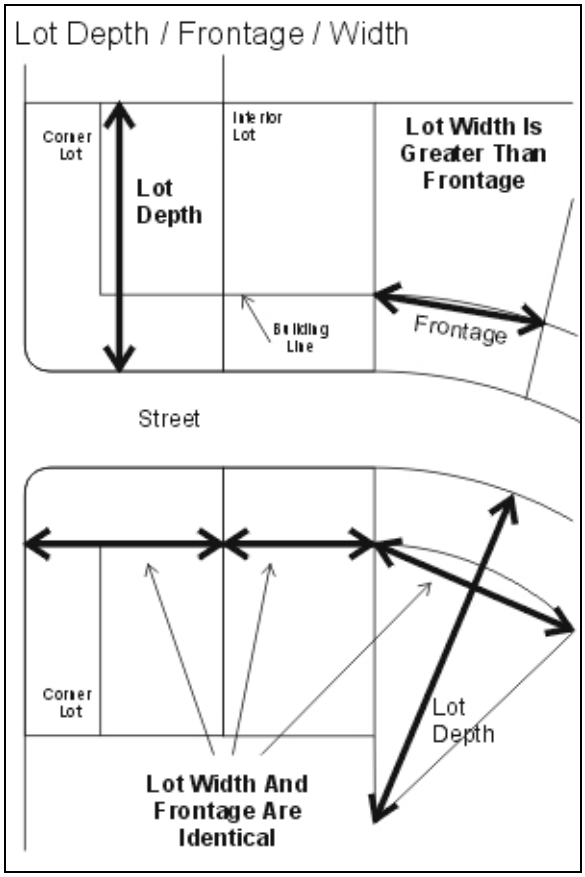
LOT, THROUGH -- An interior lot having frontage on two (2) streets.



LOT DEPTH -- The mean horizontal distance between the street and rear lot lines measured in the median direction of the side lines of the lot.

LOT FRONTAGE -- The distance between the side lines of the lot measured along the building line or the building line extended. Where the building line follows an arc, the distance shall be measured along the chord of said arc. On corner lots, the smaller frontage on a street shall in all cases be considered as the "lot frontage."

LOT WIDTH - The distance between the side lot lines measured in a straight line at right angles to the mean direction of such side lot lines, which line of measurement shall touch but not be in front of the building line. In the case of a corner lot the street line which has the least dimension shall be considered to be the front lot line and the lot lines adjacent thereto shall be considered to be the side lot lines.



LOWEST FLOOR - The lowest floor of the lowest enclosed area (including basement) of a building. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's "lowest floor."

LUMINAIRE – A complete lighting unit consisting of a lamp or lamps together with the parts deigned to distribute the light, to position and protect the lamps and to connect the lamps to the power supply. (12/20/05)

M --

MANUFACTURED HOME - A structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term also includes park trailers, travel trailers, recreational vehicles and other similar vehicles or transportable structures placed on a site for one hundred and eighty (180) consecutive days or longer and intended to be improved property.(9/26/08)

MARKET VALUE- The market value of the structure shall be determined by the use of the cost approach method to value, the quantity survey method or the square foot method prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.(9/26/08)

MDC DATUM - Elevation datum established by the Metropolitan District Commission (MDC) which, for National Flood Insurance Program purposes is 2.08 feet higher than the National Geodetic Vertical Datum.

MEAN SEA LEVEL (MSL) – The North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Maps (FIRM) are referenced.(9/26/08)

MIXED RESIDENTIAL and COMMERCIAL USES -- A building or site that contains at least one floor devoted to allow nonresidential uses and at least one devoted to allowed residential uses. (12-8-08)

MOTEL -- A building or group of buildings used for the accommodation of transient guests, primarily motorists, with each unit of accommodation having a separate exterior entrance.

MULTI-FAMILY DEVELOPMENT -- A building or complex of buildings on common property designed for or occupied by more than two (2) families.

N --

NEW CONSTRUCTION - Structures for which the "start of construction" commenced on or after the effective date of this ordinance (not the revision date) and includes any subsequent improvements to such structures.

NON-CONFORMING BUILDING -- Any building which does not conform to the requirements of these regulations or any amendment thereto upon the effective date of enactment.

NON-CONFORMING LOT -- Any lot which does not conform to the requirements of these regulations or any amendment thereto upon the effective date of enactment.

NON-CONFORMING USE -- Any use of land or building or part thereof being which does not conform to the requirements of these regulations or any amendment thereto upon the effective date of enactment.

NURSING HOME - A facility licensed by the State of Connecticut to provide a full range of direct medical, nursing, and other health services on a 24-hour basis to residents.

O --

OFFICE, BUSINESS, PROFESSIONAL OR MEDICAL – The office of a member of a recognized profession including doctors or physicians, dentists, optometrists, architects, surveyors, engineers, public accountants, lawyers, artists and other recognized professional occupations which in the judgment of the ZEO are similar in nature.

OPEN SPACE -- All land within any residence zone not subdivided into building lots or designated as public streets or private streets.

OUTDOOR SALES -- The display or sale of products and services outside of a building or structure.

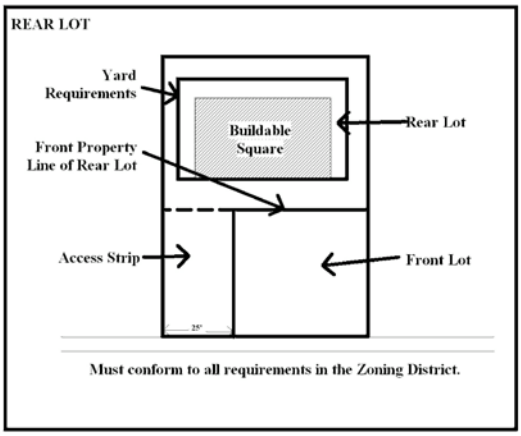
P --

PARKING AREA -- An open space used for parking motor vehicles exclusively and in which no gasoline or motor vehicle accessories are sold and no other business is conducted.

PLAN OF CONSERVATION & DEVELOPMENT – The most recent plan of conservation and development officially adopted by the Town of Wethersfield.

Q --

R --



REAR LOT -- A lot which does not meet the frontage requirements of these regulations for the underlying zones. (8/7/07)

RECREATIONAL VEHICLE – A vehicle which is (1) built on a single chassis, (2) four hundred (400) square feet or less when measured at the largest horizontal projection, (3) designed to be self-propelled or permanently towable by a light-duty truck, and (4) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel or seasonal use.(9/26/08)

RESIDENTIAL DEVELOPMENT:

SINGLE FAMILY:

CONVENTIONAL -- Detached single-family dwellings on individual subdivided lots with private yards on four (4) sides of the house.
PATIO HOUSE – Single-family detached or semi-attached dwellings on small, individual subdivided lots with each lot fully enclosed for privacy by a solid wall or fence of four (4) to six (6) feet in height.
TOWNHOUSE -- A single-family attached dwelling on an individual subdivided lot sharing a common sidewall with one or two other units, such that the common sidewall forms the vertical plane of the common side lot lines. A duplex unit is one type of townhouse development.
ZERO LOT LINE -- Detached single-family dwellings on individual subdivided lots with the house set on one (1) of the side lot lines.

MULTI-FAMILY:

HIGH-RISE – One or more buildings containing multiple units and occupying undivided land with residential units located in structures that are six or more stories high. (6/18/10)
MID-RISE – One or more buildings containing multiple units and occupying undivided land with residential units located in structures that are between three and five stories high. (6/18/10)
MULTIPLEX – One or more buildings containing multiple units occupying undivided land with units arranged in one or more of a variety of configurations, such as side by side, back-to-back or vertically, with or without individual outside access. Garden apartments and townhouse configurations are forms of multiplex development.

RESTAURANT, DRIVE THROUGH – A facility that is used for the preparation and sale of food and beverages accessory thereto and that has a drive through facility.

RESTAURANT, SIT DOWN – A facility that is used for the preparation and sale of food and beverages accessory thereto that are consumed by the purchasers seated at tables or counters located within the building.

RESTAURANT, TAKE OUT – A facility that is used for the preparation and sale of food and beverages accessory thereto that are typically consumed by the purchasers off premises.

S --

SCHOOL -- An institution of formalized instruction, licensed by a governing body and the instruction must ultimately lead to a formal graduation and granting of a diploma or degree and includes both public and parochial schools.

SERVICE STATION – A business establishment oriented towards the operation, servicing or maintenance of motor vehicles, other than a gasoline service station, repair garage service station, or a body repair service station.

, GASOLINE – A business establishment offering gasoline or diesel fuel and accessory sales of other items.

, REPAIR GARAGE – A business establishment providing general repairs or limited repairs as provided in the Connecticut General Statutes.

, BODY SHOP – A business establishment providing vehicular body modifications or repairs to vehicles with body damage.

SETBACK -- The shortest horizontal distance measured perpendicular to a lot line from the nearest point of a foundation wall of a building or structure to the lot line.

SHIELDING – A technique or method of construction which causes all the light emitted from an outdoor light fixture to be projected below a horizontal plane passing through the fixture.

SHOPPING CENTER -- A group of not less than five (5) structurally connected retail stores or personal service establishments functioning as a single unit, under single ownership and/or control having a total gross ground floor building area of at least sixty (60) thousand square feet, with immediate adjoining off-street, parking facilities not less than prescribed by these Regulations.

SIGN -- Any natural or artificial structure, object, device, light or display or part thereof or device attached thereto or painted or represented thereon which is used to advertise, identify or attract attention to any object, project, place, activity, person, article, product, institution, organization, business, service or location by any means including, but not limited to, letter(s), number(s), figures, banner, flag, insignia, device, design, symbol, fixture, color, logo, illumination or representation used as, or which is in the nature of, an announcement, direction or advertisement and which is situated so that it can be seen from a public street.

This definition shall not include official traffic signs or notices required by law.

SIGN, ANIMATED – Any sign that uses movement or change of lighting or color to depict action or create a special effect or scene. This definition includes signs with rotating panels, generally referred to as trivision signs and shall include electronic reader boards or message centers. (1-15-08)

SIGN, CHANGEABLE -- Any sign upon which letters, numbers, pictures or symbols are not permanently fixed, attached, painted, written, drawn or represented.

SIGN, CONSTRUCTION -- A sign identifying the architects, engineers, contractors, or other individuals or firms involved with the construction of a building on that site.

SIGN, DETACHED -- Any sign which is not attached to any building and is supported by any other structure or will stand by itself.

SIGN, DIRECTIONAL -- A sign which guides or directs pedestrian or vehicular traffic.

SIGN, EXTERNALLY ILLUMINATED -- A sign illuminated with an artificial light external to the sign.

SIGN, FLASHING – An illuminated sign on which the artificial light or color is not kept stationary or constant in intensity at all times when in use. (1-15-08)

SIGN, HEIGHT -- The vertical distance from the lowest ground level within the public right-of-way along the street line of the subject property closest to the detached sign to the highest point of the sign.

SIGN, INTERNALLY ILLUMINATED -- A sign illuminated from within by means of an artificial light.

SIGN, INTERIOR -- A sign located on, or within 3 feet of, a window inside a building and obviously capable of being seen from the exterior.

SIGN, NOTICE -- A sign on the premises or lot restricting the right to enter such premises or lot and indicating the private nature of such premises, lot or driveway.

SIGN, REAL ESTATE -- A sign displayed on private property advertising the sale, rental, or lease of the premises or part of the premises on which the sign is displayed.

SIGN, WALL -- A sign attached to any surface or plane of a building and which does not extend more than 12 inches beyond the perimeter of the building or above the roof line.

SPECIAL FLOOD HAZARD AREA - The area within a community subject to one (1) percent or greater chance of flooding in any given year, as identified on the community's Flood Insurance Rate Maps.

START OF CONSTRUCTION - The date the building permit was issued, provided that the actual start of construction, repair, reconstruction or improvement was within one hundred eighty (180) days of the permit date. The "actual start" means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure.

STORE, RETAIL – A use primarily devoted to the retail sale of goods or commodities such as food, drugs, clothing jewelry, hardware, stationary, household items, appliances or furnishings, in small quantities directly to the ultimate consumers.

STORY -- That portion of a building in which persons live, sleep, work or congregate between the upper surface of any floor and the upper surface of the floor directly overhead, except that the topmost story shall be that portion of a building in which persons live, sleep, work or congregate between the upper surface of the topmost floor and the ceiling or roof above.

STORY, HALF -- A space under a sloping roof which has the principal lines of intersection of roof decking and wall face not more than four (4) feet above the top floor level, and in which space not more than three-fourths (3/4) of the floor area is finished off for use.

STREET -- A way dedicated to public use or a way owned and maintained by the abutting property owners.

, ARTERIAL -- A Street designated as an arterial street in the Plan of Conservation and Development.

, COLLECTOR -- A Street designated as a collector street in the Plan of Conservation and Development.

STREET LINE -- The dividing line between the street and a lot.

STRUCTURE -- That which is built or constructed or any piece of work artificially built up or composed of parts joined together in some definite manner, the use of which requires permanent location on the ground or which is attached to something having a permanent location on the ground. A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank would each be

considered a structure. The term "structure" shall be construed as if followed by the words "or part thereof."

STRUCTURE, TEMPORARY – A structure which is intended for use on a temporary basis.

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damage condition would equal or exceed fifty percent (50%) of the market value of the structure before damage occurred.

SUBSTANTIAL IMPROVEMENT – Any repair, reconstruction or improvement of a structure, taking place over a one year period, the cost of which equals or exceeds fifty percent (50%) of the market.(9/26/08)

T --

TAG SALE -- The sale from residential premises of personal property of the occupant of the dwelling, or a common sale of personal property of more than one (1) household, specifically excluding merchandise purchased or received on consignment for sale or resale.

TELECOMMUNICATION FACILITY - Towers, antenna, associated equipment, and other structures used in conjunction with the provision of wireless communication services such as cellular communications and personal communications services.

CO-LOCATED - A telecommunication facility that shares land, towers, buildings or other structures for the placement of antennae with one or more telecommunication provider.

HEIGHT - The height of a telecommunication facility measured from the ground level to the top of the tallest feature.

TOOLHOUSE -- A building, not supported by a permanent foundation, used for the storage of tools and equipment, exclusive of motor vehicles, and customarily used in the maintenance and upkeep of the premises on which the toolhouse is located.

TRAILER, AUTOMOBILE -- Any vehicle, except a mobile home, designed to be drawn by a motor vehicle or designed for temporary human habitation of a recreational nature.

TRAILER CAMP -- A parcel of land which is used for occupancy by two (2) or more automobile trailers.

U --

V –

VARIANCE- A grant of relief by a community from the terms of the floodplain management regulations that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.(9/26/08)

VIOLATION - A failure of a structure or other development to be fully compliant with the community's floodplain management ordinance. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is resumed to be in violation until such time as that documentation is provided.(9/26/08)

W --

WATER SURFACE ELEVATION - The height, in relation to the North American Vertical Datum (NAVD) of 1988 or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.(9/26/08)

X --

Y --

YARD, FRONT -- An open space, unoccupied except as permitted by these regulations, across the width of the lot between the side lines of the lot, the depth being the minimum horizontal distance between the street line and the front foundation wall of the building. In cases where the two (2) street frontages of a corner lot vary in length, the lot shall be deemed to be situated on the street containing the narrower frontage in determining the setback. Where the street frontages of a corner lot are the same length, the owner may elect which street is to govern the setback line of his building.

YARD, REAR -- An open space, unoccupied except as permitted by these regulations, extending across the full width of the lot, the depth being the minimum horizontal distance between the rear lot line and the rear wall of the principal building. On corner lots, the "rear yard" shall in all cases be opposite the least lot frontage.

YARD, SIDE -- An open space, unoccupied except as permitted by these regulations, between a side line of the lot and the nearest point of the side wall of the principal building and extending from the rear yard to the front yard of the building.

Z --

ZBA – The Zoning Board of Appeals of the Town of Wethersfield, Connecticut.

ZEO – The Zoning Enforcement Officer of the Town of Wethersfield, Connecticut.

ARTICLE III - RESIDENTIAL ZONES & USES

3.1. Purpose.

A. The various residential districts are intended to provide suitable areas for residential development appropriate to the environmental characteristics of the land and the character of the neighborhood. The differentiation among the residential districts is intended to provide for variety in the size and density of residential neighborhoods and a diversity of housing opportunities. The districts are intended to accommodate certain non-residential uses when they are compatible with residential uses and preserve neighborhood character and property values.

B. In order to carry out the provisions of these regulations, the Town is hereby divided into the following residential districts:

Open Space Development Single Family Residential	(OS)
Single Family Residential	AA
Single Family Residential	A-1
Single Family Residential	A
Single Family Residential	B
Single Family Residential	C
Special Residential Development	SRD

3.2. Permitted Principal Uses.

No residential lot shall be occupied by more than one permitted principal building or, when specifically authorized by these Regulations and the review and approval procedures established herein, a group of permitted principal buildings.

Table Legend

P	Permitted Use Following Zoning Permit Approval By the ZEO
SP	Permitted Following Site Plan Approval By the Commission
CU-SP	A Conditional Use Permitted Only After Special Permit Approval By the Commission
Blank	Not A Permitted Use

A. Basic Residential Uses	**AA**	**A-1**	**A**	**B**	**C**
1. Single-family dwellings	**P**	**P**	**P**	**P**	**P**
2. Two-family dwellings					**P**
3. Renting of not more than two (2) rooms to persons who are not members of the family. (5/6 /05)			**P**	**P**	**P**

B. Other Residential Uses	**AA**	**A-1**	**A**	**B**	**C**
1. Open Space Development in accordance with Section 3.3 (5/6/05)	**CU-SP**	**CU-SP**	**CU-SP**		
2. Nursing home or convalescent home on a collector or arterial street in accordance with Section 3.2.1.	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**
3. Congregate housing, assisted living, or life care facility on a collector or arterial street in accordance with Section 3.2.1.	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**
4. Bed and breakfast operation conducted by the owners and residents of the premises.	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**

C. Open Space Uses	AA	A-1	A	B	C
1. Public or private park or open space	P	P	P	P	P
2. Wildlife sanctuaries or preserves	P	P	P	P	P
3. Farming, agriculture, forestry and nurseries	P	P	P	P	P

D. Recreation Uses	AA	A-1	A	B	C
1. Municipal recreation facility	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP
2. Public or private golf course or country club, including clubhouse.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP

E. Institutional Uses & Community Facilities	AA	A-1	A	B	C
1. Hospital or college on a collector or arterial road.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP
2. Church or religious institution.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP
3. Municipal building, public library, or public museum.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP
4. School or educational institution.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP
5. Cemeteries. (5/6/05)			CU-SP		

F. Miscellaneous Uses	AA	A-1	A	B	C
1. Care centers in accordance with Section 3.2.2.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP
2. Telecommunications facility in accordance with Section 9.1.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP

3.2.1. Congregate Residential Development

A. PURPOSE

This Section is intended to provide for congregate housing opportunities for persons aged fifty-five (55) years or older appropriate to the environmental characteristics of the land and the character of the neighborhood.

B. SPECIAL PERMIT REVIEW CRITERIA

In addition to the criteria established by the requirements of Article VIII of these regulations the Commission must determine that:

1. The project will help meet the senior housing needs of Wethersfield;
2. The intensity of the use and the scale and character of the housing development shall be reasonably compatible with the surrounding neighborhood.

C. PERMITTED USES

1. Development shall only occur upon approval of a Special Permit application to permit a managed residential community having shared support services for residents restricted to persons aged fifty-five (55) years or older to include:
   a. assisted living;
   b. life care;
   c. nursing home;
   d. convalescent home; or
   e. congregate care facilities but excluding hotels or similar commercial lodging facilities.

2. The following uses are permitted as accessory to the permitted principal use when approved as part of the Special Permit and Site Plan applications:
   a. On-site parking for motor vehicles owned or used by the residents and employees.
   b. Active and passive recreation improvements.
   c. Other accessory uses, buildings and structures may be permitted upon approval by the Commission to provide services and facilities on site for the residents which are customarily incidental to the permitted use.

D. SITE DEVELOPMENT REQUIREMENTS

1. Residential buildings shall be surrounded by a landscaped border of not less than fifteen (15) feet in width adjacent to and parallel to all sides of the building except points of entry, unless modified by the Commission. .

2. Common open space shall be:
   a. provided on the development site in an appropriate amount and configuration in relation to the intended occupancy characteristics of the site.
   b. appropriately located in relation to the planned development site and, where feasible, to be connected by means of linear greenbelts.

3. Public improvements shall conform to the applicable requirements of the Subdivision Regulations and the following standards:
   a. All utilities shall be installed underground.
   b. Sidewalks constructed to town standards shall be installed within the site and along the public street on which the site fronts.
   c. A complete lighting system shall be installed.

4. Exterior parking lots shall be:
   a. located at least fifteen (15) feet from any building,
   b. screened by landscaping of appropriate height and density, and

c. illuminated in a manner which is compatible with the development.

5. Parking areas containing more than fifty (50) spaces shall have two (2) driveways to a street, except where the applicant can demonstrate that reasonable traffic circulation exists to and from the site for emergency or other public safety vehicles A report from the Wethersfield Police and Fire Departments shall be required to permit a reduction to one driveway. Parking areas shall have a width of twenty-four (24) feet, except that aisle width may be reduced if angle parking and one-way vehicle circulation are provided.

6. An appropriate declaration of covenants and residency restrictions running with the land and/or buildings in favor of the Town of Wethersfield shall:
   a. be submitted as part of an application for a special permit.
   b. restrict the design, use and occupancy of the buildings and land for elderly housing in accordance with such special permit and accompanying plans which may be approved.
   c. be recorded on the land records of the Town of Wethersfield with the special permit, if granted, and shall be prior in right to all encumbrances not excused by the Commission.

E. DIMENSIONAL REQUIREMENTS.

Minimum lot area (square feet) excluding wetlands (Where an existing building is to be converted for congregate housing there shall be no minimum lot area)	2.0 acres
Minimum lot frontage (feet)	150
Minimum yards (feet)	
Front yard depth	50
Rear yard depth	50
Side yard depth	30
Minimum building separation	15 feet or the height of the structure, whichever is greater
Maximum building height (stories / feet)	2 ½ / 35
Maximum building height when restricted to persons Aged 55 and over (stories/feet) (08/08/08)	3/45
Maximum building coverage (percent of lot area)	35%
Maximum landscaped area (percent of lot area)	35%
Maximum density (units/beds per acre)	
Congregate housing /Assisted Living	20.0
Nursing/Convalescent Homes	25.0
The density limitations shall not apply to the conversion of existing buildings.	
Minimum Floor Area For Dwelling Units	
Assisted Living	350 sq. ft.
Congregate Housing	400 sq. ft.

3.2.2 Care Centers

A. A care center may be permitted by the Commission as a Special Permit provided that:
   1. The Commission shall determine the use to be suitable and appropriate to the area in which such proposed use is to be located.
   2. The applicant shall satisfy the Commission that adequate off-street parking shall be provided to satisfy the needs of the staff and other persons who may be expected to be present from time to time, including but not limited to physicians, nurses, parents and attendants.
   3. Adequate provision has been made for off-street discharge and pickup of attendees at the care center.
   4. The applicant shall demonstrate compliance with the applicable provisions of the Connecticut Public Health Code, the Connecticut Fire Safety Code and all other applicable state and local ordinances and regulations.

B. As a precondition of any approval for a care center, the Chief Building Official shall certify to the Commission that:
   1. any existing building which is intended to be devoted to such a use meets the requirements of the Connecticut Basic Building Code for the intended use.
   2. any proposed new building meets the requirements of the Connecticut Basic Building Code for the intended use.

C. The Commission shall stipulate, if it approves the proposed use in the proposed location that the plan as certified shall be complied with in its entirety.

3.3 Open Space Development District (OS)

A. An Open Space Development shall not be established until the Commission approves a Zone Change, a special permit and a subdivision/resubdivision provided that:

1. At least 25 percent of the land area is preserved as open space,
2. Any land not subdivided into building lots or designated as public streets shall be open space, provided that not more than fifty percent (50%) of lands set aside as open space shall be classified as inland wetlands.

B. The requirements of the zone or zones in which the tract was classified at the time of application for an Open Space Development shall prevail except as may be modified below:

	AA	**A-1**	**A**
Maximum Density (lots per acre)	1.8	2.2	3.0
Minimum Lot Size (Square Feet)	15,000	10,000	7,500
Minimum lot frontage (feet)	90	75	60
Minimum yards (feet)			
Rear yard depth	40	40	30

3.4 Special Residential Development District (SRD).

A. PURPOSE

1. This regulation is intended to provide for a residential zoning district which permits a variety of housing diversity and housing opportunities including single family and multi-family residential units appropriate to the environmental characteristics of the land and the character of the neighborhood.

2. It is intended that any Special Residential Development (SRD) District shall be established by the Commission only after taking into consideration the following:

   a. The community need as determined by the Commission;
   b. The supply of land available in the present and proposed zone;
   c. Whether the site is capable of accommodating the increased building density without detrimental impact. (6/18/10)

B. PROCEDURAL REQUIREMENTS

1. A Special Residential Development District may only be established following approval of a Zone Change that will include the submission of a Master Plan depicting the size, scale, intensity, and layout of the proposed development and a land use table setting forth the specific type of development (e.g. Active Adult Housing, Multi-Family Development, Single Family Development), the number of units proposed, the number of parking spaces proposed, and the development parameters such as the building height, lot coverage and proposed yards. The Master Plan and land use table shall include the following: (6/18/10)

   a. a boundary survey of the land included within the proposed SRD zone conforming to a Class A2 Survey and sealed by a land surveyor registered by the State of Connecticut. (6/18/10)

   b. a preliminary plan showing the proposed general system of utilities and their connection points to existing systems. (6/18/10)

   c. a statement prepared by a Professional Engineer registered in the State of Connecticut stating that the water supply and distribution system, sanitary sewer system and drainage system can be designed to adequately service the site. (6/18/10)

   d. a traffic impact study and statement that characterizes the pre and post development traffic conditions and demonstrates the potential adverse impacts on the traffic in the area. (6/18/10)

   e. a land use table indicating the type of development (e.g. multi-family, high rise, age restricted), the maximum amount of building development and density, number of dwelling units by type, size, square footage and bedroom count, the maximum impervious coverage, the maximum building height, the proposed yards, and the proposed open space, landscaping and/or buffers. (6/18/10)

   f. a schematic plan indicating the proposed layout of the proposed development. The plan shall be diagrammatic in nature, indicating development areas with examples of building layouts, parking areas, open space areas and access systems, both vehicular and pedestrian. (6/18/10)

   g. a listing of any other development criteria to be applied to the development. (6/18/10)

   h. a proposed development sequencing if the project is to be phased. (6/18/10)

   i. preliminary building plans, including schematic floor plans, architectural elevations, and descriptions of types of building materials. (6/18/10)

j. A fiscal impact study prepared by a qualified professional regarding the impact of the development on municipal services including police, fire and schools. (6/18/10)

2. The intent of this regulation is to link the approval of the SRD zone change to the Master Plan, land use table and the associated design details including: density, number of units, number of bedrooms, floor area of units, building size, building heights, setbacks, coverage, site and building layout and architectural design. The Master Plan and the associated land use table become the requirements of the SRD zone approved for the parcel.

After the zone change has been approved and if the proposed development has not changed significantly from that shown on the Master Plan, the applicant may file a Site Plan application further detailing the proposed development and its compliance with these regulations, the Master Plan and the land use table.

The Commission shall, in its sole discretion, determine which if any changes constitute a significant change.

Minor changes to the previously submitted Master Plan may be made as part of the Site Plan application provided such changes do not significantly affect the overall design and dimensional requirements detailed in the Master Plan and land use table.

Minor changes may include technical changes to the utility, parking, landscaping, driveways, lighting and grading plan and slight modifications to the building height, size and setbacks or other similar minor alterations to the Master Plan.

Any change deemed to be significant by the Commission from what was presented on the Master Plan or set forth in the land use table shall be considered and processed as a special permit application.

Any change that increases the proposed density, use or type of development (e.g. changing from Active Adult to Multi-Family), number of units and number of bedrooms or decreases the proposed minimum floor area of the units shall be considered and acted upon as a completely new application for change of zone to an SRD District. (6/18/10)

C. PERMITTED DEVELOPMENT TYPES AND USES

1. Provided the requirements of this section are complied with, development may occur:

a. with each individual residential unit on a separate lot or common land (such as a conventional, zero-lot-line, duplex, patio house, townhouse development, elderly housing, or individual active adult residence). (5/6 /05)

b. with multiple individual residential units located on common land in:

1. multiplex building(s),
2. mid-rise building(s) and/or (6/18/10)
3. high-rise building(s).

2. One or more of the following uses may be permitted in the SRD District upon zone change approval: (6/18/10)

a. Active Adult Housing;
b. Elderly Housing;
c. Multi-Family Development.
d. Single Family Development. (5/6/05)
e. Congregate housing, assisted living or life care facility on a collector or arterial street in accordance with Section 3.2.1. (8/8/08)

D. ACCESSORY BUILDINGS, STRUCTURES & USES

The following uses are permitted as accessory to the permitted principal uses when approved as part of **a** Site Plan application and when in compliance with the Accessory Buildings & Structures requirements of Section 3.6. of these regulations: (5/6/05)

1. On-site parking for motor vehicles owned or used by the residents.

2. Active and passive recreation improvements.

3. Private garages and carports

4. Community garages and carports

5. A bathing or swimming pool

6. Other accessory uses, buildings and structures customarily subordinate and incidental to a permitted use as approved by the Commission. (6/18/10)

E. SITE DEVELOPMENT REQUIREMENTS

1. Residential units built under this Section shall be accessed from internal driveways and streets and not from existing public streets.

2. Residential buildings shall be surrounded by a landscaped border of not less than fifteen (15) feet in width adjacent to and parallel to all sides of the building except points of entry.

3. Buildings shall be situated and grouped in a manner which, to the satisfaction of the Commission gives due consideration to the elements of site design, including but not limited to terrain, vegetation, watercourses and other noteworthy natural features; pedestrian and vehicular circulation; the location and design of open space; building form, style and bulk; energy conservation; and access to sunlight, solar radiation, ventilation and noteworthy vistas. Buildings shall be so designed as to avoid monotonous patterns of construction or repetitive spaces between buildings.

4. Common open space shall be:

   a. Provided on the development site in a minimum amount of space that is equal to 25% of the land area.

   b. Configured as outdoor living space and conservation areas for the use of residents. The open space shall, when appropriate be improved as lawns and other landscape areas, common areas, walkways and the areas accessible from them, paved terraces, sitting areas, outdoor recreational areas and patios. (5/6/05)

   c. Provided in addition to yards within lots, undeveloped lots, or areas necessary to establish mini mum setback for multiplex buildings and paved surfaces.

   d. Configured such that not more than fifty percent (50%) of such open space shall be land designated as wetland.

   e. Planned so as to be reasonably distributed throughout the development site and, where feasible, to be connected by means of linear greenbelts.

   f. Protected through adequate controls to assure the permanence of open space uses in areas so designated, through public acquisition or by easement or other suitable type of agreement. (5/6/05)

5. Public improvements shall conform to the applicable requirements of the Subdivision Regulations and the following standards:

a. All utilities shall be installed underground.

b. Sidewalks constructed to town standards shall be installed on both sides of all public and private streets within the site and along the public street on which the site fronts.

c. A complete street lighting system shall be installed and all construction and energy charges incurred prior to acceptance of such improvements shall be borne by the developer.

d. The Commission may modify these requirements if public safety is not adversely affected by a three-fourths (3/4) vote of all the members of the Commission after stating upon its records, in each case, the reason for which a waiver was granted.

6. Within multifamily structures, dwelling units designed to meet the needs of handicapped persons shall be provided at the rate of the greater of one (1) unit for every twenty-five (25) units provided within all such structures on the planned development site or as otherwise required by building code. (6/18/10)

7. Garage spaces for detached or attached dwellings occupying individual lots may be placed on a corner by a rear and side lot line if attached to the garage of the adjoining lot. Attached garages so placed may be served by a single, common driveway.

8. Exterior parking areas in parking lots shall be:

a. located at least fifteen (15) feet from any building,

b. screened by landscaping of appropriate height and density, and

c. illuminated in a manner which is compatible with the development.

9. Where parking areas contain more than fifty (50) spaces, two (2) driveways to a street may be required by the Commission. In the event that the applicant does not have sufficient frontage or otherwise does not have the ability to provide two (2) driveways, then the applicant may provide emergency access through private property by way of an easement or other arrangement if the applicant has demonstrated to the satisfaction of the Town's public safety officials that the alternate emergency access is adequate. Driveways and aisles of parking areas shall have a minimum width of twenty-four (24) feet, except that aisle width may be reduced if angle parking and one-way vehicle circulation are provided. (5/6 /05) (6/18/10)

10. Written declaration shall be made to the Commission as to the intended ownership and management of all land, buildings and other improvements on the site to remain in common ownership.

11. Where required, an appropriate declaration of covenants and restrictions running with the land and/or buildings in favor of the Town of Wethersfield shall:

a. be submitted as part of an application for a special permit for elderly housing.

b. restrict the design, use and occupancy of the buildings and land for elderly housing in accordance with such special permit and accompanying plans which may be approved.

c. be recorded on the land records of the Town of Wethersfield with the special permit, if granted, and shall be prior in right to all encumbrances not excused by the Commission.

12. A change in use of an approved plan of development for housing for the elderly and handicapped may be made only through the procedures established for granting of a new special permit and approval of a new plan of development in accordance with applicable zoning regulations.

F. MINIMUM FLOOR AREA OF UNITS

1. Except as may otherwise be set forth herein, a multi-family residential unit shall contain at least 600 square feet of floor area for a one bedroom unit and 800 square feet of floor area for a two bedroom unit and shall not contain more than two bedrooms unless specifically authorized by the Commission. (6/18/10)

2. A high-rise residential unit, when restricted to persons aged 55 and over, shall contain at least 500 square feet of floor area plus at least 150 square feet per actual or potential bedroom and shall not contain more than two bedrooms unless specifically authorized by the Commission.

3. An elderly housing unit shall contain at least 400 square feet of floor area.

4. An active adult housing unit shall contain at least 900 square feet of floor area.

G. DIMENSIONAL REQUIREMENTS

1. Minimum lot area (square feet) excluding wetlands. (Where an existing building is to be converted for housing there shall be no minimum lot area)	**2.0 acres**
2. Minimum lot frontage (feet) Where a development proposes the construction of a public street that extends an existing dead-end street the minimum lot frontage required is fifty (50) feet. (5/6/05)	**150**
3. Minimum yards (to public streets and perimeter property lines)	
a. Front yard depth	50' with at least 12 feet per story if front yard adjacent to residentially zoned property (6/18/10)
b. Rear yard depth	50' with at least 8 feet per story if rear yard adjacent to residentially zoned property (6/18/10)
c. Side yard depth	30' with at least 8 feet per story if side yard adjacent to residentially zoned property (6/18/10)
4. Minimum separation (to private streets and internal property lines)	
a. Front yard depth	15 feet
b. Rear yard depth	15 feet
c. Side yard depth (may be zero if approved as duplex or townhouse)	5 feet
5. Minimum building separation	15 feet (6/18/10)
6. Maximum building height (stories / feet)	
a. Single Family and multiplex residential units (5/6/05) (6/18/10)	2½ / 35
b. Mid-rise residential units	5/50 (6/18/10)
c. High-rise residential units	6/60 (6/18/10)
d. High-rise residential units when restricted to persons aged 55 and over	8 / 80
7.Maximum density (units per acre)	
a. Single Family residential unit (5/6/05)	6.0
b. Multiplex residential units	9.0
c. Mid-rise residential units	15.0 (6/18/10)
d. Mid-rise residential units when restricted to persons aged 55 and over	18.0 (6/18/10)
e. High-rise residential units	20.0 (6/18/10)
f. High-rise residential units when restricted to persons aged 55 and over	25.0

8.Maximum building coverage (percent of lot area)

a.	Single Family residential unit (5/6/05)	35%
b.	Multiplex residential units	35%
c.	Mid-rise residential units	35% (6/18/10)
d.	High-rise residential units	35% (6/18/10)
e.	High-rise residential units when restricted to persons aged 55 and over	40%

9.Minimum landscaped area (percent of lot area)

a.	Single Family residential unit (5/6/05)	35%
b.	Multiplex residential units	35% (6/18/10)
c.	Mid-rise residential units	35% (6/18/10)
d.	High-rise residential units	35% (6/18/10)
e.	High-rise residential units when restricted to persons aged 55 and over	40%

H. EXCEPTIONS

1. The Commission may, where deemed appropriate and in the sole judgment of the Commission, allow development in the SRD District that does not comply with the strict application of these Regulations by modifying the minimum yard, minimum building separation, common open space and minimum separation requirements of these Regulations upon determination that one or more of the following criteria has been satisfied: (5/6 /05)
   a. Unusual site conditions exist which warrant flexibility in the application of these regulations;
   b. The exception provides for the most orderly development of the land and the neighborhood;
   c. The exception results in a substantial functional and aesthetic improvement in the site design;
   d. The applicant has substantially exceeded one or more of the minimum dimensional or site plan requirements of these regulations.
2. In the event the property that is the subject of the application is located partially within Wethersfield and partially in another town and the access to the property is from the other town, then, notwithstanding the requirements set forth above, the following criteria shall apply: (6/18/10)
   a. There shall be no frontage requirement in Wethersfield provided the property abuts a public road in the other town and provided the property has not less than 150 feet of frontage on such public road. If there is no frontage on a public road in Wethersfield, then the property shall not be required to have a front yard. The Applicant shall designate which property line shall be the rear lot line and all other lot lines shall be side lot lines. (6/18/10)
   b. In the area where the property line is coterminous with the Wethersfield Town line, such area shall be deemed a side yard. In the area where the property crosses the Town line, if such area is also the location where the access to the other Town's public road is located, then there shall be no yard requirement at the Town line in such area provided that the distance from the Town line to the public road is at least 50 feet. (6/18/10)

3.5 ACCESSORY USES

Table Legend

PR	Permitted By Right No Permit Required
P	Permitted Use Following Zoning Permit Approval By the ZEO
SP	Permitted Following Site Plan Approval By the Commission
CU-SP	A Conditional Use Permitted Only After Special Permit Approval By the Commission
CU-SE	A Conditional Use Permitted Only After Special Exception Approval by the Zoning Board of Appeals (10/15/10)
Blank	Not A Permitted Use

3.5.1 PERMITTED ACCESSORY USES

A. Incidental Parking	AA	A-1	A	B	C
1. On-site parking for registered non-commercial motor vehicles owned or used by a resident.	PR	PR	PR	PR	PR
2. Parking of not more than two (2) commercial vehicles subject to the following restrictions: • The vehicle must be owned or operated by the resident of the dwelling. • The vehicle shall have no more than 2 (two) axles and no more than four (4) tires in contact with the ground, • The vehicle shall be parked so as not to obstruct the view of traffic from adjacent driveways or streets. • Only commercial vehicles that are the resident's primary means of transportation to and from their place of work are permitted to be parked. • The vehicle shall not exceed eleven thousand (11,000) pounds GVWR. • The vehicle shall not exceed seven (7) feet in height from the base of the wheel to the top. • The vehicle shall not exceed twenty-two (22) feet in length. • The vehicle shall be parked on a durable all-weather surface. • Any signs, logos, advertising or markings identifying the owner or registrant, trade, business, service or commodity shall be limited to not more than 2 and each is limited to not more than six (6) square feet in area. • The vehicle must be operable. (10/15/10)	PR	PR	PR	PR	PR
3. Parking of one (1) commercial vehicle, subject to the issuance of a Zoning Permit by the Zoning Enforcement Officer and compliance with the standards of Section 3.5.5.A.of these regulations.	P	P	P	P	P
4. Parking of farm trucks on an active farm in the rear yard of the dwelling or principal accessory building.	PR	PR	PR	PR	PR
5. Parking of a commercial vehicle exceeding the requirements of 3.5.5.A. may be parked or garaged on a lot, subject to the provisions of Section 3.5.5.B. of these regulations. (10/15/10)	CU-SE	CU-SE	CU-SE	CU-SE	CU-SE
6. No garage, or combination of garage space in a principal or accessory building shall be constructed that exceeds eight hundred and fifty (850) square feet in area. (5/ 6 /05)	P	P	P	P	P

B. Vehicular Storage	AA	A-1	A	B	C
1. Storage in a building of boats, automobiles, or trailers by the resident of the premises.	PR	PR	PR	PR	PR
2. Renting of a private garage to another party provided no more than two motor vehicles are habitually parked outside such garage.	PR	PR	PR	PR	PR
3. Outside storage of one recreational vehicle, one boat and its trailer, or one automobile trailer not more than eighteen (18) feet in length, may only be parked in the rear yard by the resident when treated as an accessory structure in compliance with Section 3.6. (5/6 /05)	PR	PR	PR	PR	PR
4. Outside storage of a recreational vehicle, boat or trailer by the resident when not in compliance with the above provisions.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP

C. Pets & Livestock	AA	A-1	A	B	C
1. The keeping of dogs, cats, and other animals kept as pets or companions and housed together with human occupants.	PR	PR	PR	PR	PR
2. The keeping of livestock on residential premises solely for the personal use of the occupants in accordance with Section 3.5.4.	P	P	P	P	P
3. The keeping of livestock when accessory to a farm.	P	P	P	P	P
4. The keeping of pets and livestock when not in compliance with the above provisions.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP

D. Day Care	AA	A-1	A	B	C
1. Family day care home per CGS 19a-77.	P	P	P	P	P
2. Group day care home per CGS 19a-77.	P	P	P	P	P

E. Home Occupation	AA	A-1	A	B	C
1. Home office in compliance with Section 3.5.2.	P	P	P	P	P
2. Home occupation in compliance with Section 3.5.2.	P	P	P	P	P
3. Home occupation that does not comply with Section 3.5.2.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP

F. Accessory Apartment	AA	A-1	A	B	C
1. Accessory Apartment in compliance with Section 3.5.3.	P	P	P	P	P

2. Accessory Apartment that does not comply with Section 3.5.3.	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**

G. Miscellaneous Accessory Uses	**AA**	**A-1**	**A**	**B**	**C**
1. A tag sale for up to three consecutive days and not more than twice in a calendar year.	**PR**	**PR**	**PR**	**PR**	**PR**
2. Other accessory uses customarily incidental to a permitted use.	**P**	**P**	**P**	**P**	**P**

3.5.2 HOME OCCUPATION

A. A home office is permitted when accessory to a residential use of the premises.

B. A minor home occupation is permitted when accessory to a residential use of the premises provided that a written request and appropriate plans in accordance with Section 10.2.B are submitted to, and approved by, the Zoning Enforcement Official. The Zoning Enforcement Official may refer any application to the Commission and the Commission reserves the right to review any home occupation for compliance with the following requirements and act upon its findings:

1. The home occupation shall not involve any employees stationed on the premises.
2. It shall occupy less than 25% of the gross floor area of the dwelling.
3. The home occupation shall not involve customers or clients arriving at the dwelling.
4. It shall not involve the retail sales of merchandise except for crafts or art created at the premises.
5. It shall not require equipment other than may be typical for a residential household, other than a loom or photographic darkroom or similar craft or art equipment.
6. It shall not require a commercial vehicle.

C. A major home occupation (not complying with one or more of the above standards) may only be authorized by the Commission as a Special Permit.

D. Any home office or home occupation shall conform to the following requirements:

1. It shall be carried on only by the inhabitants of the dwelling.
2. It shall be operated entirely within the confines of the dwelling.
3. It shall be clearly secondary to the use of the dwelling for residential purposes.
4. It shall have adequate off-street parking for the home occupation in addition to the dwelling.
5. It shall not involve the storage or delivery of significant quantities of goods or materials.
6. It shall not require storage of any materials or products on the premises outside of the dwelling unit.
7. The home occupation (and any associated parking or other activity) shall not materially change the residential character of the dwelling or the neighborhood.
8. It shall not create a health or safety hazard or be considered a nuisance due to objectionable illumination, noise, smoke, odor, toxic fumes, vibration, interference with radio or television reception in the vicinity or unsightly conditions that would set the dwelling apart in its surroundings or degrade residential property values in the neighborhood

3.5. 3. ACCESSORY APARTMENT

An accessory apartment as defined in these Regulations that is accessory to a residential use is permitted provided that a written request and detailed plans in accordance with Section 10.2.B are submitted to, and approved by, the Zoning Enforcement Official in clear compliance with the following standards:

A. Only one accessory apartment shall be permitted for each single-family dwelling.

B. The owner of the property shall occupy either the principal dwelling unit or the accessory dwelling unit and failure to maintain owner-occupancy shall be a violation of these regulations and shall be cause for removal of the accessory apartment. A sworn, notarized statement from the owner indicating that the owner will reside at the subject premises is a condition of maintaining an accessory apartment and such statement shall be submitted with any application to establish an accessory apartment.

C. The accessory apartment shall:

1. meet the minimum floor area requirements of the current Building Code.
2. not exceed 850 square feet or 40% of the combined floor areas of the single family dwelling and the accessory apartment, whichever is less
3. be accessible from the principal dwelling by an operable door along a common wall or through a permanently enclosed breezeway.

D. Both the accessory apartment and the principal dwelling unit shall be serviced by public water and public sewer.

E. Upon establishment of the accessory apartment, the building shall:

1. maintain the exterior appearance and style (roof line, roof pitch, building materials, window style and spacing, etc.) of the principal residence, and
2. have any secondary entrance incorporated into the principal residence to reflect the architectural style of a single family unit.

F. Parking and access from the public right-of-way shall serve both the principal and accessory units, and shall not be distinguishable as separate facilities.

G. Adequate off-street parking shall be provided for the accessory apartment and the single family dwelling.

H. The Zoning Enforcement Official may refer any application to the Commission and the Commission reserves the right to review any accessory apartment for compliance with the above requirements and act upon its findings.

3.5.4 LIVESTOCK.

A. PURPOSE

This section is intended to allow for the keeping of livestock when accessory to a residential use. Farms and farming shall be exempt from the provisions of this Section.

B. GENERAL PROVISIONS

1. The keeping of livestock may include raising, breeding, instructing, training, sales, boarding, riding, driving and similar uses normally associated therewith.
2. Additional regulations of the Public Health Code, the Department of Environmental Protection, the Connecticut Department of Agriculture, and the Connecticut General Statutes may apply.
3. The raising or breeding of livestock exclusively for their pelts is prohibited.

C. REQUIREMENTS

1. The keeping of bees is permitted in conjunction with a residence.
2. For the purposes of this section, a livestock unit shall be defined as follows:
   a. one horse, cow, or similar large animal whose mature weight exceeds 500 pounds,
   b. three sheep, goats or similar medium size animals whose mature weight is between 30 and 500 pounds, or
   c. fifteen hens, rabbits or similar small animals whose mature weight is less than 30 pounds.
3. Livestock offspring shall not apply to the calculation of livestock units until after weaning.
4. Livestock may only be kept in accordance with the following table:

Lot Size	Permitted Livestock
Less than 8,000 sq. ft.	None
8,000 to 20,000 sq. ft.	Up to 5 hens, capons, rabbits or similar small animals or birds, one sheep, or one goat
More than 20,000 sq. ft.	0.5 livestock units per acre or part thereof

5. All livestock shall be confined in keeping areas with adequate fencing located at least twenty-five (25) feet from any lot line.
6. An appropriate permanent shelter shall be provided for all livestock and such shelter shall be located at least:
   a. 100 feet from the street line,
   b. 50 feet from a rear property line,
   c. 25 feet from a side property line, and
   d. one hundred (100) feet from a reservoir, pond or watercourse.
7. All manure shall be:
   a. kept in a covered, water-tight pit or chamber and as approved by the Health Department.
   b. removed at least once a week during the period from May 1 to October 1 and during the other months at intervals sufficiently frequent to maintain a condition which is sanitary and free from offensive odors to the satisfaction of the Director of Health.
   c. located at least one hundred (100) feet from any street line and fifty (50) feet from any lot line.
   d. visually screened from the street or any neighboring lot.
8. Any pre-existing non-conforming fence for confining livestock may be repaired, maintained, or replaced.

3.5.5 COMMERCIAL VEHICLES. (10/15/10)

A. The parking of one (1) commercial vehicle with the following characteristics may be permitted in a residential district as an accessory use subject to the issuance of a zoning permit from the ZEO and subject to the following restrictions:

1. The commercial vehicle must be owned or operated by the resident of the dwelling.
2. The vehicle shall have no more than 2 (two) axles and no more than 6 (six) tires in contact with the ground,
3. The vehicle shall be parked so as not to obstruct the view of traffic from adjacent driveways or streets.
4. Only commercial vehicles that are the resident's primary means of transportation to and from their place of work are permitted to be parked.
5. The vehicle shall not exceed twelve thousand (12,000) pounds GVWR.
6. The vehicle shall not exceed eight (8) feet in height from the base of the wheel to the top.
7. The vehicle shall not exceed twenty-five (25) feet in length.
8. Any signs, logos, advertising or markings identifying the owner or registrant, trade, business, service or commodity shall be limited to not more than 2 and each is limited to not more than twelve (12) square feet in area,
9. The vehicle shall be parked in a fully enclosed garage or in unusual situations where the vehicle cannot fit in a garage the ZEO may permit the vehicle to be parked outside of a garage on a durable all-weather surface and may require screening from view from neighboring properties or from a public right-of-way with appropriate vegetative buffering, fencing, earthen berms or a combination thereof.
10. The ZEO may require applicants to submit information about the commercial vehicle on a form provided by the Town.
11. The ZEO reserves the right to refer any application submitted under these regulations to the Zoning Board of Appeals under the Special Exception requirements of these regulations.

B. By Special Exception, the Zoning Board of Appeals may permit one (1) larger commercial vehicle exceeding or not in compliance with the requirements of 3.5.5.A. to be parked or garaged on a lot, subject to the Special Standards and Procedures of Article VIII of these regulations and the following:

1. The Board may require that commercial vehicles approved under this subsection shall be parked in a location that will be screened from view along the nearest property line or from a public right-of-way with appropriate vegetative buffering, fencing, earthen berms or a combination thereof.
2. In considering an application for a commercial vehicle, the Board shall consider such factors as:
    a. the proposed method of screening,
    b. proximity to adjacent lots and buildings,
    c. the size and characteristics of the vehicle,
    d. the intended use,
    e. the hours of operation of the vehicle,
    f. other vehicles on the property and,
    g. the character of the neighborhood.
3. The Board may attach reasonable restrictions and conditions on any Special Exception approved under these regulations in order to maintain neighborhood residential character.
4. All applications for a Special Exception shall be accompanied by:
    a. a detailed description of the vehicle on a form provided by the Town that shall include: gross vehicle weight, height, total length, box length, wheelbase, model and make.
    b. a color photograph of the vehicle and,
    c. a site plan identifying the proposed parking area for the vehicle, proximity to adjacent buildings and any proposed screening.

C. The parking of commercial vehicles is permitted in business zones as an accessory use to the permitted use of the property after the issuance of Site Development Plan approval from the PZC permitting such vehicles. The Commission shall be governed by the submission requirements and review criteria of Section 3.5.5.B. of these regulations.

D. The following are exempt from the provisions of these regulations:

1. Commercial vehicles parked temporarily while engaged in providing products or services to the owner of the property or when picking up or discharging passengers.
2. Vehicles used on the site of a permitted agriculture, farming, forestry, or nursery gardening use.
3. Vehicles parked temporarily during active construction work at a permitted site or building construction activity authorized by these regulations.
4. As used by a facility operated by the Town of Wethersfield, State or Federal Government provided the vehicles are properly stored on Town, State or Federal property.
5. Emergency and utility company vehicles on call or during the course of repairs.

E. The following vehicles are prohibited by these regulations in residential zones:
1. Vehicle used for transporting hazardous materials or waste.
2. Vehicles/equipment, including but not limited to; backhoes, bobcats, commercial trailers, bucket loaders, bucket trucks, cranes, forklifts, wreckers, tanker trucks used for hauling liquids, front end loaders, bulldozers, buses, dump trucks, tow trucks and track vehicles.
3. No tractor-trailer, semi-trucks, nor the tractor or the trailer.
4. Vehicles equipped with refrigeration equipment.
5. Vehicles in which food or beverages are stored or sold.

3.6. Accessory Buildings & Structures.

Table Legend

P	Permitted Use Following Zoning Permit Approval By the ZEO
SP	Permitted Following Site Plan Approval By the Commission
CU-SP	A Conditional Use Permitted Only After Special Permit Approval By the Commission
Blank	Not Permitted

A. General Requirements

1. Accessory buildings and structures shall be located only in the rear yard except that:
   a. accessory buildings on corner lots and through lots in residence zones shall be located only in the quarter of the lot farthest removed from any street.
   b. an accessory building or structure may be located in the front yard or side yard provided that it is set back at least seventy (70) feet from the front lot line.

2. Accessory buildings or structures shall be located at least five (5) feet from a side lot line and at least five (5) feet from a rear lot line in residence zones.

3. The maximum height of an accessory building or structure shall not exceed eighteen (18) feet .

4. The maximum coverage of all accessory buildings and structures on a lot shall not exceed more than forty percent (40%) of the required rear yard area.

5. For residential lots having an average width of less than sixty-five (65) feet, accessory buildings may be located to within three (3) feet of the side and rear lot lines.

B. Garages	**AA**	**A-1**	**A**	**B**	**C**
1. One detached private garage or carport no larger than 850 square feet in area. See Section 3.5.1.A.5. (5/6 /05)	**P**	**P**	**P**	**P**	**P**
2. Any community garage or a private garage or carport not complying with the above requirements.	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**

C. Residential Outbuildings	**AA**	**A-1**	**A**	**B**	**C**
1. One tool house, gazebo, or greenhouse for hobby or personal use if 200 square feet or less in area.	**P**	**P**	**P**	**P**	**P**
2. Any outbuilding not complying with the above stated requirements.	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**
3. Any outbuilding resulting in more than three accessory structures on a property.	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**

D. Accessory Recreation Facilities	**AA**	**A-1**	**A**	**B**	**C**
1. One child's playhouse no larger than 200 square feet in area.	**P**	**P**	**P**	**P**	**P**
2. One bathing or swimming pool in the rear yard only.	**P**	**P**	**P**	**P**	**P**

3. One tennis court or paddle tennis court in the rear yard only.	P	P	P	P	P

E. Guesthouse	AA	A-1	A	B	C
1. A guest house or detached accessory residential building occupied provided: • The lot is at least one (1) acre in area • The building is located in the rear yard • Occupancy is limited to members of the family, their guests, or domestic service employees on the premises, and • Such accessory building is located at least 25 feet from side and rear lot line and 100 feet from the street line.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP

F. Farming Structures	AA	A-1	A	B	C
1. Stables or other structures incidental to the keeping of livestock for personal use accessory to a residential use, provided that all structures are located at least 100 feet from any street line and 50 feet from the side and rear lot lines.	P	P	P	P	P
2. Farm outbuildings accessory to farm uses provided that all farm buildings, except roadside stands, are located at least 100 feet from any street line and 50 feet from the side and rear lot lines.	P	P	P	P	P
3. Temporary farm stands for the sale of products grown on the premises when set back at least 25 feet from the street and 10 feet from side and rear lot lines, and provided the stand shall be removed within 30 days after the use thereof has been discontinued.	P	P	P	P	P

G. Miscellaneous Accessory Structures	AA	A-1	A	B	C
1. Temporary structures, including membrane structures, no larger than 200 square feet for no more than 6 months in any 12 month period	P	P	P	P	P
2. Other accessory buildings and structures customarily incidental to a permitted use and 200 square feet or less in area.	P	P	P	P	P
3. Residential radio or television antennae and other accessory installations in accordance with Section 9.1.	P	P	P	P	P
4. Other accessory buildings and structures customarily incidental to a permitted use larger than 200 square feet in area..	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP

3.7. Dimensional Requirements.

See the following pages for possible exceptions to these requirements.

A. BASIC PROVISIONS	AA	A-1	A	B	C
Minimum lot area (square feet)					
Single Family	20,000	13,500	10,500	7,500	6,000
Two-Family	-	-	-	-	8,000
Minimum lot frontage (feet)					
For a single family dwelling	110	90	75	60	60
For a two-family dwelling	-	-	-	-	75
For a municipal building	110	90	75	75	75
For any other allowable use	200	200	200	200	200
Minimum Buildable Square (dimension of each side in feet)	**100**	**80**	**65**	**50**	**50**
Maximum building area (percent of lot area)	**20%**	**25%**	**30%**	**35%**	**50%**
Minimum front yard depth for a single-family or two-family dwelling (feet)					
On Wolcott Hill Road (441-515, 535-583, 522-600)), Ridge Road, (581-725)		75	75		
Other streets	40	40	40	40	25
Minimum side and rear yards for a single-family or two-family dwelling (feet)					
Rear yard depth	50	40	40	30	30
Side yard width					
One yard	15	12	10	5	5
Aggregate both yards	30	27	23	15	15
Maximum building height					
Stories	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2
Feet	35	35	35	35	35

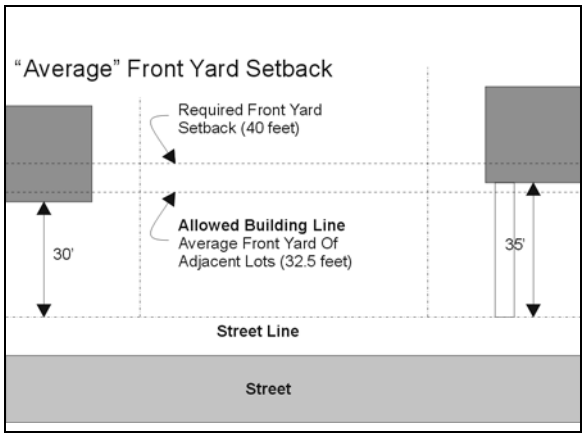
B. GENERAL EXCEPTIONS IN RESIDENTIAL DISTRICTS

In addition to the exceptions granted by Article VII of these regulations the following exceptions shall apply to single-family residential development in residence zones and shall not apply to special permit uses in these zones without specific approval by the Commission.

1. Front Yard Setback Averaging

In a residence zone, the minimum depth of the front yard need be no greater than the average distance from the street line to the principal buildings:

- on the two adjoining lots on each side of the proposed site if developed with buildings, or
- for the principal buildings located within two hundred (200) feet of frontage on each side of the proposed site if fifty percent (50%) or more of that frontage is developed with buildings.



2. Yards On Corner Lots

In a residence zone, a corner lot in existence or shown on a plan of subdivision approved prior to December 31, 1965, may observe the following minimum side yard on the street side of a corner lot:

- AA zone 25 feet
- A-1 zone 20 feet
- A Zone 15 feet
- B zone 15 feet
- C zone 15 feet

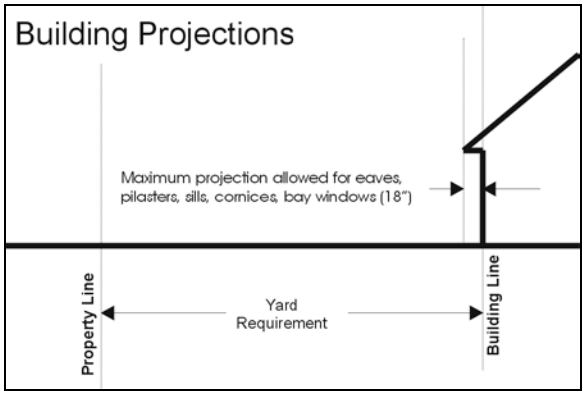
The rear yard on any corner lot in a residence zone may be reduced provided that no such yard shall be smaller than the minimum side yard prescribed for that zone.

3. Front Yard Setback On Cul-De-Sacs

A single family dwelling to be erected on a lot having fifty percent (50%) or more of its frontage on a cul-de-sac may observe a twenty-five (25) foot setback provided that all other applicable requirements of this chapter are met.

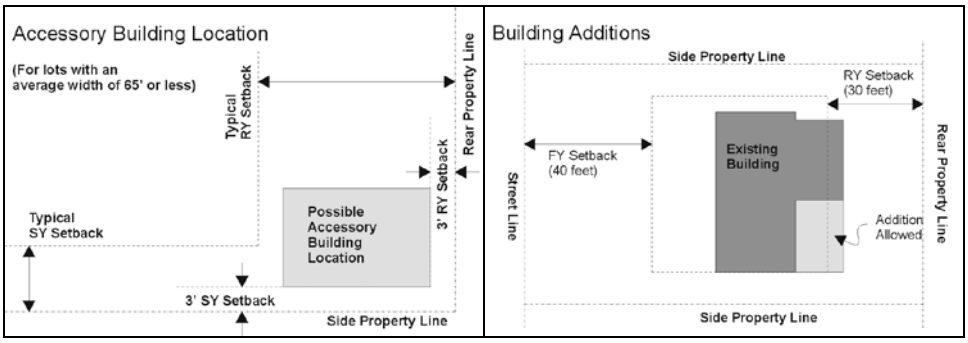
4. Building Overhangs or Projections

Typical projections such as eaves, pilasters, sills, cornices, and bay windows may extend into any required yard not more than 18 inches. Chimneys may extend into any required yard not more than two feet. A basement hatchway may project into the required rear yard not more than six (6) feet. An open porch or deck or entrance steps may project into the required front yard not more than six (6) feet. On interior lots, a porch, entrance steps or entrance platform, any of which may be open or enclosed with a removable enclosure, may extend not more than ten (10) feet into the required rear yard.



5. Building Additions

For a principal or accessory building that currently encroaches into a required side or rear yard in a residential zone, an extension of or addition to that building may encroach into the same yard to the same extent. (5/6 /05)



3.8. Pre-Existing Residential Lots.

A. The limitations imposed by these Regulations shall not prohibit the erection of one single-family dwelling on any lot in a residential district containing either an area or frontage, or both, less than required, provided that such lot has been duly recorded by deed or included in a subdivision approved by the Commission prior to the effective date of this chapter.

B. Any such lot having less than one hundred ten (110) feet in depth shall be considered to have a minimum rear yard requirement of thirty percent (30%) of the lot depth.

C. All other dimensional requirements of these Regulations shall be complied with, except that, where necessary, the side and rear yard requirements may be those applicable to the next lower zone.

D. Two or more contiguous, non-conforming lots as to lot size and shape, under the same ownership, shall be combined to the extent necessary to cause such lot or lots to become conforming or more nearly conforming.

3.9 Rear Lots (8/7/07)

The purpose and intent of this Section is to allow for the development of larger interior lots which have excess lot size which, due to their limited frontage, could not otherwise be subdivided. The creation of a rear lot may be permitted in special situations in the following residential zones upon the submission of a detailed site development plan and upon the granting of a Special Permit from the Planning and Zoning Commission and subject to the following requirements:

1. Each rear lot shall conform to all requirements for the zoning district in which it is located except that the front yard setbacks and minimum lot area, exclusive of the access strip be at least 50% greater than the minimum requirement for the zoning district in which the lot is located and in accordance with the following table:

A. BASIC PROVISIONS FOR REAR LOTS	**AA**	**A-1**	**A**	**B**
Minimum lot area (square feet) for Rear lot and front lot (excluding access strip	**50,000**	**33,750**	**26,250**	**18,750**
Minimum lot area (square feet) for rear lot (excluding access strip)	30,000	20,250	15,750	11,250
Minimum lot area (square feet) for Front lot (excluding access strip)	20,000	13,500	10,500	7,500
Minimum lot frontage (feet) for rear lot	25	25	25	25
Minimum lot frontage (feet) for front lot	110	90	75	60
Minimum combined lot frontage (feet) for rear lot and front lot	135	115	100	85
Minimum Buildable Square (dimension of each side in feet)	100	80	65	50
Maximum building area (percent of lot area)	20%	25%	30%	35%
Minimum front yard depth for a single-family dwelling (feet) for rear lot	**60**	**60**	**60**	**60**
Minimum side and rear yards for a single-family dwelling (feet)				
Rear yard depth	50	40	40	30
Side yard width				
One yard	15	12	10	5
Aggregate both yards	30	27	23	15
Maximum building height				
Stories	2 1/2	2 1/2	2 1/2	2 1/2
Feet	35	35	35	35

2. Both front and rear lots must conform to all minimum lot, area, yard and other requirements prescribed for the zone in which the lots are located.

3. There shall be a maximum of one-single family dwelling with permitted accessory buildings or uses on each rear lot. No accessory building may be constructed within a designated access strip.

4. Each rear lot shall be connected by an access strip at least 25 feet in width for its entire length, in fee simple ownership by the owner of said rear lot, to an existing Town street approved by the Town and on file with the Town Clerk.

5. The access strip shall not exceed 500 feet and no single family dwelling will be permitted in excess of five-hundred (500) feet from a fire hydrant. The Fire Marshal may require the installation of a public or private fire hydrant in order to satisfy this requirement.

6. The maximum number of adjacent access strips shall be two.

7. A restricted deed covenant shall be filed on the Town Land Records which clearly provides that the Town of Wethersfield shall not be required to maintain or take ownership of said access strip as a public street. A landscape maintenance agreement shall be filed on the Town Land Records to insure that the property owner maintains the access strip for adequate emergency vehicle access. Vegetation shall be cleared and maintained for an area of 15 feet in width and 17 feet in height.

8. The driveway must provide adequate occupancy, ingress, egress, maneuvering and an adequate paved surface of no less than 12 feet in width for its entire length. The driveway shall be constructed with a minimum of 8 inches of processed stone over a minimum of 2 inches of bituminous to adequately accommodate fire apparatus and other emergency vehicles. All rear lots shall be provided with a vehicular turnaround designed for an SU-30 turning radius at the dwelling in order to accommodate emergency vehicles.

9. The area of the access strip shall not be included in the minimum required area of the rear lot and shall not be used for building purposes.

10. A landscape buffer shall be required by the Commission where necessary within the lot and along the access strip to ensure that the development of rear lots will be in harmony with surrounding areas and protect existing homes.

11. Dwellings shall be connected to the MDC water and sewer system, when constructed, if those facilities are not available the Health Department must approve the proposed lot for an on site well and septic system prior to approval by the Commission.

12. Electric and other utility service lines shall be placed underground.

13. The Commission may modify the above requirements when it determines that the rear lots and the access thereto will be in harmony with the surrounding area and preserve the public health, safety, welfare and property values.

14. The Commission shall require a site plan in accordance with Appendix A (Site Plan Requirements) of the Wethersfield Zoning Regulations showing sufficient detail to clearly indicate the proposed development and site improvements of the lot and the proximity to surrounding properties.

15. The Town street entrance to the rear lot shall be posted with a house number identification sign with numbers at least 6” high.

16. A written report from the Town Engineer, Police Chief, Fire Chief and Fire Marshal shall be provided to the Commission prior to the Public Hearing on any rear lot.

ARTICLE IV - CONSERVATION ZONES

In order to carry out the provisions of these regulations, the Town has hereby established the following conservation zone:

4.1. Agricultural (AG) Zone

A. PURPOSE.

The agricultural zone is intended to allow for agricultural activities in keeping with Wethersfield's heritage and the character of these areas.

B. PERMITTED USES.

Table Legend

P	Permitted Use Following Approval of a Zoning Permit By the ZEO
CU-SP	A Conditional Use Permitted Only after Special Permit Approval By the Commission

1. Farming, agriculture, forestry, horse stables, corrals and trails, public or private open space, wildlife sanctuaries or preserves, municipal park or municipal recreation facility	**P**
2. Temporary farmers' stands for the sale of products grown on the premises provided the stand shall be removed thirty (30) days after the use thereof has been discontinued.	**P**
3. Farm buildings, accessory to farm uses, provided the buildings are located at least one hundred (100) feet from any street line and fifty (50) feet from the side and rear lot lines.	**P**
4. Target, trap and skeet ranges including accessory uses and structures. (5/5/09)	**P**
5. Other accessory buildings and structures customarily incidental to a permitted use.	**P**
6. Accessory uses customarily incidental to a permitted use.	**P**
7. Country club, golf courses, driving ranges and uncovered tennis courts with appurtenant clubhouses and equipment storage buildings.	**CU-SP**
8. Swimming pools or beaches with appurtenant changing rooms, equipment storage buildings and staff office and training facilities.	**CU-SP**
9. Nature centers, fairgrounds, and picnic areas with appurtenant open pavilions and accessory structures.	**CU-SP**
10. Campgrounds and camps (including day camps) with appurtenant recreation buildings and accessory structures but excluding residential buildings.	**CU-SP**
11. Boatyards with appurtenant buildings for boat storage and repair and ship chandlery but excluding hotel/motel and restaurant uses.	**CU-SP**
12. Municipal maintenance facilities and services and municipal storage or composting of organic matter but excluding sanitary landfilling.	**CU-SP**
13. Telecommunications facility in accordance with Section 9.1.	**CU-SP**

C. DIMENSIONAL REQUIREMENTS.

Minimum lot area (square feet)	40,000
Maximum building area (percent of lot area)	10%
Minimum yards (feet)	
Front yard depth	40
Rear / side yard depth	25
Maximum building height (feet)	35

4.2. Floodplain Regulations

A. PURPOSE

These regulations are intended to provide a reasonable degree of protection to persons and property from the effects of flooding. The areas of the Town designated as lying within the one hundred (100) year floodplain (Special Flood Hazard Area) are subject to periodic inundation that may result in loss of life, property, and health and safety hazards. It is the purpose of this zone to minimize public and private losses in flood prone areas. The Special Flood Hazard Areas (SFHA) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for the Town of Wethersfield, dated September 26, 2008, and accompanying Flood Insurance Rate Maps (FIRM), dated September 26, 2008, and other supporting data, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA.(9/26/08)

While the degree of flood protection required by this Article is considered reasonable for regulatory damages that result from reliance on this Article or any administrative decision lawfully made thereunder. A structure or development already in compliance with this regulation shall not be made non-compliant by any alteration, modification, repair, reconstruction or improvement and must also comply with other applicable local, state and federal regulations. No structure or land shall hereafter be located, extended, converted, modified or structurally altered without full compliance with the terms of this regulation and other applicable regulations.(9/26/08)

B. ENCROACHMENT STANDARDS

1. Encroachment within the floodway is prohibited.
2. Encroachment within the floodplain shall:
   a. require approval by the Inland Wetlands and Watercourses Agency.
   b. be in accordance with the minimum standards for the preservation and usage of land within the Conservation Zone established by the Connecticut River Assembly pursuant to CGS Chapter 477c.
3. Approval of encroachment for purposes other than farmland reclamation shall require certification to the Inland Wetlands and Watercourses Agency by a professional engineer licensed in Connecticut that flood storage capacity shall be created elsewhere in the floodplain in a volume equal to that consumed by the encroachment.
4. Approval of encroachment within the floodplain for purposes of farmland reclamation shall:
   a. require the execution and filing of a covenant running with the subject land in favor of the Town for a period of at least ten (10) years, restricting the subject land to a farm use.
   b. not cause the final elevation of the subject land to exceed elevation 28.00, MDC datum.
5. No encroachment in its cumulative effect shall cause the water surface elevation during flooding to exceed the base flood water surface elevation, with floodway, specified for each flooding source cross section in Table 1 of the Flood Insurance Study.
6. In flood hazard areas designated “A” on the Wethersfield Flood Insurance Rate Maps, where base flood elevations have been determined but where a floodway has not yet been designated, no encroachment, new construction or substantial improvement shall be permitted which would increase base flood elevations more than one (1) foot at any point along the watercourse when all anticipated development or encroachment is considered cumulatively with the proposed development or encroachment.
7. Compensatory Storage - The water holding capacity of the floodplain, except those areas that are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction, or substantial improvements involving an increase in footprint to the structure shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.(9/26/08)
8. (New) Equal Conveyance - Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from

filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.(9/26/08)

C. RESIDENTIAL CONSTRUCTION AND FLOOD-PROOFING

1. No dwelling shall be constructed and no existing dwelling shall be substantially improved in the Floodplain unless such construction assures that the lowest floor, including basement, is elevated to at least one (1) foot above the flood elevation.
2. No new residential construction shall be permitted within the Floodplain unless access is provided to land outside the floodplain and such access shall:
   a. have continuous elevation above the base flood elevation, and
   b. be passable at all times by emergency vehicles.
3. A residential elevated building is prohibited in the Floodplain .
4. Manufactured homes and mobile homes are prohibited in the Floodplain .
5. Satisfactory compliance with the provisions of this section concerning elevation shall be certified to the Zoning Enforcement Official by a land surveyor licensed in Connecticut.

D. FLOOD-PROOFING OF ELEVATED NON-RESIDENTIAL STRUCTURES

1. Occupied areas shall be elevated to at least one (1) foot above the flood elevation.
2. New construction or substantial improvements with fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to either:
   a. allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls, or
   b. be water tight with walls substantially impermeable to the passage of water with structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy during conditions of flooding.
3. Access to any enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the occupied area (stairway or elevator).
4. A licensed professional engineer or architect shall certify to the Town that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection or provide a minimum of two (2) openings with:
   a. a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding.
   b. the bottom of all openings no higher than one (1) foot above grade.
   c. screens, louvers, valves or other coverings or devices that permit the automatic flow of floodwaters in both directions.

E. FLOOD-PROOFING OF OTHER NON-RESIDENTIAL STRUCTURES

1. Other structures located in the Floodplain may be flood-proofed in lieu of being elevated provided that:
   a. the areas of the structure below the floodplain elevation are water tight with walls substantially impermeable to the passage of water, and
   b. structural components have the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
2. A licensed professional engineer or architect shall certify to the Town that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection or provide a minimum of two (2) openings with:
   a. a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding.
   b. the bottom of all openings no higher than one (1) foot above grade.

c. screens, louvers, valves or other coverings or devices that permit the automatic flow of floodwaters in both directions.

F. ADDITIONAL FLOOD-PROOFING MEASURES

1. Any development permitted within the Floodplain shall be subject to the following minimum requirements and additional requirements that may be imposed by the Commission.
2. All new construction and substantial improvements shall:
   a. be anchored to prevent flotation, collapse or lateral movement.
   b. be constructed with materials and utility and mechanical equipment resistant to flood damage.
   c. be constructed using methods and practices that minimize flood damage.
   d. have structural components and/or subsurface drainage systems capable of withstanding or relieving hydrostatic and hydrodynamic loads and uplift (buoyancy) caused by flooding.
3. All new and replacement:
   a. water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
   b. sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system, discharge from the system into floodwaters and backflow during floods.
   c. electrical, heating, ventilation, plumbing, air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
   d. on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.(9/26/08)
4. Aboveground Storage Tanks - Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.(9/26/08)
5. Portion of Structure in Flood Zone - If **any** portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.(9/26/08)
6. Structures in Two Flood Zones - If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., A zone is more restrictive than X zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)(9/26/08)
7. No Structures Entirely or Partially Over Water - New construction cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.(9/26/08)

G. RECREATIONAL VEHICLES.

In the Floodplain, recreational vehicles placed on a site for more than 180 consecutive days must be elevated above the base flood elevation and anchored, or be fully licensed and ready for highway use by:
1. being supported only by its wheels or jacking system,
2. being attached to the site only by quick disconnect type utilities and security devices, and
3. having no permanently attached additions.

H. CERTIFICATION.

1. Satisfactory compliance with the provisions of this section shall be certified to the Zoning Enforcement Official by a professional engineer or architect, as appropriate, licensed in Connecticut.

2. Upon completion of the foundation and prior to placement of any walls or floors, a land surveyor licensed in Connecticut shall provide written certification that the lowest floor elevation (including basement) is at least one (1.0) foot above the base flood elevation.
3. Design plans and construction methods are to be in accordance to acceptable standard practices and certified as to such.
4. Deficiencies detected by the review of the above items shall be corrected by the permit holder immediately and prior to any further work.
5. Failure to submit the survey or failure to make the corrections required shall be cause to issue a stop-work order for the project.

I. DESIGN STANDARDS FOR SUBDIVISION PROPOSALS (9/26/08)

If a proposed subdivision is located in a Special Flood Hazard Area (SFHA) the following requirements shall apply:

1. All subdivision proposals shall be consistent with the need to minimize flood damage;
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and
4. In all special flood hazard areas where base flood elevation (BFE) data is not available, the applicant shall provide a hydrologic and hydraulic engineering analysis performed by a Connecticut licensed professional engineer that generates BFEs for all subdivision proposals and other proposed development.

ARTICLE V - BUSINESS ZONES & USES

5.1. Purpose.

These business districts are intended to provide suitable areas for business development that will help meet community needs for goods and services, employment, and tax base. The differentiation among the non-residential districts is intended to provide for variation in uses in response to the character of the neighborhood, the availability of transportation and infrastructure, and the environmental characteristics of the land.

A. The Village Business (VB) District is intended to provide for the development, maintenance, and enhancement of mixed-use pedestrian-friendly areas that support and enhance overall community character and the ambience of this historic district.

B. The Town Center (TC) Business District is intended to provide for the development, maintenance, and enhancement of a community focal point along the Silas Deane Highway that provides for a more pedestrian-friendly area that will support and enhance overall community character and ambience.

C. The Office (O) District is intended to provide for the development, maintenance, and enhancement of lower intensity office uses in order to provide for employment and a healthy tax base for the community.

D. The General Business (GB) District is intended to provide for the development, maintenance, and enhancement of business areas that have developed along major roadways in Wethersfield, such as the Silas Deane Highway.

E. The Regional Commercial (RC) District is intended to provide for the development, maintenance, and enhancement of large scale business development that will meet the needs of residents of Wethersfield and the surrounding communities.

F. The Business Park (BP) District is intended to provide for the development, maintenance, and enhancement of areas that will allow for economic development in order to provide for employment and a healthy tax base for the community.

5.2 Permitted Principal Uses

Table Legend

P	Permitted Use Following Zoning Permit Approval By the ZEO
SP	Permitted Following Site Plan Approval By the Commission
CU-SP	A Conditional Use Permitted Only After Special Permit Approval By the Commission
Blank	Not Permitted

A. Residential Uses	**VB**	**TC**	**O**	**GB**	**RC**	**BP**
1. One-family dwellings.	**P**		**P**			
2. Mixed residential and commercial uses in accordance with Section 5.10 (12-8-08)	**CU-SP**	**CU-SP**		**CU-SP**	**CU-SP**	
3. Nursing, convalescent, congregate, or assisted living facility in accordance with Section 3.2.1.				**CU-SP**		

B. Public & Semi-Public Uses	**VB**	**TC**	**O**	**GB**	**RC**	**BP**
1. Municipal offices, school, library, police station, firehouse, and other municipal facilities.	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**
2. Religious institution, educational institution, day care center.	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**	**CU-SP**

C. Office Uses	**VB**	**TC**	**O**	**GB**	**RC**	**BP**
1. Business, professional, or medical offices < 20,000 SF of gross floor area.	**CU-SP**	**CU-SP**	**SP**	**SP**	**SP**	**SP**
2. Business, professional, or medical offices > 20,000 square feet of gross floor area.		**CU-SP**	**CU-SP**	**CU-SP**	**SP**	**SP**
3. Bank, credit union, financial institutions.	**CU-SP**	**CU-SP**		**SP**	**SP**	
4. Bank, credit union or financial institution with drive-through or drive-up window		**CU-SP**		**CU-SP**	**CU-SP**	
5. Hospitals and research laboratories.					**SP**	**SP**

D. Retail & Service Establishments	VB	TC	O	GB	RC	BP
1. Retail store or personal service establishment < 3,000 SF of gross floor area.	CU-SP	SP		SP	SP	
2. Retail store or personal service establishment with 3,000 to 20,000 SF of gross floor area.	CU-SP	SP		SP	SP	
3. Retail store or personal service establishment with 20,000 to 50,000 SF of gross floor area		CU-SP		CU-SP	SP	
4. Retail stores > 50,000 SF of gross floor area		CU-SP		CU-SP	CU-SP	
5. Shopping Centers up to 200,000 SF of gross floor area.				CU-SP	SP	
6. Shopping Centers > 200,000 SF of gross floor area.					CU-SP	

E. Automobile Establishments	VB	TC	O	GB	RC	BP
1. Filling stations, subject to the provisions of Section 5.7.				CU-SP	SP	
2. Service stations (limited repair) in accordance with Section 5.7.				SP	SP	
3. Service stations (general repair) in accordance with Section 5.7.				CU-SP	CU-SP	
4. Automobile sales provided all vehicle storage is indoors.				CU-SP	CU-SP	
5. Car Wash Facilities (10/18/05)				CU-SP	CU-SP	

F. Hospitality Uses	VB	TC	O	GB	RC	BP
1. Sit-down or take-out restaurants.	CU-SP	SP		SP	SP	CU-SP
2. Restaurant with outdoor dining.	CU-SP	CU-SP		CU-SP	CU-SP	CU-SP
3. Restaurant with drive-through or drive-up window.				CU-SP	CU-SP	
4. Banquet hall, place of assembly, or fraternal organization.	CU-SP	CU-SP		CU-SP	CU-SP	
5. Bed and breakfast establishment.	CU-SP					
6. A hotel.				SP	SP	CU-SP
7. A motel				CU-SP	CU-SP	

G. Recreational Uses	VB	TC	O	GB	RC	BP
1. Public and private parks and playgrounds.	P	P	P	P	P	P
2. Health and fitness or indoor commercial recreation facility.		SP	SP	SP	SP	SP
3. Cinemas.					SP	

H. Industrial & Storage Uses	VB	TC	O	GB	RC	BP
1. Wholesale storage and distribution.						SP
2. Product assembly and light fabrication.					CU-SP	SP
3. Storage facility with interior and exterior access to storage bays. (8/16/05)					CU-SP	CU-SP
4. Manufacturing, processing, and similar industrial activities.					CU-SP	CU-SP
5. Trucking or freight operations with complete visual screening of equipment and materials..						CU-SP
6. Contracting businesses with complete visual screening of equipment and materials.						CU-SP
7. Storage, treatment and selling at wholesale of seeds, roots and bulbs.						

I. Other Uses	VB	TC	O	GB	RC	BP
1. Veterinary hospitals and kennels.				CU-SP	CU-SP	CU-SP
2. Funeral homes.				CU-SP	CU-SP	
3. Utility facilities, excluding generating plants, service yards and outside storage areas.				CU-SP	CU-SP	CU-SP
4. Telecommunications facility in accordance with Section 9.1.		CU-SP	CU-SP	CU-SP	CU-SP	CU-SP
5. Other uses similar to the permitted uses.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP

5.3 Accessory Uses & Structures

A. ACCESSORY USES

Table Legend

P	Permitted Use Following Zoning Permit Approval By the ZEO
SP	Permitted Following Site Plan Approval By the Commission
CU-SP	A Conditional Use Permitted Only After Special Permit Approval By the Commission
Blank	Not Permitted

	VB	TC	O	GB	RC	BP
1. Parking and driveways for the principal use.	SP	SP	SP	SP	SP	SP
2. Parking of Commercial Vehicles, subject to the provisions of Section 3.5.5.B.	SP	SP	SP	SP	SP	SP
3. On-site residence for owner, manager, or caretaker.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP
4. Any facility with drive-through or drive-up window.				CU-SP	CU-SP	
5. Electronic games accessory to a permitted use.	P	P		P	P	P
6. Alcoholic beverage sales or dispensing.	CU-SP	CU-SP		CU-SP	CU-SP	CU-SP
7. Exterior vending machines or deposit boxes.				CU-SP	CU-SP	
8. Wholesale operations accessory to a retail operation in the same structure when the products for sale are the same.	P	P		P	P	
9. With approval of the ZEO, outdoor merchandise sales or display for up to fourteen (14) days in a calendar year.	P	P		P	P	
10. With approval of the Commission, outdoor merchandise sales or display for more than fourteen (14) days in a calendar year.	CU-SP	CU-SP		CU-SP	CU-SP	
11. Temporary or seasonal sales of any agricultural product grown on the property.	P	P	P	P	P	P
12. Exterior storage in a side or rear yard only with complete visual screening.				CU-SP	CU-SP	CU-SP
13. Other accessory uses. (5/6 /05)	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP

B. ACCESSORY BUILDINGS & STRUCTURES

Table Legend

P	Permitted Use Following Zoning Permit Approval By the ZEO
SP	Permitted Following Site Plan Approval By the Commission
CU-SP	A Conditional Use Permitted Only After Special Permit Approval By the Commission
Blank	Not Permitted

	VB	TC	O	GB	RC	BP
1. Temporary farm stands for the sale of products grown on the premises when set back at least 25 feet from the street and 10 feet from side and rear lot lines.	P	P	P	P	P	P
2. In accordance with Section 9.1, satellite antenna 2 feet or less in diameter and mounted no higher than 5 feet above the roof.	CU-SP	CU-SP	CU-SP	SP	SP	SP
3. In accordance with Section 9.1, satellite antenna more than 2 feet in diameter and/or mounted more than 5 feet above the roof.				CU-SP	CU-SP	CU-SP
4. In accordance with Section 9.1, radio antennae that extend less than 50 feet in height above the ground per Section 9.1.	CU-SP	CU-SP	CU-SP	SP	SP	SP
5. In accordance with Section 9.1, radio antennae that extend more than 50 feet in height above the ground per Section 9.1.				CU-SP	CU-SP	CU-SP
6. Other accessory buildings and structures.	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP	CU-SP

The accessory building and structure requirements of Section 3.6 of these regulations apply to accessory buildings and structures constructed in a Business Zone. (5/6/05)

5.4 Dimensional & Area Requirements

A. GENERAL PROVISIONS

A. General Provisions	VB	TC	O	GB	RC	BP
1. Minimum Lot Size (square feet)	N/A	N/A	20,000	10,000	30,000	80,000
2. Minimum Lot Frontage On A Public Street (feet)	N/A	N/A	100	100	100	200
3. Minimum Front Yard (feet) (see Section B. below)	25	25	25	25	25	50
4. Minimum Side Yard (feet) (see Section B. below)	12	12	12	12	25	25
5. Minimum Rear Yard (feet) (see Section B. below)	10	10	10	10	10	25
6. Maximum Building Coverage	50%	50%	50%	50%	50%	50%
7. Maximum Impervious Coverage	100%	100%	75%	75%	75%	75%
8. Maximum Building Height (feet)	40	40	40	40	40	40
9. One-story buildings	**CU-SP**	**CU-SP**	**P**	**P**	**P**	**P**

B. SPECIAL PROVISIONS

1. It is the specific intent of the Commission to implement the recommendations of The Silas Deane, A Vision For Reinvestment, Action Items and Design Guidelines, Prepared By Fuss & O'Neill, April 2006 and the Old Wethersfield Master Plan, Prepared by John Milner Associates, Inc., July 2008. Since the creation and maintenance of an active and attractive streetscape is an important objective, the Commission may, by Special Permit, waive any dimensional requirement of these regulations for a mixed use development if the design implements the streetscape and architectural guidelines of the plan. (12-8-08)
2. In the VB and TC zones, the Commission may reduce the minimum front yard requirement and/or the minimum side yard requirement to zero feet (0') by Special Permit if, in the Commission's judgment, it will help achieve the purposes of the district.
3. In all zones except BP, the Commission may reduce the minimum rear yard requirement to 10 percent (10%) of the lot depth by Special Permit if, in the Commission's judgment, it will help achieve the purposes of the district.
4. Where Business Park Zones abut a residential zone, the minimum yard requirement shall be 75 feet.

5.5 Consolidated Parcels

A. PURPOSE

For the purpose of integrated development, any number of contiguous parcels in a business zone may, upon approval of an overall plan by the Commission, be consolidated for the purpose of development, and the consolidated parcel shall be construed to be one lot when computing building coverage and yard requirements, and permitted uses, provided:

1. The consolidated parcel is developed with an integrated plan of buildings, parking, loading and unloading, and open space.
2.. The owner of each lot shall give to the owner of each lot in the consolidated parcel by deed, easement, or condominium agreement filed in the office of the Town Clerk, the right of entrance, exit, passage, parking and loading.
3. Said agreement shall clearly establish the responsibility of each separate owner for maintenance of the entire outside premises, including the exterior walls of the building.
4. Said agreement shall be reviewed and approved by the Town Attorney.
5. Said agreement shall be executed and recorded in the Town Clerk's office after the granting of approval by the Commission.
6. The Commission may require or limit use of access driveways to one or more parcels, whether or not under separate ownership, in order to assure safe traffic movement onto the street and to avoid congestion.

5.6. Exceptions for Business Redevelopment.

A. PURPOSE

This Section is intended to permit the redevelopment or renovation of properties in business zones when such improvements will result, in the sole opinion of the Commission, in functional and aesthetic improvements in the overall character of the property, the neighborhood, and the community.

B. APPLICABILITY

1. This Section shall only be available for the redevelopment or renovation of property in a business zone that does not comply with the strict application of these Regulations prior to the redevelopment or renovation.
2. For the purposes of this Section, “redevelopment” means changes to a site that involves demolition of all or a portion of existing building(s) on the property and/or the construction of new buildings or additions thereto.
3. For the purposes of this Section, “renovation” means changes to a site that do not involve the demolition of buildings or the construction of new or replacement buildings but may include structural alternations, such as façade replacement/restoration, relocation of doorways, windows, reconstruction of parking areas and similar changes.

C. PROCESS

1. The provisions of this Section shall only be available through a Special Permit that may be granted by the Commission.
2. Any action taken by the Commission under this Section of the Regulations shall be clearly identified in the proceedings of the Commission, clearly noted on any filed plan(s), and clearly referenced in any letter of approval related to an application.

D. PROVISIONS

The Commission may, where deemed appropriate in the sole judgment of the Commission, allow redevelopment or renovation of property in a business zone in a manner that does not comply with the strict application of these Regulations by modifying one or more of the requirements of these Regulations as will:

1. result in substantial functional and aesthetic improvements in the overall character of the property, the neighborhood, and the community (including building design, site design, building landscaping, perimeter landscaping, parking area landscaping, signage, and similar attributes),
2. provide for the most appropriate use of the land and the neighborhood,
3. provide for the most orderly development of the land and the neighborhood,
4. protect the public health and safety and preserve property values, and
5. otherwise further the purposes of this Section and these Regulations.

5.7. Public Garages And Filling Stations.

A. Under no circumstances shall a building permit be issued for the erection of, or for the conversion of any premises to, a public garage or a filling station in any business or industrial zone if any point on such premises is situated within a radius of two hundred (200) feet from the boundary of:
   1. any residence zone.
   2. a college or school.
   3. a charitable hospital or institution.
   4. a church or public library.

B. No existing public garage or filling station shall be deemed to become a non-conforming use:
   1. through the subsequent erection of such a school, hospital, church or library, as defined above, within the aforesaid prescribed area.
   2. If it was in existence as of April 17, 1956 when the requirements of Section 1 above were established.

C. No gasoline filling appliance shall be located within 45 feet of any street or property line.

D. All repairs, except for emergency repairs, shall take place within a building.

E. Except as may be permitted by the Commission, there shall be no storage of vehicles which are unregistered or are unfit for repair.

5.8. Alcoholic Beverages.

A. APPLICABILITY.

The provisions of this Section shall apply to any class of permit as described in Sections 30-15 to 30-37h, inclusive, of the Connecticut General Statutes, including:

1. Any café, club, or tavern permit.
2. Any hotel permit.
3. Any package store permit.
4. Any restaurant permit.
5. Any special sporting facility permit.
6. Any bowling establishment or racquetball facility permit.

B. SPECIAL PERMIT REQUIRED.

1. In addition to the requirements of the zoning district where the property is located, the use of a building, a portion of a building or other premises for the sale or dispensing of alcoholic beverages shall require the issuance of a Special Permit by the Commission.
2. In acting upon an application for a special permit under this Article, the Commission shall consider the following in addition to the standards of Article VIII of these Regulations:
   a. The proximity of the establishment to schools, churches/synagogues, residential neighborhoods and charitable institutions supported by public or private funds such that, in the judgment of the Commission, the trade associated with the establishment does not disrupt the quiet pursuit of education and religion.
   b. The proximity of the establishment to another alcoholic beverage establishment such that, in the judgment of the Commission, there not be created a cluster or undue concentration of establishments where the sale or consumption of alcoholic beverages may be perceived as a dominant characteristic of the neighborhood or area.

5.9. Car Wash Facilities. (10/18/05)

A. All car wash facilities shall be located on a lot, which lot shall have no portion located within three hundred (300) feet, measured in a straight line as established by the Planning and Zoning Commission, from any part of any lot, building or premises used or arranged, designed or intended to be used for a:

1. college
2. school
3. place of worship
4. hospital
5. library
6. theatre
7. park
8. playground; or
9. within 300 feet of another car wash facility

B. Every car wash facility shall be screened from any adjacent residential property, residential zone, hotel and/or motel by a suitable opaque fence (which shall bear no advertising), or planting screen, eight (8) feet in height and providing of such density so as to provide year-round screening.

C. In addition to all parking requirements as contained in Section 6.2, each car wash bay shall have the following vehicle stacking capacity for cars waiting to be serviced: four (4) stacking spaces for each self serve bay; eight (8) spaces for each automatic bay.

D. If accessory vacuuming facilities are provided, the site plan shall demonstrate one parking space for each vehicle capable of being serviced at any one time at such facility where such spaces do not interfere with circulation drives or entry and exit drives. Such vacuum facility may be located within a required rear or side yard only upon good cause shown as determined by submission.

E. Prior to the issuance of a building permit for such a facility, the applicant shall provide to the Town that approval has been received from the Department of Environmental Protection for the discharge of car wash wastewater to the sanitary sewer system.

F. Including but not limited to repair, vehicle storage, towing service, sale or dispensing of automobile parts and accessories including tires and batteries, shall not be permitted.

5.10. Mixed Residential and Commercial Uses. (12/8/08)

A. PURPOSE.

The purpose of this Section is to provide an incentive to encourage higher density mixed use developments on key properties along the Town's commercial corridors. Due to the unique characteristics of mixed use developments and the desire to create an attractive environment, these regulations are intended to be flexible in allowing mixed use developments to maximize their benefits to the Town and to encourage economic reinvestment.

B. APPLICABILITY.

1. Mixed use developments may be permitted in Village Business, Town Center, General Business and the Regional Commercial District only.
2. The underlying use standards of the zone must be complied with.

C. PROCEDURAL REQUIREMENTS.

1. Prior to the submission of a formal application all plans for a mixed use project shall be submitted for review under the provisions of Section 10.1.A. pre-application review to the Commission for comment.
2. The provisions of this Section shall only be available through a Site Development Plan and Special Permit that may be granted by the Commission.

D. SPECIAL PERMIT CRITERIA.

The Commission shall approve a Special Permit for a mixed use only if it finds that, in addition to the review criteria of Section 8 Special Permit Criteria, the following criteria are satisfactorily met:

1. Any mixed use development shall be pedestrian-oriented , providing adequate circulation and parking for vehicles, but employing strategies which facilitate pedestrian and bicycle movement.
2. Development shall occur reasonably proximate to bus routes and other mass transit opportunities.
3. Building designs shall complement and enhance the architectural qualities of the existing neighborhood.
4. The proposal does not create an undue concentration of high density residential development in any area.
5. Mixed use developments shall consider open space and recreational opportunities for the residents.
6. Where a number of contiguous parcels are proposed to be consolidated for the purpose of the development the use of access management strategies in order to assure safe traffic movement.
7. Where appropriate incorporation of the proposed streetscape and transportation improvements as identified in the approved project area plans such as the Silas Deane Highway Vision Master Plan and the Old Wethersfield Master Plan.
8. Consists of the highest quality building design, urban design and site planning.
9. Provides an overall public benefit.

E. DENSITY.

1. The maximum density for a mixed use project in the Town Center, General Business and in the Regional Commercial District shall not exceed twenty-five (25) units per acre.
2. The maximum density in the Village Business district shall not exceed eight (8) units per acre.

F. SPECIAL EXCEPTIONS.

In order to promote and encourage flexibility and design innovation the Commission may, in addition to the other provisions of these regulations consider the granting of specific exceptions to the area and dimensional requirements of the zoning district where the Commission determines that such exceptions will result in an improved development of the site. Where these exceptions are requested they shall be clearly identified on the plans and requested in writing and the Commission shall identify such exceptions in the record of the application.

ARTICLE VI -
USE & DEVELOPMENT REQUIREMENTS

6.1. Landscaping Requirements.

A. PURPOSE

This section is intended to establish the minimum standards for the preservation, installation and maintenance of landscaping materials in order to:
1. protect property values,
2. provide privacy from view, light, glare, dirt, and noise,
3. screen parking areas from view from roadways,
4. buffer incompatible land uses,
5. provide shade in parking areas,
6. prevent the erosion of soil,
7. provide water recharge areas,
8. improve the environment, and
9. enhance the appearance of properties in Town.

B. APPLICABILITY

Landscaping shall be required for all plans submitted to the Commission for approval. This section shall apply for all new construction or expansions to existing buildings or uses in all zones in Wethersfield and to all uses except that it shall not apply to the development of a single-family dwelling or a two-family dwelling.

C. GENERAL LANDSCAPING REGULATIONS

1. All landscaped areas shall be planted in lawn or mulched planting beds unless modified by the Commission for another suitable landscape material.
2. Bituminous materials will be permitted only when required for vehicular travel.
3. All proposed trees and shrubs shall be nursery grown and be suitably planted in accordance with the International Society of Arboriculture Standards and Practices. Deciduous trees shall, when planted, be not less than two inches (2.") in caliper measured six inches (6") above the root collar. Evergreen trees shall be not less than six feet (6') in height for evergreen trees, and of reasonable size for shrubs.
4. Incorporation of stone walls and the preservation of existing trees into the overall landscaping scheme shall be encouraged to the maximum extent possible.
5. A suggested plant list is available from the Planning Department for reference as to trees and other vegetation found compatible with local soil and climatic conditions and which are preferred for various types of applications.
6. A landscaping plan shall consider the landscaping and species on adjacent parcels so as to avoid drastic changes in style, species or appearance.
7. The use of indigenous plants is recommended.
8. Non-native invasive plant species as identified by the State of Connecticut Department of Environmental Protection shall not be permitted as part of any landscaping plan approved by the Commission.
9. All landscaped areas shall be planted in grass, shrubbery, trees or other plant material.
10. Earth berms may be required by the Commission where they will complement design, increase aesthetics and/or reduce noise levels.

D. OVERALL LANDSCAPE REQUIREMENTS

1. Except where modified by the Commission in the Village Business and Town Center Zones, at least 25 percent of any lot developed for non-residential use shall be maintained as a landscaped area.

E. PERIMETER LANDSCAPED AREA REQUIREMENTS

1. Unless modified by the Commission, any lot developed for non-residential use shall provide:
   a. a landscaped strip between the street line and the building line adjacent to the sidewalk right-of-way (except driveways).
   b. a minimum five foot (5') landscaped area between the side property line and any parking area.
2. Perimeter landscaped areas (front, side, and rear) shall contain an equivalent number of trees equal to at least one deciduous tree at least 2.5 inches in caliper for each 50 feet or part thereof of perimeter.

F. SCREENING

1. Loading areas, outdoor storage areas and other outdoor work areas visible from public roads shall be required to provide a landscaped area between this area and the street to screen the area to the greatest extent possible.

G. PARKING AREA LANDSCAPING REQUIREMENTS

1. Unless modified by the Commission, any parking area accommodating 10 or more cars shall provide landscaped areas consisting of curbed islands, peninsulas or medians within the parking lot equal to at least 15 percent of the gross paved parking lot area.
2. Such internal landscaped areas shall be provided with not less than one tree for each 10 cars in the parking area, suitably located in landscaped islands within the parking area so as to enhance the appearance of the lot.
3. Any planting islands used to satisfy this requirement shall have an area of not less than 160 feet, a width not less than 8 feet and shall be protected by curbing.
4. Wherever possible, existing trees shall be saved by appropriate welling or mounding and incorporated into parking lot islands.
5. Wherever possible, each island, median or peninsula required herein shall at a minimum contain at least one tree.
6. All rows of parking spaces shall be provided a terminal island to protect parked vehicles, define driveways, identify and provide circulation control, identify ingress and egress points for traffic control and provide space for landscaping.

H. SIGN AREA LANDSCAPING

The area within which a detached sign is erected shall contain at least sixty-four (64) square feet of landscaping.

I. LANDSCAPED BUFFER REQUIREMENT

1. A landscape buffer shall be provided between dissimilar land uses or intensities as follows or as may be required by the Commission:

	To Less Intensive Uses		
From More Intensive Use	Business	Multi-Family Residential	Single Family Residential
Industrial	15 feet	25 feet	25 feet
Business		15 feet	15 feet
Multi Family Residential			15 feet

2. Such landscape buffer be of suitable height and density to provide effective screening of neighboring uses and property.
3. Such landscape buffer shall contain adequate landscape materials to provide a visual barrier and shall consist of no fewer than two rows of suitable evergreen shrubs and trees of at least 6 - 8 feet in height, planted at a density sufficient to obscure lights and other visually objectionable items, , staggered in adjoining rows or other landscaping treatment deemed acceptable by the Commission.

4. Where appropriate, in the judgment of the Commission, walls, fencing, or existing vegetation may be required as part of the required buffer.
5. When any lot or part thereof in a business district fronts on a street opposite a residential district a front yard landscaped buffer may be required by the Commission where necessary to preserve and protect residential character.

J. PRESERVATION OF EXISTING TREES FOR CREDIT

1. Site development shall be designed where possible so as to avoid locating parking and building if such would result in the removal of any existing significant trees. Whenever possible, existing vegetation and plant materials which are preserved may be used to meet all or part of the required landscaping.
2. Any tree for which credit is given shall be in a condition that encourages long-term survival and in a location that conforms to the intent and standards of this regulation..
3. Existing trees which are to be preserved and receive credits shall be marked on the landscape plan.
4. The caliper of the preserved tree shall exceed 3 times the minimum tree caliper required herein to be considered for credit.

K. LANDSCAPING PLANS & MAINTENANCE

1. Landscape plans shall include the information specified in Appendix A and shall show existing vegetation to remain, proposed new planting, and shall include a plant list with plant names (common and botanical), quantities, size at planting and size when mature.
2. In order for the Commission to be able to determine compliance with the requirements of these regulations all landscape plans shall include calculations which document compliance with the requirements of these regulations.
3. All landscaping shall be completed and maintained in accordance with the landscaping plan approved by the Commission.
4. Landscape plans shall include a maintenance program specifying how the proposed landscaping will be maintained in perpetuity.
5. All landscaped areas shall be maintained in a living and healthy condition, with the owner of the property replacing dead, or diseased, trees or shrubs. Failure to maintain any required landscaping shall constitute a violation of the provisions of these regulations.
6. All landscaping shown on the approved plan shall be completed before issuance of a Certificate of Occupancy.
7. If weather or other extraordinary conditions do not allow for completion of the landscaping, the completion of the landscaping shall be guaranteed by filing with the Town:
   a. A written agreement between the Town and the developer assuring that the planting will take place when the proper season arrives.
8. Prior to the granting of a Certificate of Occupancy, the applicant shall provide:
   a. evidence of a guarantee from the landscaping contractor or supplier that any trees or shrubs that die within one year will be replaced.

L. REDUCTION OR MODIFICATION

1. The Commission may, in accordance with Section 7.4 of these Regulations, modify or waive the landscaping requirements of these regulations where site conditions limit the ability of a particular site to conform to the requirements herein. In such cases the applicant shall submit a proposal that strives to maintain the intent of these regulations to the best of its ability.
2. In addition, the Commission may, in accordance with Section 7.4 modify or reduce the landscaping requirements of these regulations where the applicant has demonstrated excellence in building and site design.
3. The Commission may increase the landscape requirements when unusual conditions of the site or the use require more extensive screening for noise abatement or to protect surrounding residential properties.

6.2. Parking and Loading Regulations.

A. PURPOSE

This section is intended to provide sufficient off-street parking spaces to serve all existing and proposed uses, buildings and structures and alterations, enlargements or intensification thereto. It is the intent of these Regulations to allow the minimal amount of parking needed to serve the proposed development

B. GENERAL REQUIREMENTS

1. A building in existence at the time of adoption of this regulation may continue to be used without adequate parking and loading as required by these regulations. However, should such building be increased in area or changed in use so as to require additional parking or loading, such additional parking or loading shall be provided in conformance with these regulations.
2. Required parking spaces shall be located on the same lot as the use for which such spaces is required, except with approval of the Commission in unique circumstances, parking spaces may be located on another lot within a radius of 250 feet of, and in the same zoning district as the use which it is intended to serve.
3. No parking space or travel aisle or other exterior area shall be used for the sale, storage, or display of goods unless approved by the Zoning Enforcement Office or the Commission.
4. The parking or outdoor storage of unregistered motor vehicles is permitted only at locations designated for that use on an approved site plan and further provided that those spaces are in addition to those required in this Section.
5. No parking space or travel aisle or other exterior area shall be used for the sale, storage, or display of goods unless approved by the Zoning Enforcement Office or the Commission.
6. The parking or outdoor storage of unregistered motor vehicles is permitted only at locations designated for that use on an approved site plan and further provided that those spaces are in addition to those required in this Section.

C. NUMBER OF REQUIRED PARKING SPACES

1. Unless waived or modified by the Commission, an adequate number of off-street parking spaces shall be provided at the time of the erection of any principal building, the enlargement of any principal building or use or the conversion of any building to any of the uses specified in this Section.
2. An adequate number of parking spaces shall be as specified in this Section or as required, in the Commission's sole discretion, to accommodate the motor vehicles of all occupants, employees, suppliers, customers and persons normally visiting the premises at any one time.
3. In the Village Business zone, the Commission may consider the availability or provision of on-street parking spaces, off-street parking spaces, and parking spaces provided on nearby sites in determining compliance with the parking requirements. The applicant shall provide the Commission with sufficient information, analysis and documentation regarding the availability of off-site parking spaces.
4. Applicants preparing applications which include unique uses or uses not explicitly listed in the parking table below should meet with Staff to discuss and agree upon parking requirements prior to submitting a formal application. Should an agreement not be reached between the applicant and Staff, the Commission shall determine the parking requirements for a use not listed by determining a similar listed use and/or referring to available parking requirement information from other professional reference sources.
5. Except for shopping centers, the number of off-street parking spaces for sites with multiple land uses or joint use of parking facilities shall be calculated and summed to determine the total amount of parking required.
6. When computation of required parking spaces results in a fraction of a car space the required number of spaces shall be increased to the next whole number of spaces.
7. No area shall be credited as a parking space which is in any part credited or used as a loading space or travel way.

8. MINIMUM PARKING REQUIREMENTS

a. RESIDENTIAL USES	Minimum Number Of Parking Spaces
1.) Single And Two Family Dwellings	2 spaces per dwelling unit
2.) Accessory Apartment	1 additional space
3.) Multi-Family Dwellings	1.5 spaces per unit (6/18/10)
4.) Housing For The Elderly	1 space per unit
5.) Congregate Housing	1 space per 4 dwelling units
6.) Assisted Living Facility	1 space per 2 units
7.) Bed & Breakfast / Boarding Lodging	Two parking spaces plus 1 additional space per room for separate occupancy
8.) Home Occupation	1 space plus 1 space per employee.

b. PUBLIC ASSEMBLY USES	Minimum Number Of Parking Spaces
1.) Churches, Theaters, Auditoriums, And Places Of Assembly And Recreation	1 space per 4 seats or permitted occupancy, or 1 parking space for each 50 square feet of gross floor area available to patrons where capacity is not determined by the number of seats, whichever is greater
2.) Funeral Establishments	1 space for each 25 square feet of public floor area

c. INSTITUTIONAL USES	Minimum Number Of Parking Spaces
1.) Convalescent Or Nursing Homes:	1 space per 4 patient beds
2.) Hospitals	1 space per 4 patient beds plus 1 space per employee and physician on the largest shift
3.) Philanthropic Or Non-Profit Institutions	4 spaces per 1,000 square feet of gross floor area

d. RETAIL / SERVICE USES		Minimum Number Of Parking Spaces
1.) Retail Store Or Service Establishment	**Up to 10,000 SF**	5 spaces per 1,000 square feet of gross floor area
	10,000 to 50,000 SF	5 spaces per 1,000 square feet of gross floor area,
	More than 50,000 SF	4 spaces per 1,000 square feet of gross floor area, Minimum of 225 spaces
2.) Shopping Center		4 spaces per 1,000 square feet of gross floor area for the shopping center as a whole
3.) Gasoline Filling Stations		A minimum of 5 spaces

4.) Motor Vehicle Repair And Service	3 spaces per bay plus 1 space per employee
5.) Car-Washing Establishments	1 car space per employee, plus stacking space of 10 cars per bay
6.) Bowling Alleys	1 car space per employee, plus 5 spaces per bowling lane

e. OFFICE USES	Minimum Number Of Parking Spaces
1.) Business Offices And Financial Institutions	4 spaces per 1,000 square feet of gross floor area
2.) Medical And Dental Offices	6 spaces per 1,000 square feet of gross floor area

f. HOSPITALITY USES	Minimum Number Of Parking Spaces
1.) Restaurants, Sit-down (including outside dining)	1 space per 3 table seats and 1 space per 2 counter seats and 1 space per 2 employees on the largest shift
2.) Restaurants, Take-out	Three additional spaces
3.) Restaurants, Drive-through	Adequate drive-through lane with stacking distance for at least 4 cars
4.) Hotels/Motels	1 space per room, plus 1 per 2 employees on the largest shift, plus 1 per 50 square feet of conference area
5.) Night Clubs, Taverns, Cocktail Lounges Or Other Drinking Places	1 space per 35 square feet of gross floor area, excluding basement area

g. INDUSTRIAL USES	Minimum Number Of Parking Spaces
1.) Industrial and Manufacturing Operations, Contractor Yards	1 space per 1000 square feet or 1 space per 2 employees on the largest shift or other standard per the Zoning Enforcement Official
2.) Warehouse / Storage	1 space per 2500 square feet

h. OTHER USES	Minimum Number Of Parking Spaces
1.) Roadside Stands	1 space per 200 square feet of gross floor area
2.) Other Uses	The number of parking spaces as specified by the Commission in order to maintain the purpose and intent of this Section.

D. REDUCTION OF REQUIRED PARKING SPACES

1. Intensity of Use - The Commission may waive the requirement for the installation of additional spaces when a change in the use of the premises results in an increase in the number of required parking spaces in an amount of 15 percent or less than the number of existing parking spaces.
2. Reserved Parking - The Commission may waive the immediate installation of up to 25 percent of the required parking spaces when:
   a. the applicant has designed the location of all required parking spaces on the site plan and has labeled them as "Reserved Parking";
   b. the area designated for possible future parking shall be left in their natural state or landscaped as directed by the Commission;
   c. the Commission's determines that the reduced parking facilities will adequately serve the proposed use; and
   d. the applicant has filed the site plan with the Town Clerk stipulating that the owner, or the successor and assigns of the owner, will reserve the required spaces for future parking needs. The Commission may require the future construction of as many of the waived parking spaces as the Commission deems necessary within 6 months of the Commission's request.
3. Excellence In Building and Site Design – The Commission may, by Special Permit, permit a reduction of up to 15 percent of the required parking spaces due to excellence in building and site design.
4. Shared Parking – Shared parking areas for more than one use shall be encouraged. The Commission may, by Special Permit, permit a reduction of the required parking spaces due to shared use of the parking facilities when the parking needs of the joint users occur at different hours of the day. The applicant shall present to the Commission an analysis of the shared parking needs of the various uses. In no case shall the total parking requirements be reduced below the estimated peak hour parking need as estimated by the parking analysis. The Commission may grant such approval only after it has received a written agreement between the users that clearly stipulates the terms of the shared use of the parking.
5. Permanent Village Business District Reduction - In the Village Business District, the Commission may, by Special Permit, permit a reduction in the number of required on-site parking spaces due to shared use of the parking facilities and the availability of parking off-site in the vicinity.
6. The applicant can demonstrate that the requirements are unreasonable or unnecessarily stringent for the nature of the building or use, and that the proposed number of parking spaces will adequately serve the proposed development.

E. PARKING SPACE & AISLE SIZE

1. Each required parking space shall, exclusive of driveways and traffic aisles, shall be 9 feet wide by 18 feet long unless it is:
   a. a parking space located perpendicular or oblique to a landscaped area or any existing or proposed sidewalk that is at least 8 feet in width may be 9 feet by 16 feet,
   b. a parking space located within a building may be 8.5 feet by 18 feet,
   c. a required handicapped parking space,
   d. for a compact vehicle in accordance with the following:
      1) the minimum dimensions for each parking stall shall be 7 feet 6 inches in width and 19 feet in length.
      2) Compact parking stalls shall be grouped in contiguous, uniform stalls and shall have signs placed in appropriate locations indicating PARKING FOR COMPACT VEHICLES ONLY
      3) Not more than 25% of the parking spaces required by these regulations shall be for compact vehicles.
2. Driveways and traffic aisles for other than single-family or two-family residential uses shall be at least 22 feet wide for two-way traffic movement and 11 feet for one way movement unless modified by the Commission.
3. Driveways in the front or rear of shopping centers or providing access to the service area of business property shall be at least 30 feet wide and or accommodate an SU-30 turning radius.

F. HANDICAPPED SPACE REQUIREMENTS

Parking spaces designed for handicapped persons shall be provided in accordance with the Connecticut General Statutes and the State of Connecticut Building Code. Parking spaces for the physically handicapped shall be located as close as is possible to the nearest accessible ramp, walkway, and the building entrance on an accessible route.

G. SURFACE TREATMENT

1. Unless modified by the Commission, with a showing of good cause for uses that are seasonal such as recreation, all parking spaces, loading facilities, and access roadways for all uses other than single- and two-family dwellings shall be improved to the standards established by the Town Engineer and shall have a durable all-weather surface of asphalt, bituminous, cement or other properly bound pavement that will inhibit dust.
2. All surface treatments shall be maintained in good condition.

H. PARKING AREA CONSTRUCTION STANDARDS

1. Access drives may cross required yards where, in the Commission's judgment, such drives are necessary for circulation.
2. Unless modified by the Commission, no parking or loading spaces shall be located between the street line and the building line.
3. All parking spaces shall be marked with clearly visible striping at least 4 inches wide.
4. No parking space shall be installed in front of a fire hydrant or siamese connection.
5. Parking areas shall be designed an SU-30 turning radius through all parking aisles.
6. All parking areas shall include landscaped areas satisfying the requirements of Section of these regulations.
7. All of-street parking areas shall be graded and drained as to dispose of all surface water accumulation and no surface water from any parking area shall be permitted to drain onto adjoining property unless specifically approved by the Commission.
8. All parking spaces shall be provided with a raised curb, wheel stops or other devices to insure that motor vehicles do not encroach beyond the parking area.

I. INTERNAL CIRCULATION

1. Each site shall provide for safe and adequate vehicular traffic flow and adequate traffic circulation.
2. No building shall be erected without access to the rear of the building for fire protection, servicing, loading and unloading, and the necessary drives serving these areas.
3. Each parking space shall be provided with safe and adequate area for approach, turning and exit without need to use any part of a public street right-of-way.
4. Safe and adequate pedestrian traffic flow shall be provided in all parking areas, and integrated with the parking arrangement and to this end the Commission may require separate pedestrian walkways and/or means of pedestrian ingress and egress to the parking area or facility.

J. OFF-STREET LOADING REQUIREMENTS

1. Unless waived or modified by the Commission, any non-residential use with an aggregate floor area of 5,000 square feet or more shall provide an appropriate number of off-street truck loading spaces as determined by the Commission on the same lot as such building.
2. No commercial loading space shall be less than 12 feet wide, 25 feet long, or 15 feet high except that the Commission may require that each truck loading space be at least 55 feet long when necessary to service the anticipated loading activity.
3. Each loading space shall be provided with adequate area for approach, turning and exit of the vehicle for which it was designed.
4. No loading space or access thereto shall be located in a required front or side yard, located less than 20 feet from any property line, or be designed or arranged in a manner that vehicles must use any part of a public street right-of-way to maneuver into or out of such space.

5. No area shall be credited as a loading space that is in any part credited or used as a parking space or travel way.
6. Commercial loading spaces shall be at least 50 feet from any residential use or zone unless enclosed on all sides by a wall or fence at least 6 feet high or wholly enclosed within a building.
7. Loading spaces shall be located behind buildings and/or screened from streets and adjacent property unless waived by the Commission.
8. No required loading space shall be used for the sale, storage, or display of goods.
9. Loading spaces shall be located to serve all tenants in multi-tenant buildings.

K. OPERATION AND MAINTENANCE

Parking or loading facilities shall remain in existence so long as the use which they serve exists and shall at all times be exclusively reserved for, and available to, the persons occupying or visiting the land or improvement, the use of which such facilities are provided to serve.

L. JOINT USE OF PARKING AREAS

The owners of two or more properties may establish a joint parking area to satisfy the parking requirements of these regulations. The Commission may grant a Special Permit approval only after it has received a written agreement between the parties stipulating the terms of the joint use of the parking spaces and that such spaces are committed and available to the respective users on a non-conflicting basis.

6.3. Sign Regulations.

A. PURPOSE

This section is intended to regulate the number, size, location, height, lighting, and type of signs in order to protect the public health, safety and general welfare.

B. MEASUREMENT OF SIGN AREA

1. The sign area shall be the smallest area rectangular that encompasses all letters, designs, symbols, logos or other information including the advertising surface. However, when a sign consists of individual letters or symbols affixed to a building wall, the area of such sign shall be measured as the composite of the smallest rectangles which would contain each separate line of letters or symbols. (5/6 /05)
2. The sign area shall include any background material if such material is designed to be an integral part of the sign because of its texture, color, material, or illumination.
3. Supports which affix a sign to the ground or a building shall not be included in the area of the sign unless such supports are obviously designed to be part of the sign.
4. When attached to a wall, the area of the sign shall not include the wall itself unless the background is different from the balance of the wall and is designed as an integral part of or is obviously related to the sign.
5. Any sign may be double-faced (back to back) provided that both sides are equal in area; only one face shall be counted in determining conformity to sign area limitations.
6. For the purposes of determining the permitted sign area of a wall sign each business shall be allowed a total sign area that is based upon the linear foot of that portion of the building frontage wall that the business occupies. (5/6 /05)

C. SIGN CONTENT

1. Signs shall pertain only to goods sold or manufactured, services rendered and establishments, persons, organizations or facilities on the lot where the sign is located.
2. Signs may only designate two of the following items: name, address, logo, type of business, or principal product. Where the logo appears along with other information, the logo shall be limited to no more than 25% of the sign area, unless waived by the Commission.

D. SIGNS PERMITTED IN ANY ZONE

Signs may be permitted in any zone in accordance with the following:

Type	Description	Require Permit	Design Review Required	Max. No. Allowed	Max. Area Per Sign
1. Governmental and Historic Organizations (1-15-08)	a. A detached non-illuminated sign for identification of public and government facilities located at least 5 feet from the street line and not exceeding a height of six feet above grade	Staff	Yes	1 per street access, 2 maximum	24 SF
	b. A wall sign identifying the name of the building, site or facility.	Staff	Yes	N/A	1SF/linear foot of building frontage
	c. Welcome or visitor interest signs erected on public property by the Town of Wethersfield when located in a manner as not to create a public hazard.	Staff	Yes	N/A	15 SF
2. Civic Organizations	a. Bulletin boards on the premises of religious institutions or municipal buildings located at least fifteen (15) feet from the front lot line.	Staff	Yes	1	12 SF.
3. Agricultural	a. A sign to identify the location of a farm	Staff	No	1	12 SF
	b. Directional signage for an agricultural trade or business approved by the State Department of Agriculture for the Agricultural Directional Signage Program,	N/A	No	N/A	4 SF
4. Development	a. One-sided masonry, stone, or other low maintenance sign(s) not exceeding five feet in height identifying a development containing multiple buildings provided that permanent arrangements for sign maintenance are recorded on the Land Records.	Staff	Yes	1 per entrance	12 SF
5. Non-Conforming Use	a. Signs in connection with the advertising of a legally existing non-conforming use.	Staff	Yes	1	15 SF
6. Traffic Control	Signs for the control of traffic and parking on a property provided such signs conform to standards established by the Manual on Uniform Traffic Control Devices (MUTCD) and contain no business name or logo.	N/a	No	N/a	As per MUTCD or Town Engineer
7. National or State Flags	The display of the National, State or any other flag adopted or sanctioned by the legislative body of a government jurisdiction.	N/a	No	3	N/a
8. Historic Marker	Placed by a bona fide historical organization or government agency	Staff	No	N0	10 SF

E. SIGNS PERMITTED IN RESIDENTIAL ZONES

Signs may be permitted in residential zones in accordance with the following:

Type	Description	Require Permit	Design Review Required	Max. No. Allowed	Max. Area Per Sign
1. Wall Signage	a. A non-illuminated wall sign for identifying the name of the occupant, address of the property and/or historic information about the property	No	No	1	4 SF
	b. A wall sign identifying a service offered on the premises and accessory to the residential use, provided the service is authorized by zoning regulation, special permit or variance	No	No	1	1 SF
	c. A wall sign for a principal use authorized by the Commission	Staff	Yes	1	25 SF
	d. A wall sign in connection with the identification of a legally existing non-conforming use	Staff	Yes	1	15 SF
2. Detached Signage	a. A detached sign for a principal use authorized by the Commission as a Special Permit use	Staff	Yes	1	25 SF
	b. Detached sign identifying a development containing multiple buildings or multiple dwellings when not greater than five feet in height and located at least fifteen (15) feet from the street line	Staff	Yes	1 per entrance	12 SF

F. SIGNS PERMITTED IN BUSINESS AND INDUSTRIAL ZONES

Signs may be displayed in business zones in accordance with the following:

Type	Description	Require Permit	Design Review Required	Max. No. Allowed	Max. Area Per Sign
1. Residential Use	a. Any wall sign permitted in a residential zone	Per Residential zone requirements			
2. Attached Wall Signage for Non-Residential Uses When A Detached Sign is Used (1-15-08)	a. Sign is on a single-occupant building or sign is on a multi-sign building..	Staff	Yes	N/A	1 SF per lineal foot of building frontage (No wall sign or combination of wall sign areas shall be larger than 125 s.f.)
3. Attached Wall Signage for Non-Residential Uses When No Detached Sign is Used (1-15-08)	a. Sign is on a single-occupant building or sign is on a multi-sign building..	Staff	Yes	N/A	2 SF per lineal foot of building frontage (No wall signor combination of wall sign areas shall be larger than 125 s.f.)
4. Detached Signage for Non-Residential Uses	a. Properties with less than 100 feet of frontage and sign height 8 feet or less. (5/6/05)	Staff	Yes	1/building	25 SF
	b. Properties with more than 100 feet of frontage and sign height 8 feet or less. (5/6/05)	Staff	Yes	1/building	32 SF
	c. Properties with more than 100 feet of frontage and sign height 5 feet or less. (5/6/05)	Staff	Yes	1/building	40 SF
	d. Properties with more than 100 feet of frontage and sign height less than 5 feet above the ground when: 1. both signs are one-sided and are integrated into the landscape as stone walls or similar features; 2. only one sign will be visible from any traveling direction on the adjacent street; 3. the proposed design is attractive and is incorporated into the landscape on the particular site.	Staff	Yes	2/lot	50 SF per sign face
	e. Properties in the Village Business District (VB). (5/6/05)	Staff	Yes	1	25 SF

SIGNS PERMITTED IN BUSINESS AND INDUSTRIAL ZONES (CONTINUED)

Type	Description	Require Permit	Design Review Required	Max. No. Allowed	Max. Area Per Sign
5. Gas Price	a. A sign mounted on the main detached identification sign indicating the price of gasoline products being sold on the premises provided letters/numbers shall not exceed 15 inches in height, and sign height shall not exceed 8 feet.	PZC	Yes	1/Lot	12 SF
	b. Signs required by state law to be attached to each gas pump	No	No	N/A	N/A
6. Park-Type Developments	a. One-sided masonry, stone, or other low maintenance sign(s) not exceeding five feet in height identifying a development containing multiple buildings provided that permanent arrangements for sign maintenance are recorded on the Land Records.	Staff	Yes	1 per entrance	12 SF
7. Menu Board	a. A business with a drive-thru facility may be permitted to have a menu board. (5/6/05)	Staff	Yes	1/business	18SF
8. "Open" signs, flags or banners (1-15-08)	a. During operating hours only and hanging from or attached to the building.	Staff	No	1/business	12 SF
9. Portable Sign in the VB Zone (1-15-08)	a. During operating hours only, shall be located directly in front of the establishment and shall not obstruct the free flow of pedestrian traffic.	ZEO	No	1/business	8 SF

G. TEMPORARY SIGNS

Temporary detached signs may be permitted in any zone in accordance with the following:

Type	Description	Require Permit	Design Review Required	Max. No. Allowed	Max. Area Per Sign
1. Real Estate	a. In residential zones a sign advertising the sale, lease or rental of the premises where the sign is located when sited at least five (5) feet from any street line.	No	No	1	6 SF
	b. In commercial and Industrial zones a sign advertising the sale, lease or rental of the premises where the sign is located when sited at least five (5) feet from any street line.	No	No	1	24 SF
	c. A like sign for not more than seven days indicating that the sale of the property is pending or that the property has been sold.	No	No	1	6 SF
	d. For each property advertised for sale or rent, an off-premises directional sign which may be placed within the right-of-way of town-owned streets on Saturdays, Sundays and holidays identifying an open house or inspection of a property provided all such open house signs shall be removed promptly upon conclusion of the event or by sunset of Sunday or of the holiday.		No		4 SF
2. Tag/Yard or Garage Sale (1-15-08)	a. A sign advertising the sale of personal property of the owner erected on the premises for not more than three (3) days in any calendar year. In addition, for each advertised sale, an off-premises directional sign which may be placed within the right-of-way on Saturdays, Sundays and holidays identifying a tag/yard or garage sale provided all such signs shall not create a sight line obstruction and shall be removed promptly upon conclusion of the event or by sunset on Sunday or the holiday.	No	No	6	2 SF
3. Political Signs	b. Non-illuminated signs identifying persons running for political office, or issues concerning a matter of public interest, controversy or subject to local referendum may only be displayed for up to 8 weeks before the primary election, the regular election, town meeting, or the referendum (if applicable) and must be removed within five (5) days after the event.	No	No	N/A	32 SF
4. Land Use Hearing	A sign providing public notice of a pending land use application. (5/6/05)	No	No	1	4 SF

TEMPORARY SIGNS (CONTINUED)

Type	Description	Require Permit?	Design Review Required	Max. No. Allowed	Max. Area Per Sign
5. Construction / Development	a. Signs pertaining to and during the construction, repair or improvement of dwellings on the property.	No	No	1	6 SF
	b. Signs pertaining to and during the construction, repair or improvement of business buildings on the property.	No	No	Up to 2	32 SF total
	c. Sign(s) identifying an approved development with lots and/or homes for sale for up to 12 months, unless extended.	Staff	No	1/10 lots 2 max.	32 SF
6. Civic Organizations	a. Signs of civic organizations advertising an event for not more than 30 days within any 12 month period provided it shall not be located within any street line nor within twenty (20) feet of a side lot line nor in a location to create a hazard to the public.	Staff	No	n/a	32 SF
7. New Business Identification	a. One banner sign on the facade of the building in a commercial zone identifying a new business for up to 21 days.	Staff	No	1	24 SF total
	b. One non- illuminated detached sign on the property in a commercial zone provided by the Chamber of Commerce identifying a new business for up to 21 days.	Staff	No	1	12 SF total
	c. One non- illuminated detached sign on the property in a commercial zone identifying a new business for up to 21 days.	Staff	No	1	6 SF total
8. Window Signs	a. Signs inside display windows are limited to covering a maximum of 25% of the window space.	N/A	No	N/A	<25% of glass area
9. Special Event (2-19-08)	a. For the purpose of advertising a grand opening or new management the ZEO may issue approval of a zoning permit for flags, banners and signs for a period of not more than thirty (30) consecutive days up to a maximum of one (1) time per year. The Planning and Zoning Commission may grant approval for an additional period of time beyond the limits of this regulation.	Staff	No	1	60 SF
	b. Banners and signs used to announce special sales or special events for a period not to exceed fourteen (14) days prior to an event and throughout the event, to be located at the location of the event and at the organization headquarters and up to three (3) times per year.	Staff	No	N/A	32 SF

10.	Off-Premise Event Sign	a. Signs announcing an event sponsored by any public, charitable, educational, or religious institution and not located on the same property.	Staff	No	3	32 S.F.
11.	Sponsorship Signs On Municipal Baseball and Softball Fields (1-15-08)	a. For a period not more than 4 months in any 12 month period non illuminated sponsor signs only on outfield fences between the foul poles that face the playing field.	Staff	No	N/A	4’ × 8’
12.	Off-Premise Event Signs (1-15-08)	a. Signs announcing an event sponsored by any public, charitable, educational, historical or religious institution and not located on the site of the event for more than thirty (30) days prior to the event.	Staff	No	6	32 SF
		b. Any such sign shall not be placed within the town right-of-way unless permission has been granted by the Town Manager or his/her designee.	Staff	No	6	32 SF
13.	Street Banners Sponsored or Installed by the Town of Wethersfield (1/15/08)		Staff	No	N/A	

H. SIGN LOCATION

1. No sign shall be located on property other than the lot where the establishment is located, except as provided in this section, therefore, Billboards are prohibited.
2. Detached signs shall be located at least five (5) feet from any property line.
3. Signs attached to buildings shall be parallel thereto, project no more than 18 inches from the face of the building, and shall not be located within or hang over the right-of-way of any street, nor project or hang over any driveway, roadway or access way unless it is a wall-mounted sign in the Village Business Zone and such location has been approved. .
4. No sign shall be located or maintained at the intersection of any street or driveway, in such a manner so as to be a hazard to traffic or pedestrians, to obstruct any door, window, ventilation system, fire escape or exit or to cause any other hazard to public health or safety.
5. Roof signs are prohibited, except that the ZEO may approve a sign mounted flush with the vertical or near-vertical portion of mansard roofs.
6. Any wall or mansard roof sign shall not extend higher than the top of the exterior wall or mansard roof of any structure to which it is affixed.
7. Uses in the Regional Commercial or General Business Zones that abut and derive access from more than one street shall be deemed to have more than one front and may display sign areas on each front.
8. A sign permitted in any Business Zone which is prohibited in any Residential Zone shall not be displayed on a side of a structure or property facing the Residential Zone.
9. No vehicle bearing logos or business identification shall be stationed closer than thirty (30) feet to any street line on a permanent basis or in a manner such that said vehicle functions as a sign.
10. A commercial vehicle used for delivery or service calls shall be removed from any location closer than thirty (30) feet to a street line during non-business hours.

I. SIGN CONSTRUCTION & ILLUMINATION

1. All signs shall be constructed of sound materials and firmly supported.
2. No sign shall contain flashing or intermittent illumination, moving parts, exposed neon lights or animation unless specifically approved by the Commission. No sign shall be used so that the message content can be periodically changed, except menu boards, unless specifically permitted through the issuance of a Special Permit by the Commission. (1-15-08)
3. Colored lights shall not be used where they conflict with traffic safety.
4. Signs may be externally illuminated provided the light source is concentrated on the sign, shielded from the road, sidewalk and adjacent properties, and underground electrical service is provided.
5. Internally illuminated signs shall consist of a dark background with light lettering, unless otherwise approved by the Commission.
6. No sign or any part thereof shall be moving whether by mechanical or other means, except a traditional barber shop pole provided the longest dimension of such pole does not exceed 3 feet.
7. No streamers, banners, advertising, flags, or other such signs shall be permitted except for thirty (30) days from the opening date of a new business.

J. SIGN MAINTENANCE & ABANDONMENT

1. All signs and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition.
2. Sign maintenance shall include painting, repainting, changing of the sign message in accordance with these Regulations, cleaning, and other normal maintenance and repair of a sign or a sign structure, unless a structural change is made.
3. The replacement of sign panels shall not require the approval of the Design Review Advisory Committee.
4. Any sign now or hereafter existing which no longer advertises a bona fide business conducted, product sold or activity or campaign being conducted shall be taken down and removed by the owner, agent or person having the beneficial use of the building, structure or lot upon which such signs may be found within thirty (30) days of such cessation upon failure to comply within the timeframe specified, the ZEO is hereby authorized to order removal of such sign, within thirty (30) days of written notification, and expense incident thereto shall be paid by the owner of the building, structure or lot to which such sign is affixed.

K. SIGN EXCEPTIONS AND APPROVAL CRITERIA

The Commission may grant the following exceptions to the requirements of these regulations under the following conditions:

1. The Commission may modify the number of items on a sign and the percent of the sign occupied by a logo.
2. The Commission may increase the area of internally illuminated wall signs with opaque letters ("halo lettering") by no more than 10 percent.
3. In order to provide an incentive for property owners who are willing to install a unified signage program the Commission, may, at it's discretion and after approval of a Special Permit, modify the requirements of these sign regulations in regards to the height, area, setback and number of signs. The Commission must consider the applicant's written narrative explanation and justification for the modification including the following criteria:
   a. The signs are part of a unified signage program,
   b. The modification will provide a more creative, aesthetically pleasing sign design.
   c. There are unusual site factors which impact the legibility and effectiveness of the sign as viewed from the Town street system.
4. Before granting approval for a sign exception the Commission shall find that:
   a. The location, size and other aspects of the proposed sign will be in harmony with the orderly development of the area and will not alter the essential characteristics of the area.
   b. The landscaping, lighting, materials and design elements of the proposed sign are attractive and suitable in relation to site characteristics, the architecture of the building and the style of other buildings in the immediate area.

L. SIGN PERMITS

1. All permanent signs in new building construction shall be reviewed by the Design Review Advisory Committee for conformance to the Design Guidelines of these regulations prior to the issuance of a sign permit except where otherwise noted in these regulations.
2. All permanent signs shall obtain a sign permit from the Zoning Enforcement Official before the sign is erected.
3. Applications for sign approval shall be made on forms provided by the Zoning Enforcement Official.
4. The application shall include a plan of the sign and its location on the site or building, the height, width, and lighting of the sign, the area of each sign face and the total area, and gross area of signs on the parcel.
5. No permit shall be issued for signs that conflict with an approved sign concept.
6. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of 6 months after the date of the permit.
7. Any sign located in a designated Historic District shall, in addition to the provisions of these regulations, obtain any necessary approvals from the Historic District Commission.
8. Wall signs for each business use in a multi-business building shall be designed to reflect a coordinated theme for the entire building. Accordingly, each wall sign shall be in harmony and of a compatible type, height, materials, lettering, wall placement and illumination. To this end, and as a means to encourage a coordinated theme applicants may apply for an receive an exception to these regulations as specified in Section K of these regulations.

M. NON-CONFORMING SIGNS

1. The replacement of a non-conforming sign shall be in accordance with these Regulations.
2. This regulation does not require that a legal non conforming sign be made to comply with the regulation or be removed by the owner or occupant of the land or premises. Repairs, replacement or alterations to non-conforming signs are permitted with a permit from the Zoning Enforcement Official provided that the nonconformity is not increased or enlarged.
3. Signs existing at the time of the enactment of this regulation and not conforming to its provisions but which were constructed in compliance with previous regulations shall be regarded as non-conforming signs and shall be permitted to remain as approved and maintained, repaired or replaced in kind.

6.4. Performance Criteria.

Land and buildings shall be used only in compliance with the following standards:

A. The use shall be carried on in such a manner and with such precautions against fire and explosion hazards as to produce no serious exposure hazard to any property, and the storage of all flammable or explosive materials shall be in accordance with the National Fire Safety Code as directed by the Fire Marshal of the Town of Wethersfield.

B. The use shall emit no offensive odors perceptible from any property line of the lot on which the operation is located and shall emit no noxious, toxic or corrosive fumes or gases.

C. The use shall not exhaust or waste into the air dust created by any industrial operation in excess of one (1) cubic centimeter of settled matter per cubic meter of air or produce heat or glare perceptible from any property line of the lot on which the operation is located for a period exceeding three (3) continuous minutes.

D. Industrial and exterior lighting shall not produce glare on public highways or neighboring property or conflict with any traffic signals.

E. Smoke or other air contaminants shall not be discharged into the atmosphere from any single source of emission for a period or periods aggregating more than three (3) minutes in any one (1) hour which are as dark or darker in shade than as designated as No. 2 on the Ringelmann Smoke Chart, as published by the United States Bureau of Mines, or which are of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke designated as No. 2 on the Ringelmann Smoke Chart.

F. The use shall be operated in conformance with the requirements of Wethersfield Code of Ordinances Chapter 105 - Noise Control and the following performance standards governing noise, and no sound-pressure level shall exceed the decibel levels in the designated octave bands shown below. Sound levels shall be measured at the zone boundary lines within which the subject use is located and with a sound-level meter and associated octave band filter manufactured in accordance with the American Standards Association. Measurements shall be made using the flat network of the sound-level meter.

Maximum Permitted Sound Level in Decibels

Octave Band (cycles per second)	Planned Development Abutting Residence Zones	Planned Development Abutting Other Zones
0-75	72	79
75-150	67	74
150-300	59	66
300-600	52	59
600-1,200	46	53
1,200-2,400	40	47
2,400-4,800	34	41
Above 4,800	32	39

6.5. Improvements Required

A. No building shall be constructed on a lot which does not have adequate public improvements (road pavement, curbs, sidewalks, sanitary sewers, storm sewers and water mains) up to and including the total width of the lot unless an alternate scheme is approved by the Town Engineer.

B. No building shall be constructed on property developed without provisions for drainage and sanitation acceptable to the Town Engineer.

C. Adequate public improvements shall not be required at the time of application for a building permit, provided that a bond in an amount sufficient to extend public improvements up to and including the proposed lot shall have been posted with the Town Engineer.

D. Under no circumstances shall a certificate of occupancy be issued for any dwelling unit until:
   1. public improvements up to the finished pavement course are completed.
   2. site drainage is completed.
   3. required fire protection is provided.
   4. a bond to complete the finished pavement course and other public improvements in an adequate form and amount sufficient as determined by the Town Engineer shall have been posted with the Town.

6.6. Erosion & Sediment Control.

A. PURPOSE

This section is intended to control accelerated erosion and sedimentation of land during and after development and prevent detrimental impacts to soil and water resources.

B. REQUIREMENTS

1. Every development shall include and maintain measures to minimize soil erosion and sedimentation resulting from land development in accordance with the performance standards specified herein.
2. The Commission may require that a bond be posted, in an amount and form acceptable to the Commission, to ensure that adequate control measures are implemented.

C. STANDARDS

Measures for controlling erosion and sediment shall equal or exceed those contained in (Connecticut Guidelines for Soil Erosion and Sediment Control DEP, 2002), as amended, unless modified by the Commission.

D. PROCEDURE

1. If the cumulative disturbed area shall exceed more than one-half acre or site development would occur within the Connecticut River Assembly Conservation Zone, erosion and sediment control plans shall be submitted.
2. Where an erosion and sedimentation control plan is required, no building permit shall be issued and no site work shall be started until the Wethersfield Planning and Zoning Commission has determined that the erosion and sedimentation control plan complies with the above standards.

E. FIELD INSPECTION & ENFORCEMENT

1. The Town Engineer or a designee is authorized to make inspections and take measurements to determine compliance herewith and that control measures and facilities are properly performed or installed and maintained.
2. Development shall not begin unless the control measures scheduled for installation prior to site development or as needed based on field conditions are installed and functional.
3. All control measures and facilities shall be maintained in effective condition.
4. Failure to install or maintain control measures in an appropriate manner shall be grounds for issuance of a cease and desist order.

6.7. Outdoor Lighting (12/20/05)

A. PURPOSE

This section establishes the minimum standards for outdoor lighting and is intended to:

1. Control the number, size, location, and intensity of outdoor lighting.
2. Provide lighting in outdoor public places in order to protect the public health, safety and welfare.
3. Protect drivers and pedestrians from the glare of non-vehicular light sources that shine into their eyes and thereby impair safe traverse.
4. Protect neighbors and the night sky from nuisance glare and stray light from poorly shielded, aimed, placed, applied or maintained light sources.
5. Promote efficient design and operation with regard to energy conservation.

B. APPLICABILITY

1. All public and private outdoor lighting installed in the Town of Wethersfield shall be in conformance with the requirements established by these regulations.
2. Outdoor lighting shall be required for safety and personal security and these regulations apply to all sites located in the Business zones, the Special Residential Development zone and non-residential uses permitted in residential zones.
3. These regulations apply to new construction as well as site changes.
4. The glare control requirements also apply to, but are not limited to, sign, architectural, landscape, recreational and residential lighting.
5. Modification or replacement (other than maintenance) of outdoor lighting fixtures shall meet the provisions of this regulation.
6. Outdoor lighting shall be subject to a Site Plan review by the Planning and Zoning Commission.

C. REQUIREMENTS

All illumination on all sites shall be designed and constructed in accordance with the following standards:

1. All lighting shall be operated and maintained in compliance with the Town of Wethersfield Municipal Code as it pertains to lighting.
2. All parking and pedestrian area lighting shall be full cut-off light fixtures.
3. Floodlighting is prohibited.
4. The use of wall mounted fixtures for security or aesthetics is discouraged and shall only be permitted as full cut-off or a fully shielded/recessed type.
5. Poles and standards used for outdoor lighting shall not exceed 14 feet in Residential Zones and 25 feet in all other districts, except where otherwise permitted in these regulations.
6. All outdoor lighting shall be designed to control objectionable and hazardous glare off the premises.
7. All outdoor light fixtures shall be shielded in such a manner that no light is emitted above a horizontal plane passing through the lowest point of the light-emitting element, so that direct light emitted above the horizontal plane is eliminated.
8. Unless otherwise permitted for safety or security or for businesses that operate all night, lighting shall be controlled by automatic switching devices such as time clocks or combination motion detectors and photocells, to permit extinguishing outdoor lighting fixtures between 11p.m. and dawn, to reduce energy waste and mitigate nuisance glare and sky-lighting consequences.
9. The maintained horizontal illuminance recommendations set by the Illuminating Engineering Society of North America (IESNA) Recommended Practice Publication “Lighting for Exterior Environments” RP-33-99 and “Lighting for Parking Facilities” RP-20 shall be observed.
10. All building lights shall be full cut-off or a shielded type fixture.
11. Lighting fixtures mounted on canopies shall be installed such that the bottom of the light fixture or its lens, whichever is lower, is recessed or mounted flush with the bottom surface of the canopy and parallel to the ground. A full cut-off light fixture may project below the underside of the canopy.

12. The following open parking area lighting levels are hereby established:

Type of Activity	General Parking and Pedestrian Area Footcandles Avg.	Min	Uniformity Ratio (Average/Minimum
Major Regionla Shopping Center or Mall	3.6	.9	4/1
Strip Mall, Fast Food, Area Shopping Center or Mall, Apartment Building, Condominium, cultural or civic area	2.4	.6	4/1
Local or neighborhood Shopping Center, Industrial or educational facility	.8	.2	4/1

13. The following maximum lighting levels are established for other outdoor lighting:
    a. 5 footcandles at building entries for pedestrians.
    b. 1 footcandle at building entrances that are infrequently used.
    c. 5 footcandles at drive-up windows.
    d. 20footcandles under service station or gas pump canopies.

B. OUTDOOR ADVERTISING SIGNS

1. Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the sign structure to concentrate the light output onto and not beyond the sign.

C. SITE PLAN SUBMISSION REQUIREMENTS

Lighting plan submissions shall contain the following:

1. Photometric data, such as that furnished by the manufacturer, or similar showing the angle of cut off or lights emissions.
2. The type of fixture, height, mounting height, style of pole and level of wattage shall be indicated on the Site Plan.
3. Proposed light poles and fixtures shall be shown on the Site Plan and shall be located so as not to interfere or conflict with traffic movement or parking.
4. The site plan shall show the location of all buildings on all adjoining property located within 100 feet of the site and the location of all light fixtures on adjacent properties or the street right-of-way within 10 feet of the property.
5. A light calculation which shows the maximum light levels measured in foot candles on a grid not to exceed ten feet by ten feet across the entire site, carried out to 0.0 footcandles, the average lighting on the site, maximum and minimum lighting levels on the site.
6. A detailed sketch, elevation, cutsheet or the manufacturers catalog information sheet shall be submitted for each type of light standard. The sketch for pole mounted light standards shall consist of the pole base, the pole, the mounting arm or other attachment device, and the fixture.
7. A statement on the plans of the proposed hours when the luminaries will be on and when they will be extinguished.

D. SPECIAL USES

Notwithstanding anything in this regulation to the contrary, the following shall apply to Sport and Athletic Field Lighting on property owned and operated by the Town of Wethersfield:

1. Lighting systems for outdoor recreational facilities shall require approval of a Special Use Permit from the Planning and Zoning Commission.

2. All fixtures used for athletic field lighting shall be fully shielded and designed to minimize up light, spill-light, sky glow and glare and shall be provided with internal and/or external glare control louvers, visors or other shielding
3. All lighting installations shall be designed to achieve no greater than the minimal illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA RP-6-01).
4. The installation shall limit off-site spill onto neighboring properties and maximum illumination levels shall not exceed 0.2 foot candles on any neighboring property.
5. Every design and installation shall be certified by a licensed professional engineer as conforming to all applicable restrictions of this regulation.
6. The height of luminaries shall be exempt from the height restrictions of these regulations and, to the extent practicable, be the minimum necessary to provide the illumination levels recommended by IESNA RP-6-01 for the specific sport. In no instance shall the height exceed one-hundred and ten (110) feet.
7. All events shall be scheduled so as to complete all activity no later than 10:30 p.m and all lighting shall be shut off within thirty (30) minutes after the game or event has ended.

E. EXCEPTIONS

1. Luminaires used for public roadway illumination may be installed at a maximum height of 25 feet and may be positioned at that height up to the edge of any bordering property.
2. These regulations do not apply to temporary lighting used for construction, emergency or maintenance projects undertaken by a public utility, the Town of Wethersfield or other governmental agency, or their authorized agents provided such lighting is discontinued immediately upon completion of the construction work.
3. The temporary use of low wattage (50 watt) or low voltage lighting for public festivals, celebrations, and the observance of holidays except where they create a hazard or nuisance from glare.
4. All outdoor light fixtures which are completely enclosed within a sign cabinet and which provide illumination only for a sign face.
5. Temporary lighting used by Police, Fire Department or Emergency service.
6. Ornamental lighting using low voltage (12 volts or less), low wattage ornamental landscape lighting fixtures, and solar operated light fixtures having self contained rechargeable batteries.
7. All outdoor light fixtures lawfully installed prior to and operable on the effective date of the regulation are exempt from all requirements of this regulation.
8. Residential lighting for single family and two family dwellings provided that no spot or flood light is aimed, directed, or focused such as to cause the lights to be directed toward residential buildings on adjacent or nearby land or create glare perceptible to persons operating motor vehicles on public ways.
9. The Planning and Zoning Commission may grant a Special Permit modifying the requirements of this section upon a determination that one of the following criteria have been met:
    a. There are special circumstances or conditions applying to the land, buildings, or outdoor light fixtures for which the modification is sought, that do not apply generally to the land, buildings or outdoor light fixtures in the neighborhood;
    b. Additional lighting is necessary to improve safety or security for the property, its occupants or the public;
    c. Where ornamental uplighting of sculpture, buildings or landscape features will enhance the character of the area; and
    d. There are special circumstances or conditions applying to an activity or an event for which the lighting is to be utilized.

F. PROHIBITED LIGHTING

1. No luminaire shall have blinking, flashing or fluttering lights or other illuminating device which has changing light intensity, brightness or color, nor shall any beacon lights be permitted except where an exception is permitted by section G of these regulations.

6.8. Refuse Storage.

A. PURPOSE

This section is intended to control the number, size, location, and screening of refuse storage areas in order to protect the public health, safety and welfare.

B. REQUIREMENTS

1. Facilities for the storage of refuse, garbage, and recycling materials shall be located to make the facilities as inconspicuous as possible.
2. Refuse storage areas shall have a concrete pad and shall be enclosed and screened from view within a permanent enclosure of masonry or other sturdy material, fencing, or landscaping unless waived by the Commission.
3. Refuse storage areas shall have an appropriate gate approved by the Commission and such gate shall be normally closed.
4. Refuse storage areas shall be easily accessible for service vehicles and building occupants and shall not interfere with parking spaces or travel lanes. (5/6/05)
5. No other outside sheds or storage bins for refuse, garbage, and recycling containers will be allowed unless specifically approved by the Commission.
6. Temporary dumpsters during construction shall be exempt from the above standards provided the location and use is approved by the Chief Building Official and the Fire Marshal.

6.9. Access Management.

A. PURPOSE

This section is intended to control the number, size, and location of driveways and access points for business uses, especially those that front on heavily trafficked roads and state highways, in order to promote overall traffic control and promote public safety and welfare.

B. CONSIDERATIONS

1. The Commission shall review parking layout and configuration, traffic circulation within the site, the number and location of access points to and from the site, and the nature and type of traffic circulation on adjacent roadways to ensure that public safety and welfare are promoted with the greatest efficiency.
2. The applicant shall submit plans to the Connecticut Department of Transportation for review of proposed curb cuts or driveway openings on State highways prior to approval of site plans by the Commission.

C. REQUIREMENTS

1. Where a parcel has adequate frontage, the center lines of access drives to streets shall be at least 250 feet apart. In all other cases, they shall be as determined by the Commission.
2. Where street geometry, traffic volumes or traffic patterns warrant, the Commission may:
   a. limit the number of driveways that serve a specific site,
   b. designate the location of any driveway,
   c. require the use or provision of a shared driveway with associated easements, and
   d. limit access to a major street and require access from a minor street and vice versa.
3. As part of application approval, the Commission may require an applicant or owner to:
   a. establish mutual driveway or other easements to provide a single point of access for two or more abutting properties in a location acceptable to the Commission and the Town Engineer,
   b. record such easements on the land records in favor of the abutting property owners and/or the Town as shall be acceptable to the Commission and the Town Attorney, and/or
   c. utilize a mutual driveway or other easement that exists on abutting property in lieu of having a separate curb cut onto a road or street.
4. Any easements recorded shall be unused by the owner or owners of abutting property, and shall not be assigned by the Town to the owner or owners of abutting property, until an abutting owner shall have granted reciprocal easements.

6.10. Earth Removal & Filling.

A. PURPOSE

This section is intended to preserve the natural features of the landscape, keep the land suitable for appropriate future uses, prevent nuisances, and protect the public health and safety.

B. APPLICABILITY

1. The following earth removal or filling is permitted in any zone provided erosion and sediment control and other best management practices are implemented and no condition is created which is dangerous or damages the surrounding land:
   a. Excavation, filling and/or removal of less than 100 cubic yards of material from any lot of record provided that such filling operation does not exceed one (1) year in duration, is graded such that the final grades are in harmony with the existing grades, and is covered with loam or other material that will support plant life; or
   b. Necessary foundation and trench excavation and other sitework in connection with work on the premises for which a Building Permit has been issued or Site Plan or Subdivision approval has been granted;
2. Except as provided above, the excavation, removal, or filling of sand, gravel, stone, loam, dirt or other earth product is permitted only as a Special Permit upon written permission of the Planning and Zoning Commission.

C. STANDARDS

1. Suitable procedures shall be used at all times to minimize noise, dust or any other nuisance, maintain proper drainage, and ensure that no excavation shall undermine other property.
2. The area shall be graded so that final slopes do not exceed a slope of 3 horizontal to 1 vertical.
3. The completed excavation shall be topsoiled to a depth of six (6) inches after compaction, seeded with a perennial rye grass, and maintained until the area is stabilized and approved by the Commission.
4. No screening, sifting, washing, crushing, or other processing activities are permitted and the Zoning Enforcement Official may limit the stockpiling of excavated materials on the site.
5. No fixed machinery shall be erected or maintained within 200 feet of any property line and no building shall be erected on the premises except as temporary shelter for machinery.
6. Fences shall be erected and maintained during the operation to protect pedestrians and vehicles.
7. Truck access shall be arranged to minimize traffic impacts and nuisance.
8. The access road within the area of operation shall have a dustless surface.
9. Where application for excavation permits for adjoining properties are filed, the Commission may consider them as one application.

D. PROCEDURE

1. Application for a Special Permit and site plan approval for earth removal or filling shall be made to the Planning and Zoning Commission by the property owner or his authorized agent.
2. The application shall be accompanied by a statement from the applicant and owner that the excavation and grading will conform with the approved plan and a narrative describing:
   a. the amount of material to be excavated or removed,
   b. proposed truck access to the excavation and the number and types of trucks and other machinery to be used on the site,
   c. hours of operation,
   d. the locations and types of any structures to be erected, and
   e. details of regrading and revegetation of the site at the conclusion of operations.
3. The Planning and Zoning Commission shall grant the permit only when it is satisfied that the standards of this section will be complied with in the undertaking of such excavation.
4. The applicant shall provide a performance bond in an amount determined by the Commission to ensure completion of the restoration and other work approved by the Commission.
5. Any deviation from the plan shall be cause for the Commission to revoke the permit provided the owner shall have the opportunity to address the Commission regarding why the permit should not be revoked.
6. Any permit shall expire 2 years from the date of issuance unless renewed by the Planning and Zoning Commission.
7. No permit shall be renewed or extended unless the operator shows, through the report of a licensed professional engineer, that the excavation already completed conforms with the approved plan.

6.11. Proximity to Pipelines

No building or structure designed or intended for human occupancy shall hereafter be erected in the Town of Wethersfield within a distance of forty (40) feet from the center line of any gas transmission pipeline if said pipeline is operated or designed to be operated at a pressure in excess of two hundred (200) pounds per square inch gauge.

6.12. Design Review

A. PURPOSE.

1. A Design Review Advisory Committee has been created to help the Commission promote and encourage public and private actions to:
   a. Encourage the highest quality standard of design and development;
   b. protect the value of all real property within the community;
   c. promote aesthetically pleasing development;
   d. promote the development of a harmonious character in newly developing or redeveloped areas;
   e. preserve the special character of existing neighborhoods; and
   thus to promote and protect the public health, safety, convenience and welfare of the community.
2. The advice of the Committee is intended to encourage higher quality building and site design and result in development which is compatible with the character of the community.

B. APPLICABILITY.

1. All applicants shall submit all of the items required by Appendix A of these regulations.
2. The Commission's staff shall, upon receipt of an application, refer application materials to the Committee for any site plan or special permit application involving:
   a. new construction of a multi-family residential structure of four (4) or more units,
   b. a special residential development,
   c. new construction of a non-residential structure ,
   d. any significant exterior building change or other site improvement which requires site plan or design review,
   e. signs as required by Section 6.3 of these regulations.

C. PROCEDURE.

1. The Design Review Advisory Committee shall meet at regularly scheduled meetings to consider applications referred to it by the Planning and Zoning Commission.
2. Applicants are encouraged to submit preliminary or conceptual plans to the Committee for review and comment prior to a formal submission to the Commission. In such instance, the Committee shall submit a report, together with its recommendations and suggestions, to the applicant no later than twenty (20) days after receipt thereof.
3. The Design Review Advisory Committee shall submit its advisory recommendations to the Commission in writing at least five (5) days prior to a meeting by the Commission on the application.
4. The written report shall, to the extent feasible, include specific recommendations regarding plan modifications which the Committee finds desirable based on the standards and criteria outlined in theses regulations an d the Design Guidelines found in Appendix C.
5. The Commission shall not be required to delay its action on an application due to the failure of the Design Review Advisory Committee to act in a timely manner.
6. Reports from the Design Review Advisory Committee shall be advisory and not compulsory to the Commission, which has final approval authority for all applications.

D. GENERAL DESIGN GUIDELINES.

1. The Committee will, over time, develop and maintain design guidelines to help applicants and owners understand design considerations in Wethersfield. Such guidelines shall be referred to the Commission for review and comment.
2. The Committee will consider the following general issues:
   a. The basic design for the proposed uses, buildings, or development.
   b. The relationship between the buildings and the land.
   c. The relationship between uses and buildings/structures.

d. The overall physical appearance of the proposed development and its compatibility with surrounding neighborhood.
e. Relationship of width to height of new structures.
f. Colors, materials, location of lighting.
g. Design of signs.
h. Blending of street and mechanical hardware and miscellaneous appurtenances into the overall design.
i. Effect on the health, safety and general welfare of the community.
j. Impact on the historic significance of the site and the affected area.
k. Compatibility with the Plan of Conservation & Development of the Town.
l. Location and dimensions of public and private streets and common drives.
m. Location and dimensions of public and private pedestrian walkways, sidewalk malls and paths.
n. Types, styles and colors of building materials, exterior facades and facing, fenestration, and fire retardant characteristics.
o. Special architectural features.
p. Conformity with these Regulations and other appropriate laws, codes, or ordinances.

ARTICLE VII - EXCEPTIONS TO REGULATIONS

7.1. Height Exceptions

A. The height limitations of these regulations shall not apply to church spires, belfries, cupolas, domes, flagstaffs, chimneys, bulkheads, water tanks, water towers, air conditioning equipment or elevator shafts, provided that no such structure thus exempted from the height limitations of these regulations shall have a horizontal area greater than twenty percent (20%) of the roof area of the building on which it is located.

B. Church buildings, not including the spires, belfries, cupolas or domes appurtenant thereto, may be built to a height of fifty (50) feet.

C. Barns and silos may be built to a maximum height of fifty (50) feet on farms.

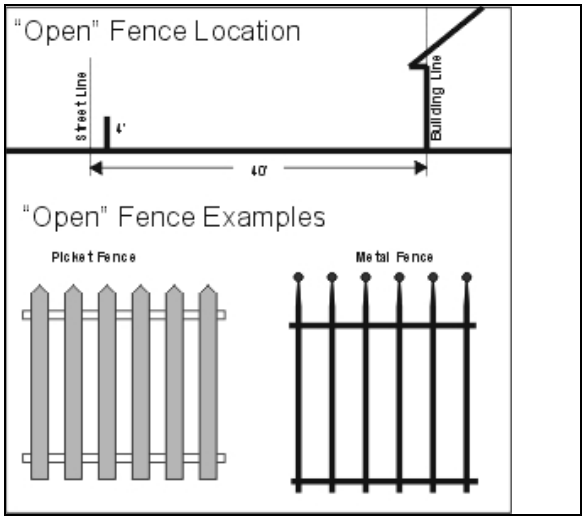
D. Schools, public libraries, municipal buildings, museums, central telephone exchanges or public utility office buildings may be built to a height not to exceed four (4) stories.

7.2. Yard Exception For Fences

A. OPEN FENCE

A freestanding fence or other structure may be erected above ground between the street line and the building line provided that:

1. It shall not exceed four (4) feet in height,
2. The fence or other structure shall, when viewed at right angles, not obstruct visibility by more than fifty percent (50%),
3. No component, other than those required for support, shall be greater than six (6) inches in width or diameter, and
4. Each component shall be distributed so as to:
    a. be separated by a dimension at least equal to its own width, and
    b. provide uniformity of design and visibility throughout the length and height of the fence, wall or structure.



B. SOLID FENCE OR WALL

A retaining wall or freestanding wall or fence or other structure not complying with the above provisions may be exempt from the front yard requirement for the zone in which it is located if approved by the Zoning Enforcement Official and the Town Engineer.

7.3 Exceptions for Non-Conforming Conditions.

A. NON-CONFORMING USES.

1. Any non-conforming use of buildings or land lawfully existing at the time of adoption of these Regulations or any amendments hereto, may be continued.

2. No non-conforming use may be changed except to a conforming use or, with the approval of the Zoning Board of Appeals, to another non-conforming use of a less objectionable character.

3. No non-conforming use shall, if once changed into a conforming use, be changed back into a non-conforming use.

4. No non-conforming use which has been abandoned shall thereafter be resumed. Where a non-conforming use is changed to another use or the intent of the property owner to cease to maintain the non-conforming use is demonstrated, the said non-conforming use shall be deemed abandoned.

5. No non-conforming use, and no building containing a non-conforming use, shall be created, extended or expanded unless:
   a. The use is changed to a conforming use, or
   b. The Commission has approved a Special Permit application demonstrating, in the sole judgment of the Commission, compliance with the following conditions:
      i. The building and site shall be designed to enhance compatibility and reduce incompatibility with abutting uses and the neighborhood,
      ii. Adequate buffering shall be provided to minimize adverse impacts on adjacent uses, and
      iii. The nature and intensity of the use in relation to the size of the lot will be more in harmony with the neighborhood and more compatible with adjoining uses.

6. A building occupied, in whole or in part, by a non-conforming use may be maintained, repaired and structural alterations thereto may be made, provided that the space occupied by the non-conforming use shall not be enlarged unless approved in accordance with the provisions of this Section.

7. Any building containing a non-conforming use which has been damaged by fire, explosion, accident, or natural disaster:
   a. may be repaired, rebuilt, or replaced within one year of such damage if the damage is less than or equal to the assessed value of the building at the time of such damage provided that such repairs, rebuilding, or replacement does not extend nor expand the previously existing non-conforming use.
   b. may only be reconstructed and thereafter used in such manner as to conform to all the provisions of this chapter if the damage exceeds its assessed value at the time of such damage, except where such damage is caused by natural disaster.

B NON-CONFORMING BUILDINGS.

1. Non-conforming buildings may be altered or enlarged provided that such additions or enlargements conform to the applicable provisions of these regulations.

2. Non-conforming buildings may be maintained, repaired and structural alterations may be made provided that the building nonconformity is not further aggravated.

3. Any non-conforming building which has been damaged by fire, explosion, accident, or natural disaster:
   a. may be repaired, rebuilt, or replaced within one year of such damage if the damage is less than or equal to the assessed value of the building at the time of such damage provided that such repairs, rebuilding, or replacement does not extend nor expand the previously existing non-conforming building.
   b. may only be reconstructed and thereafter used in such manner as to conform to all the provisions of this chapter if the damage exceeds its assessed value at the time of such damage, except where such damage is caused by natural disaster.

C. NONCONFORMITY THROUGH VARIANCE.

1. When a building does not comply with all the requirements for the zone in which the property is located and the noncompliance was occasioned by a variance granted by the Zoning Board of Appeals, such building shall, for the purposes of this section, be considered to be a non-conforming building and, as such, subject to all the provisions of this Section.
2. Whenever a non-conforming use or occupancy of a building or of land as granted by the Zoning Board of Appeals has ceased for a period of six (6) months, such use or occupancy shall thereafter be required to become conforming.

7.4. Waivers to Regulations.

1. Where deemed appropriate, in the judgment of the Commission, a site plan in substantial compliance with the requirements of these Regulations may be approved with such minor variations from the strict application of the provisions of this chapter as will, in the sole discretion of the Commission:
   a. provide for the most appropriate use of land,
   b. protect the public health and safety and preserve property values, and
   c. provide for the most orderly development of land.
2. Any such minor variation shall be requested in writing by the applicant and shall be clearly identified on any filed site plan associated with the application.
3. Any such minor variation shall be clearly identified in the proceedings of the Commission and in any letter of approval related to a special permit or site plan.

ARTICLE VIII - SPECIAL PERMIT CRITERIA

In considering an application for Special Permit, the Commission shall evaluate the merit of the application with respect to the following factors:

8.1. Suitable Location.

A. That the location and size of the proposed use or activity will be in harmony with the orderly development of the area and compatible with other existing uses.

B. That the nature and intensity of the use or activity in relation to the size of the lot will be in harmony with the orderly development of the area and compatible with other existing uses.

8.2. Neighborhood Compatibility.

A. That the design elements of the proposed development are attractive and suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and probable future character of the neighborhood in which the use is located.

B. That the proposed use or activity will not alter the essential characteristics of the area or adversely affect property value in the neighborhood.

C. That adequate provision has been made for the maintenance of the proposed development (structures, streets, and other improvements).

8.3. Appropriate Structures And Landscaping.

A. That the kind, size, location, height, and design of any structures and the nature and extent of the landscaping on the lot are appropriate for the use or activity, the proposed site, and in relation to other structures in the vicinity.

B. That the proposed structures will not hinder or discourage the appropriate use of adjoining property or diminish the value thereof.

8.4. Suitable Access And Parking.

A. That streets providing access to the proposed use or activity are adequate in width, grade, alignment and visibility and have adequate capacity for the additional traffic generated by the proposed use.

B. That the entrance and exit driveways are laid out to achieve maximum safety, especially with regard to managing access onto roads and streets.

C. That the proposed use or activity shall have easy accessibility for fire apparatus and police protection and is laid out and equipped to further the provision of emergency services.

D. That the parking and loading facilities are adequate and properly located.

8.5. Overall Circulation.

A. That the proposed use or activity will not impede implementation of the Circulation Plan of the Wethersfield Plan of Conservation & Development.

8.6. Adequate Public Utilities.

A. That the water supply, the sewage disposal, and the storm water drainage shall conform with accepted engineering practices, comply with all standards of the appropriate regulatory authority, and not unduly burden the capacity of such facilities.

8.7. Environmental Protection & Conservation.

A. That the proposed plans have provided for the conservation of natural features, drainage basins, the protection of the environment of the area, and sustained maintenance of the development.

8.8. Consistent With Purposes.

A. That the proposed use or activity will not have any detrimental effects upon the public health, safety, welfare, convenience, or property values.

B. That the proposed use will not conflict with the purposes of the Regulations.

C. That the proposed use or activity will further the goals, objectives, and policies and will be consistent with the recommendations of the Plan of Conservation & Development.

8.9. Other Considerations.

A. That the location and type of signs or lighting for the proposed use or activity are compatible with these considerations.

B. That the proposed use or activity will provide adequate landscaping and screening for the protection of abutting uses.

C. That the proposed development contains appropriate provisions for pedestrians, bicyclists, and handicapped persons within the development and along public streets and, where appropriate, that adequate provision has been made for transit service.

D. That the use will enhance community development and not result in excessive numbers or proximity of like uses, incompatibility with neighboring uses, lack of public need, or other conditions that the Commission finds would impair the vitality and character of surrounding uses and properties or dramatically alter the development pattern of the community.

E. That the use will not have negative impacts on neighboring towns or on the region.

ARTICLE IX - SPECIAL REGULATIONS

9.1. Towers and Antennae.

A. PURPOSE.

This Section regulates the location of radio towers, wind-powered generators, satellite earth station antennas, solar energy collection panels and similar structures to minimize nuisances to owners of adjoining properties, ensure the safety of the public through proper installation of such structures and protect the public from unsightly and obtrusive structures and conditions which potentially impair the enjoyment of property, the conservation of property values and the quality of life.

B. INSTALLATIONS WHEN NO ZONING PERMIT REQUIRED

The following types of installations may be made in any district without a zoning permit:

1. Two (2) satellite signal installations may be permitted when accessory to a permitted use provided they are attached to the building, are no greater than 3 feet in diameter, and are mounted no higher than 5 feet above the roof.

C. INSTALLATIONS REQUIRING A ZONING PERMIT.

The following types of installations may be made provided that a zoning permit is issued by the Zoning Enforcement Official and a building permit is issued by the Chief Building Official based upon plans, drawings and specifications furnished by the applicant as may be required to adequately show the proposed location, elevations, dimensions, construction, mounting and screening.

1. Solar energy collection panels or photovoltaic panels when accessory to a permitted use in a Residential or Conservation district provided that, if to be erected on a roof which is visible from a public street, such panels shall be mounted flush to the roof, with allowance for mounting brackets and piping.
2. A common tubular television antenna, am-fm radio antenna, or short wave installation is permitted when accessory to a permitted use provided it projects no higher than 50 feet above the ground and is located in the rear yard at least five (5) feet from any side or rear lot line and 40 feet from any street line. Rooftop installations may also be permitted as long as the antenna does not project higher than ten (10) feet above the roofline.
3. A common ham radio installation is permitted when accessory to a permitted use provided it projects no higher than 70 feet above the ground and is located in the rear yard at least five (5) feet from any side or rear lot line and 40 feet from any street line.
4. Any installation shall, in the judgment of the Zoning Enforcement Official, be placed as to not become a dominant visual element when viewed from the primary focus of public activity, or shall be referred to the Commission for approval by Special Permit.

D. INSTALLATIONS REQUIRING COMMISSION APPROVAL.

The following types of installations require approval of a Special Permit by the Commission based upon plans, drawings and specifications furnished by the applicant as may be required to adequately show the proposed location, elevations, dimensions, construction, mounting and screening.

1. Any installation not conforming to the requirements of Section 9.1.B.
2. Any installation not conforming to the requirements of Section 9.1.C.
3. Wind power generators accessory to a permitted use provided it projects no higher than 50 feet above the ground.

E. TELECOMMUNICATION FACILITIES.

1. Any application to establish a telecommunication facility shall be in accordance with the requirements of Section 10.1 with regard to the following:
   a. Any new facility co-located on an existing facility shall require a Site Plan application to the Commission.
   b. Any other telecommunication facility shall require a Special Permit application and a Site Plan application to the Commission.
2. When siting a telecommunications facility, this Section is intended to promote the following facility hierarchy:

Priority	Location
Highest	• Business districts. • Town-owned property. • Public utility facilities. • Open space land. • Residential districts.
Lowest	• Historic districts.

Priority	Characteristics
Highest	• Where existing topography, vegetation, or structures provide appropriate screening. • Towers using “stealth” technology.
Lowest	• Other sites.

Priority	Design
Highest	• On or in existing structures. • Co-location on existing telecommunications towers. • New towers projecting no more than 25 feet above the existing tree-line.
Lowest	• New towers projecting more than 25 feet above the existing tree-line.

3. Unless waived by the Commission, the application shall comply with the criteria outlined in Section 10.1.H.
4. Unless modified by the Commission, a telecommunications tower structure shall be set back from property lines at least as far as the height of the structure.
5. In reviewing an application, the Commission may require the applicant to simulate the telecommunications tower structure height during daylight hours by balloon or other method that will evaluate scenic impact and may require the applicant to publish a legal notice informing the public of the date of such simulation.
6. A telecommunications tower structure shall be a monopole design unless otherwise approved by the Commission.
7. Telecommunication tower structures, associated support features, accessory buildings, and antenna arrays shall be painted or otherwise camouflaged in a manner approved by the Commission, to blend as much as possible with the surrounding environment.
8. No illumination of any telecommunications tower structure shall be permitted unless specifically requested by the applicant and specifically approved by the Commission.
9. All utilities shall be located underground unless otherwise approved by the Commission.
10. Unless modified by the Commission, all associated structures shall be screened from public view by ornamental shrubs, evergreen trees, fences, walls, or other landscaping to maintain a natural-looking environment.

ARTICLE X - ADMINISTRATION

10.1. Administration By The Commission.

A. PRE-APPLICATION REVIEW

1. All applicants are encouraged to meet with the Commission's staff before submitting any formal application.
2. Additionally, any applicant may request in writing on a form provided by the Town, that a pre-application review is conducted on any project. The request shall include a narrative of the project which describes the nature of the project, the use of the land and buildings and other matters pertinent to summarize the project and the design.
3. The pre-application review will provide the applicant with an opportunity to receive the Staff's and the Commission's input prior to the submission of a formal application in order to avoid undue expense and delays caused by submitting inappropriate or unacceptable submissions and to clarify the Town's requirements to avoid costly reworking of subsequent submissions.
4. The Commission will conduct all pre-application reviews at a public meeting after providing proper public notice on an agenda for that meeting. Members of the public will be provided with an opportunity to comment on the project at the time of pre-application review.
5. The applicant shall submit building floor plans and exterior elevations to show the Commission how the finished development will look and how it will be built.
6. The applicant shall submit site plans that provide information on the layout of the entire project, the location of significant natural features (wetlands, watercourses, steep slopes, flood plain) and other relevant information.
7. The Commission shall informally review the Plans for general conformance with these Regulations and may request additional information where deemed necessary.
8. A pre-application review shall be considered only informational and advisory in nature, shall not be binding on the applicant or the Commission and no development rights shall attach to the review or consideration of any Site Plan.
9. A pre-application Site Plan shall be placed on file in the Commission's office for continuing reference purposes for subsequent Site Plan applications.

B. GENERAL

1. Applications to the Commission shall be submitted to the Commission Clerk on forms prescribed by the Commission and with supporting plans, materials, and other information required by these Regulations no later than fifteen (15) days before a regularly scheduled meeting.
2. Applications shall be accompanied by the appropriate fee(s).
3. Proceedings on applications shall be conducted in accordance with the provisions of Chapter 124 of the Connecticut General Statutes, as amended.
4. The Commission shall hold a public hearing on any application for a Special Permit, Zone Change, or Amendment to Zoning Regulations.
5. Where a proposed development or activity requires multiple applications, the Commission may conduct the public hearings simultaneously or in the order they deem appropriate.
6. On any application for a Special Permit or Zone Change, the applicant shall:
   a. post a sign or signs on the premises which is the subject of the application at least ten (10) days before commencement of the public hearing,
   b. obtain such signage from the office of the Building Official upon receipt of a cash deposit,
   c. locate and maintain the signage so as to be visible and readable from the street or highway upon which property has frontage for the full time of the required posting.
   d. submit an affidavit at the public hearing that the signs were posted in accordance with these requirements,
   e. remove such sign or signs within ten (10) days after the completion of the hearing,
7. An application shall not be considered complete until all of the required items have been submitted and received by the Commission at a regularly scheduled meeting.

8. An incomplete application or an application submitted without the requisite fee shall be denied if such application is not completed or fee paid before the commencement of the public hearing.
9. In approving any application except for a Zone Change, the Commission may attach conditions and safeguards to its approval.
10. The Commission may, in accordance with CGS 8-1c and any ordinance adopted by the Town of Wethersfield:
    a. retain an architect, landscape architect, land use planner, or other relevant professional to review, comment on, and guide its deliberations on an application, and
    b. require that the applicant:
        i. deposit funds with the Commission for such review, or
        ii. reimburse the Commission for the cost of such review.

C. SPECIAL PERMIT APPLICATION

1. Special Permit applications shall be submitted on forms supplied by the Commission for any activity designated in the Regulations as a Special Permit.
2. Each application for a Special Permit shall, unless waived by the Commission, be accompanied by a Site Plan Application.
3. The Commission shall hold a public hearing on any application for a Special Permit.
4. The applicant shall mail by certificate of mail, return receipt requested, on a form provided by the Town, notice to all owners of land within three hundred (300) feet of the tract of land that is the subject of the Special Permit application not less than ten (10) days prior to the hearing date. The applicant shall submit the following information to the Clerk of the Commission at least five (5) days prior to the date of the hearing: evidence of the required mailing in the form of U.S. Postal Service Certificates of Mailing, a list showing the names and addresses of the owners of all such properties, and a copy of the notification form which was mailed to the land owners. The owners and their addresses shall be determined from the latest real estate list of the Town in the Tax Assessor's Office.
5. The applicant shall post signage on the premises in accordance with the requirements of these regulations.
6. Following the public hearing, the Commission may disapprove, modify and approve, or approve the application as submitted.
7. In granting a Special Permit, the Commission may stipulate such conditions as are reasonable and necessary to protect or promote the public health, safety or welfare; property values; the environment; sound planning and zoning principles; improved land use, site planning and land development; or better overall neighborhood compatibility.
8. Where the Commission finds or has reason to believe that circumstances or conditions upon which a Special Permit is warranted may change over time, the Commission may limit the time during which the Special Permit shall remain valid and may cause the review and substantiation of the justifying circumstances or conditions at periodic intervals or when occupancy or tenancy of the premises changes.
9. Before the Commission approves a Special Permit, it shall determine that:
    a. the accompanying Site Plan application is in conformance with the applicable provisions of these Regulations, and
    b. the activity for which the Special Permit is requested complies with the conditions established in Section VIII of these Regulations.
10. Whenever the Commission acts upon a Special Permit, it shall state upon its records the reason for its decision.
11. A special permit granted by the Commission shall become effective upon the filing of a copy, certified by the Commission, in the land records of the Town, in accordance with the provisions of CGS Section 8-3d.
12. Any approved Special Permit shall become null and void if the Special Permit is not recorded on the land records within 12 months of the date of approval by the Commission.
13. A special permit may be amended in like manner as provided above for the granting of a special permit.
14. Any use for which a Special Permit has been granted shall be deemed to be a permitted use in the zone in which such use is located provided that such approval shall affect only the specific activity for which such approval was granted.

D. SITE PLAN APPLICATION

1. When Required

Site Plan applications shall be submitted on forms supplied by the Commission for:

a. any construction, development or change of use of buildings or structures; or
b. any expansion, or exterior alteration of a building or structure; or
c. any alteration in site improvements such as parking, pedestrian and vehicle circulation, public utilities and landscaping:
   i. designated in the Regulations as requiring Site Plan Approval.
   ii. for any residential use, involving a building to house three (3) or more families.
   iii. for any nonresidential use, except farming.

2. When May Be Waived

a. Site plan applications shall not be required for the following activities unless, in the judgment of the Zoning Enforcement Official, the Town Planner and the Director of Public Works/Town Engineer, the proposed changes materially affect the character of the site or building or that of adjoining properties:
   i. Installation of siding overlays on buildings.
   ii. Introduction, removal or enlargement of doorways and windows within exterior building facades.
   iii. Where as-built plans differ from approved preconstruction plans.
   iv. Addition or removal of minor decorative site or building features, such as arches, lampposts and railings, or awnings and canopies over doors and windows.
   v. Installation of HVAC equipment on roof or ground if screened from public view.
   vi. Installation or removal of loading platforms.
   vii. Minor building and site changes in the rear yards of commercial and industrial premises or if otherwise shielded from public view.
b. When an unsafe building exists or when emergency measures are required under Sections 124.0 and 125.0 of the State of Connecticut Building Code, as amended, the Zoning Enforcement Official shall have the authority to waive, in writing, the requirement for submission of a site plan:
   i. for a period of thirty (30) days so that the owner can prepare a site plan application.
   ii. entirely if the maintenance and repair which is required does not involve a change of existing design, exterior materials or scale or outward appearance.
c. The Zoning Enforcement Official shall submit to the Commission a description of any insignificant change authorized under the provisions of this section and shall cause plans and drawings documenting such changes to be entered as part of the Commission's records.

3. Requirements

a. Applications for Site Plan Approval shall be accompanied by sixteen (16) copies of detailed plans for review by the Commission and its designees that comply with the requirements of Appendix A.
b. The Commission may require the submission of additional information as is deemed necessary to make a reasonable review of the application.

4. Standards

a. Before the Commission approves a Site plan, it shall determine that the application is in conformance with the applicable provisions of these Regulations.
b. In its action with respect to any application, the Commission shall give particular attention to the following characteristics of the plan:
   i. The location and design of buildings and landscaping on the site.
   ii. The extent and arrangement of parking facilities, entrances and exits.
   iii. The compliance with the performance standards.
   iv. The availability of adequate sewerage and water supply.
   v. Conformity with any other applicable laws, codes or ordinances.
   vi. The recommendations, if any, of all solicited departments, boards and commissions.
c. In approving a Site Plan application, the Commission may impose conditions deemed necessary to protect the public health, safety, welfare, convenience, and property values.
d. The Commission may require that a bond be posted before any Building Permits are issued for the activities shown on the approved plan, in an amount and form acceptable to the Commission, to ensure that the plan is implemented.

5. Following Approval

a. Two fixed-line mylar copies of the approved Site Plan(s) shall:
   i. indicate the approval of the Commission by the signature of its Chairman.
   ii. bear a copy of the decision letter of the Commission and of all other town regulatory agencies authorizing the activity.
   iii. be filed in the office of the Building Official before any Building Permits are issued for the activities shown on the approved plan.
   iv. Where the activity involves issuance of a special permit, a second mylar, identical to the first shall be filed by the applicant in the Office of the Town Clerk.
b. An approved plan shall become null and void unless:
   i. construction of building is in progress and not less than fifty percent (50%) of building foundations are completed within one (1) year of the date of approval of such plan.
   ii. an extension of time is granted by the Commission, in writing.
c. Bonds will not be released until:
   i. the release has been requested, in writing, by the developer,
   ii. the Town Engineer has submitted a letter stating that all required improvements have been satisfactorily completed and that all conditions and requirements of the Commission's approval have been satisfied.
   iii. the applicant's engineer or surveyor has certified to the Commission, through submission of a set of detailed "Record" plans on mylar, that all public improvements are in accordance with submitted site plans.
d. Proposed modifications to approved site plans shall be submitted to the Zoning Enforcement Official for review. Minor changes may be approved by the Zoning Enforcement Official or submitted to the Commission for review. Major changes (additional building area, alteration of building location) shall be submitted to the Commission for additional review.

E. CHANGE IN USE OR STRUCTURE APPLICATION

1. Unless waived by the Commission, a Change In Use application shall be submitted when a land or building use is proposed to be changed to a use that has different requirements in these regulations for setbacks, parking, coverage, or other requirements.
2. A Change In Use Application shall meet the same standards and be treated as a Site Plan application unless the regulations clearly indicate that it should also be treated as a Zone Change application, Special Permit application, or similar application.

F. AMENDMENTS TO ZONING REGULATIONS

1. Applications to amend these Regulations shall be submitted on forms supplied by the Commission for any proposal to amend, change, or repeal any section of these Regulations.
2. Applications may only be submitted by property owners, residents or persons having an interest in land in Town, or by the Commission on its own initiative or by petition.
3. Any petitions for text amendment shall be submitted on forms prescribed by the Commission and shall be accompanied by the following:
   a. 16 copies of the precise wording of the existing and proposed text, and
   b. the appropriate application fee, except that the Commission shall be exempt from any application fee.
4. Any amendment or change may be adopted only after due notice and public hearing in accordance with the provisions of Chapter 124 of the Connecticut General Statutes.
5. Before approving any amendment to these Regulations, the Commission shall determine that:
   a. the public health, safety, welfare, or property values will not be adversely affected.
   b. the proposed change will not hinder the attainment of the purposes of these Regulations.
6. No petition for amendment which has been rejected by the Commission shall be heard again within one year from the date of rejection except that the Commission may grant a re-hearing before one year if it finds, on facts presented in writing, that a material change in the situation justifies this action in the interest of the public as well as the petitioners. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this section.

G. ZONE CHANGE APPLICATION

1. Zone Change applications shall be submitted on forms supplied by the Commission for any proposal to alter the zoning designation of any parcel or parcels of land or parts thereof.
2. Applications shall be signed by the affected property owner(s) or shall be initiated by the Commission on its own initiative or by petition.
3. Applications for Zone Change shall be accompanied by sixteen (16) copies of a map for review by the Commission and its designees that comply with the requirements of Appendix A.
4. The Commission shall hold a public hearing on all applications for a Zone Change.
5. The applicant shall mail by certificate of mail, return receipt requested, notice to all owners of land within three hundred (300) feet of the tract of land that is the subject of the Zone Change application at least ten (10) days prior to the hearing and submit such certificates of mailing to the Clerk of the Commission at least five (5) days prior to the hearing date.
6. The applicant shall post signage on the premises in accordance with the requirements of these regulations.
7. Following the public hearing, the Commission may disapprove, modify and approve, or approve the application as submitted.
8. Before the Commission approves a Zone Change, it shall determine that:
   a. the proposed change is in accordance with the Plan of Conservation & Development,
   b. the proposed change is in conformance with the purposes of the Regulations,
   c. the location of, and activities permitted within, the new zone will not adversely affect the public health, safety, welfare, or property value, and
   d. the property is suitable for the intended use.
9. The Commission shall not have to rehear a zone change application that has been rejected within one year from the date of rejection unless it finds, on facts presented in writing, that a material change in the situation justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this section.
10. Upon approval of a zone change by the Commission, the applicant shall submit two (2) black-line Mylar transparencies of the boundary survey and zone change which shall bear a copy of the decision letter of the Commission and the effective date of the zone change.
11. Following signature by the Commission Chairman, the signed fixed-line mylar transparencies shall be filed by the applicant in the office of the Town Clerk and in the office of the Engineering Division prior to the effective date of the change.

H. TELECOMMUNICATIONS FACILITY APPLICATION

1. Basic Documentation -– In addition to the basic requirements of these Regulations for a Site Plan Application, the applicant may be required to submit:
   a. documentation that it is a licensed carrier authorized by the Federal Communications Commission to construct, and operate, and provide telecommunication services from the proposed type of facility.
   b. documentation that municipal and public safety departments were offered the opportunity to locate their facilities on the proposed telecommunications tower.
   c. a copy of any proposed lease(s) or agreements for the proposed facilities.

2. Site Selection Information - The Commission may require that any application include the following:
   a. maps showing:
      i. the extent of planned communications coverage in Wethersfield and adjacent communities including detailed propagation (at –70 dBm and –95dBm) and antenna separation analysis,
      ii. the location of existing telecommunication facilities,
      iii. the location of the site search area at 1:24,000 scale, and
      iv. the location and service area of the proposed facility.
   b. a written narrative describing the following:
      i. the need for the proposed facility (coverage, signal strength, other);
      ii. the search criteria utilized,
      iii. the siting criteria used for the proposed facility, sites identified (alternatives), and reasons for the selection of the proposed site.
      iv. the process by which other possible sites in the search area were considered and/or eliminated for legal, technological, economic, environmental, or other reasons.

3. Site Design Information - The Commission may require that any application include the following:
   a. a written narrative describing the following:
      i. a description of the proposed telecommunications facility and any associated equipment (such as transformer, emergency generator),
      ii. the design criteria used for the proposed facility including provisions for additional service providers in the future;
      iii. reasons for the selection of the proposed design (tower, antenna) and the process by which other possible designs and technological alternatives were considered and/or eliminated for legal, technological, economic, or other reasons,
      iv. how the proposed facility complies with the concepts of multiple use, concealment, and reducing the need to construct additional telecommunication towers;
      v. how additional service providers may be accommodated in the future; and with potential effects on the characteristics of the facility and the surrounding environment,
      vi. any requirements of other government agencies regarding illumination, colors, airport approach surfaces, or other requirements.

   b. maps showing:
      i. the proposed facilities and closest occupied buildings,
      ii. proposed access including nearest public street, and
      iii. any other land uses on the proposed site;
      iv. a recent aerial photograph at a scale of 1:2400 showing the proposed facility location and surrounding areas within 1,000 feet of the proposed facility,
   c. drawings showing:
      i. scaled elevation drawings of the proposed facilities (including tower, existing and proposed antenna mounting locations, ice shields, lights, guy cables, associated equipment shelters, and other structures relevant to the facility),
      ii. the number and type of antennae that can be accommodated (proposed and future, if known) as well as the proposed location of all mounting positions for co-located antennas and the minimum separating distances for antennas,
      iii. topographic profiles at no more than 10-foot contours (running up/down slope and cross slope, at a minimum) showing the location of the proposed facilities and sight lines in relation to surrounding areas and structures within 500 feet,

iv. a colored plan or plans clearly indicating the proposed color of any existing features or proposed facilities or equipment
v. architectural or photographic rendering of the proposed facility.

4. Additional Relevant Information - The Commission may require that any application include the following:
   a. a written statement by a certified radio frequency engineer:
      i. indicating the radio frequency electromagnetic power densities at the tower base and nearest property boundary of all proposed and possible future antennae, equipment, and facilities operating at maximum power calculated in accordance with FCC OET Bulletin 65 Edition 97-01, as amended,
      ii. stating that the facility will comply with federal emissions standards, and
      iii. describing the impact on public health and safety associated with radio emissions (signal frequency, intensity, electro-magnetic radiation power density from all antennas operating simultaneously at maximum output power);
   b. a written statement by a certified structural engineer describing the tower structural integrity;
   c. consideration of future use or re-use of the site with provisions for facility removal and site restoration;
   d. proof of mailing of a copy of the legal notice regarding the proposed telecommunications facility to property owners within 500 feet of the proposed facility at least ten days prior to the public hearing.

10.2. Administration By Staff.

A. ZONING PERMIT

1. No building or structure or any addition or alteration thereto shall be erected, moved, occupied or used, in whole or in part, for any purpose until an application therefore has been approved by the Zoning Enforcement Official.
2. A Zoning Permit shall also be required for any establishment, change, extension, or alteration of a use.
3. All applications for zoning permits shall be on a form provided by the Zoning Enforcement Official.
4. The Zoning Enforcement Official may require submission of a plot plan (as described in Appendix B) showing:
   a. the actual dimensions of the lot to be built upon,
   b. the size of the building to be erected,
   c. the location of existing and proposed buildings upon the lot,
   d. the dimensions of all open spaces,
   e. the established building lines within the block, and
   f. such other information as may be necessary for the enforcement of these Regulations.
5. Such plot plan shall be certified by a licensed land surveyor unless the proposed yard dimensions clearly exceed, in the judgment of the Zoning Enforcement Official, the required minimum yard dimensions by twenty-five percent (25%) or more.
6. In all cases where these Regulations require approval of applications and/or plans by the Commission, no Zoning Permit shall be issued by the Zoning Enforcement Official except upon authorization of, and in conformity with, plans approved by the Commission.
7. No Zoning Permit shall be issued unless the Health Officer, Town Engineer, Fire Marshal, and Town Planner, or their agent(s) have approved any matters related to their jurisdiction.
8. A Zoning Permit authorizing occupancy of any building or part thereof or for any use of the premises shall be issued only after completion of all public improvements and safeguards shown on the approved plan unless the Town Engineer allows the incomplete improvements and safeguards to be secured by cash or certified check in an amount acceptable to the Town Engineer.
9. No Zoning Permit authorizing occupancy shall be issued for any dwelling unit until such building is made accessible to vehicular traffic on a year-round basis and the street number is visible from a public street.
10. Nothing herein contained shall require any change in the plans, construction, or use of a building for which a Zoning Permit has been issued or for which plans were filed with the Planning and Zoning Commission before the effective date of these Regulations.
11. Any permit issued shall become invalid if the authorized work is not commenced within 6 months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of 6 months after the time of commencing the work.
12. A record of all zoning permits shall be kept on file in the office of the Zoning Official.

B. HOME OCCUPATION / ACCESSORY APARTMENT

As part of any application to establish a home occupation or an accessory apartment, the following documentation shall be provided:

1. A letter describing how the home occupation or the accessory apartment will comply with the applicable requirements of Section 3.5.2 and 3.5.3.
2. Two sets of floor plans, drawn to scale, indicating the interior use of the building after the establishment of the home occupation or accessory apartment with a calculation of floor area for the existing home and accessory use.
3. If deemed necessary by the Zoning Enforcement Official , two sets of a site plan, drawn to scale, showing the location of structures on the parcel, the utilities to service the home and accessory use, parking and drive areas, and any other pertinent information, both existing and proposed.
4. If exterior building modifications are proposed, two sets of building elevations, drawn to scale, indicating the exterior appearance of the building both before and after the establishment of the accessory use, the type and color of siding existing and proposed, and other similar features.
5. A copy of the deed for the subject parcel.

C. FLOOD PLAIN ADMINISTRATION.

1. For any land use or development activity in a floodplain, the Zoning Enforcement Official shall:
   a. Review all permit applications to determine that the proposed building sites will be reasonably safe from flooding.
   b. Advise permittees that additional federal or state permits may be required.
   c. Record the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved or flood-proofed structures.
   d. Obtain certification from a Connecticut registered professional engineer or architect when flood- proofing is utilized for a particular structure.
   e. Require applicants to provide such information as is necessary to establish certification of compliance.
   f. Maintain a record of such applications.
   g. Provide the Commission a report on each application approved and certified, specifying the nature of the application, the location of the property and the essential details which establish compliance.
2. For any land use or development activity in a floodplain involving alteration or relocation of a watercourse, the Zoning Enforcement Official shall also:
   a. Notify adjacent communities and the Department of Environmental Protection, Water Resources Unit.
   b. Provide evidence of notification to FEMA (Federal Emergency Management Agency).
   c. Ensure that maintenance shall be provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
3. In considering applications for development in portions of the flood plain for which base flood water surface elevation or floodway data are not provided by the Flood Insurance Study, the Zoning Enforcement Official shall obtain, review and utilize any flood elevation or floodway data available from Federal, State or other sources, the accuracy of which is certified by a registered professional engineer or by the supplying agency, until such data are provided by the Federal Emergency Management Agency.
4. When utilizing data other than that provided by the Federal Emergency Management Agency, the Zoning Enforcement Official shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation more than one (1) foot at any point.

10.3. Enforcement.

A. AUTHORITY

1. These Regulations shall be enforced by the Zoning Enforcement Official as the Commission's duly authorized agent for enforcement of these Regulations.
2. The Zoning Enforcement Official is hereby authorized to inspect and examine any building, structure, place, or premises and to order, in writing, the remedying of any condition found to exist there in violation of any provision of these Regulations.

B. VIOLATIONS

1. If the Zoning Enforcement Official shall find that any of the provisions of these Regulations are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation, and ordering the action necessary to correct it.
2. The Zoning Enforcement Official shall:
   a. order discontinuance of illegal use of land, buildings, structures, additions, alterations, or structural changes thereto,
   b. order discontinuance of any illegal work being done, or
   c. take any action authorized by these Regulations to ensure compliance with, or to prevent violation of, its provisions.
3. The Zoning Enforcement Official may institute an action or proceeding to prevent the erection, construction, alteration or conversion of any building or structure or the use of any building, structure or land in violation of any provision of this chapter.
4. The Zoning Enforcement Official may institute an action or proceeding to restrain, correct or abate such violation or to prevent the occupancy of such building or prevent any illegal act conduct, business or use in or about such premises.
5. Penalties for illegal acts shall be as provided in the Connecticut General Statutes.
6. The owner, agent, lessee, or tenant of a building or premises or any part thereof where a violation of any provision of this chapter shall have been committed or shall exist or shall be guilty of a misdemeanor punishable by a fine as provided by Town ordinance or other regulation.

10.4. Zoning Board Of Appeals.

A. ESTABLISHMENT

A Zoning Board of Appeals, hereinafter called the Board, shall be formed and shall serve as provided by the General Statutes of the State of Connecticut.

B. DUTIES

The Board shall have the following powers and duties, which shall only be:

1. To adopt such rules and procedures as may be necessary to carry out its responsibilities under these Regulations.
2. To hear and decide appeals where it is alleged that there is an error in an order or decision of the Zoning Enforcement Official in the enforcement of these Regulations.
3. To vary the application of these Regulations, subject to the provisions of this Section of these Regulations;
   a. in harmony with the general purpose and intent of these Regulations,
   b. with due consideration for conserving the public health, safety, convenience and property values,
   c. solely with respect to a parcel of land where, owing to conditions especially affecting such parcel, but not affecting generally the district in which it is situated, a literal enforcement of such regulations would result in exceptional difficulty or unusual hardship,
   d. so that substantial justice will be done and the public safety and welfare secured.
4. Such other powers and duties as provided in the Connecticut General Statutes.

C. PROCEDURES

1. Applications shall be submitted to the Zoning Enforcement Official on forms prescribed by the Board and with supporting plans, materials, and other information required by these Regulations no later than 15 days before a regularly scheduled meeting.
2. Applications shall be accompanied by the appropriate fee.
3. An appeal from any order or decision of the Zoning Enforcement Official must be taken within 15 calendar days of the date of receipt of such order or decision.
4. The Board shall hold a public hearing on all appeals and applications and such proceedings shall be in accordance with the provisions of the Connecticut General Statutes.
5. The applicant shall mail by certificate of mail, return receipt requested, on a form provided by the Town, notice to all owners of land within three hundred (300) feet of the tract of land that is the subject of the appeal, variance or other application not less than ten (10) days prior to the hearing date. The applicant shall submit the following information to the Clerk of the Commission at least five (5) days prior to the date of the hearing: evidence of the required mailing in the form of U.S. Postal Service Certificates of Mailing, a list showing the names and addresses of the owners of all such properties, and a copy of the notification form which was mailed to the land owners. The owners and their addresses shall be determined from the latest real estate list of the Town in the Tax Assessor's Office.
6. The applicant shall post signage on the premises in accordance with the requirements of these regulations.

7. With regard to an appeal from any order or decision of the Zoning Enforcement Office, the Board, to the extent in conformity with the terms of this Regulation, may:
   a. reverse, affirm, or partly affirm the order or decision,
   b. modify the order or decision, or
   c. make such order or decision as ought to be made, and to that end shall have powers of the administrative official from whom the appeal is taken.
8. The concurring vote of four members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Zoning Enforcement Official, to decide in favor of the application of any matter upon which the board is required to pass under these Regulations, or to vary the application of these Regulations.
9. In granting a variance, the Board may prescribe appropriate conditions and safeguards in conformity with these Regulations.
10. Where the Board finds or has reason to believe that circumstances or conditions upon which a variance is warranted may change over time to the detriment of public health, safety or general welfare, it may limit the time during which the variance shall remain valid and cause the review and substantiation of the justifying circumstances or conditions at periodic intervals or when occupancy or tenancy of the premise changes.
11. Any action required of the appellant as a result of decisions or orders of the Board must be taken within the time affixed by said Board.
12. Approval of a variance under this Section shall be conditioned upon the applicant's filing of the variance on the Wethersfield Land Records as required by the Connecticut General Statutes following publication of the notice of the approval.
13. Any action required of the appellant as a result of variances granted by the Board must be taken within one year from the effective date or the variance shall become null and void.
14. No petition for a variance which has been rejected by the Board shall be heard again within one year from the date of rejection except that the Board may grant a re-hearing before one year if it finds, on facts presented in writing, that a material change in the situation justifies this action in the interest of the public as well as the petitioners. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this section.

D. VARIANCES

No variance of the strict application of any provision of these Regulations shall be granted by the Board unless it finds all of the following:

1. That there are special circumstances or conditions applying to the land or building for which the variance is sought which:
   a. are peculiar to such land or building and do not apply generally to land or buildings in the neighborhood or in the zoning district at large,
   b. have not resulted from any act, of the applicant or anyone in privity with the applicant, subsequent to the adoption of these Regulations whether in violation of these provisions or not,
   c. are not temporary in nature, and
   d. preclude the use of the property for that which it is reasonably adapted.
2. That the aforesaid circumstances or conditions are such that the literal enforcement or strict application of the provisions of the Regulations would:
   a. result in exceptional difficulty,
   b. result in unusual hardship,
   c. deprive the applicant of rights commonly enjoyed by other properties in the same district, or
   d. deprive the applicant of the reasonable use of the land.
3. That the difficulty or hardship complained of:
   a. is caused by the restrictions contained in the Regulations,
   b. was not created by the applicant or any predecessor in title, and
   c. is not primarily financial in nature.
4. That the use applied for is not impliedly or expressly prohibited by the Zoning Regulation.
5. That these circumstances justify the granting of the variance.
6. That the granting of the variance:
   a. is necessary for the reasonable use of the land or buildings,
   b. is the minimum variance that will accomplish this purpose,
   c. will not confer upon the applicant any special privilege or use that is denied by these Regulations to other lands, structures, or buildings in the same district,
   d. will be in harmony with the purposes and intent of these Regulations,
   e. will accomplish substantial justice,
   f. will not be injurious to the neighborhood, and
   g. will not be otherwise detrimental to the public health, safety, and welfare.

E. VARIANCES TO FLOOD PLAIN REQUIREMENTS.

1. A variance shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
2. If a variance in a flood plain is granted, the Board shall notify the applicant in writing over their signature that:
   a. the issuance of such variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance, and
   b. construction below the base flood level increases risk to property and life.
3. The Zoning Board of Appeals will maintain a record of all such flood plain variance actions, including justification for their issuance and report such variances issues in the annual report submitted to the Federal Emergency Management Agency.

F. ADDITIONAL REQUIREMENTS FOR USE VARIANCES

1. A variance shall not be granted which would permit a use that would not otherwise be allowed unless the applicant demonstrates that no reasonable use of the subject property is possible under any permitted use.
2. No use variance shall be granted by the Zoning Board of Appeals which would permit:
   a. A use prohibited either implicitly or explicitly by these Regulations;
   b. The expansion of a non-conforming use;
   c. Any multi-family use or development by way of variance in any zoning district,
   d. The number of dwelling units on a lot to exceed the maximum allowed in the zone in which the lot is located; or,
   e. A use otherwise allowed by Special Permit in the zone in which the use is located.
3. In instances where a use variance is proposed, written notice shall also be given, by registered or certified mail, of said hearing, by the applicant to all owners of property abutting any boundary of the property which is the subject of the application;
4. Prior to any action on a use variance the Zoning Board of Appeals shall submit the application for such use variance to the Planning and Zoning Commission and any report submitted by the Commission shall be read at the Public Hearing and be a part of the record of application.

G. LIMITATIONS

1. No non-conforming use of the neighboring lands, structures or buildings in the same district, and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

10.5. Validity & Effective Date.

A. REPEALER

1. Any previously enacted "Zoning Regulations of the Planning and Zoning Commission of the Town of Wethersfield", and all amendments thereto are hereby repealed and replaced with these Regulations as of the effective date hereof.

2. This repeal shall not affect or impair any act done, offense committed or right accruing, accrued or acquired or any liability, penalty, forfeiture or punishment incurred prior to the times such repeal took effect, but the same may be enjoined, asserted, enforced, or prosecuted as fully and to the same extent as if such repeal had not been effected.

B. SEPARABILITY

1. Should any phrase, clause, or section of these Regulations be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of any other phrase, clause or section of these Regulations.

2. If a court of competent jurisdiction finds the application of any provision of these Regulations to any use, land or improvement to be invalid or ineffective in whole, or in part, the effect of such decision shall be limited to the person, property or situation immediately involved in the controversy and the application of any such provision to other persons, property or situations shall not be affected.

C. EFFECTIVE DATE

1. These Regulations, and any amendment or change hereto, shall be in full force and effect from the date established by the Commission in accordance with the Connecticut General Statutes.

APPENDIX A - SITE PLAN REQUIREMENTS

1. General Requirements

Each plan submitted shall:

1. be prepared by, and bear the seal(s) of a licensed design professional as appropriate for the type of drawing submitted,
2. be on a sheet size of 24" by 36", 18” by 24”, or 11” by 17”.
3. be drawn to an appropriate scale generally as follows:
   a. 20 feet to the inch (but not more than 40 feet to the inch) for a site plan application,
   b. not more than 100 feet to the inch in the case of an earth removal application,
   c. not more than 200 feet to the inch for a zone change application
4. contain a title block with property address, names of applicant and owner, date of map, project name, proposed use and zoning district.
5. contain a north arrow, graphic and written scales, and an approval block.
6. contain a location key map, at a scale of one inch equals 200 feet, showing the property and all surrounding property, zoning districts, Town lines, and streets within 500 feet.
7. be updated to reflect the date, number, and content of any revision.
8. Contain a legend.

2. Site Plan Requirements

A. NUMBER OF DRAWING SETS

Sixteen (16) copies of site plans shall be submitted showing the following information.

B. PROPERTY SURVEY

1. Unless specifically waived by the Zoning Enforcement Official or the Commission, a boundary survey shall be submitted showing the following information:
   a. certification and seal of a land surveyor licensed in the State of Connecticut,
   b. date of survey,
   c. property boundaries, locations of setback lines, and total acreage of the parcel.
   d. location and names of owners of record of abutting property and subdivisions, including those located across public or private streets.
   e. location of all existing monuments and pins and the Town Line, where applicable.
   f. lengths and directions of present property lines, with dimensions on all lines to the hundredth of a foot; all bearings or interior angles to the nearest second, and the central angle, tangent distance and radius of all curves.
   g. rights-of-way, easements, or other property encumbrances or appurtenances including the names of the affected party and the volume and page where the instrument evidencing such right is recorded in the land records.
2. A boundary survey, when required, shall conform to the Class A-2 requirement of the Regulation for Connecticut State Agencies, Section 20-300b (Regulations) and the Standards for Surveys and Maps in the State of Connecticut (standards) adopted by the Connecticut Association of Land Surveyors, Inc.

C. SITE DEVELOPMENT PLAN

1. A site development plan shall show the following information :
   a. The seal of a licensed land surveyor, professional engineer or a licensed landscaped architect, as appropriate.
   b. A zoning schedule clearly showing that the minimum requirements of the Regulations for the applicable zone (lot area, coverage, yards, parking, etc.) have been complied with.
   c. A map showing abutting property owners within 300 feet.
   d. A list of owners and mailing addresses within 300 feet.
   e. An approval block for the signature of the Chairman of the Commission.

2. Natural Resource Information
   a. Existing and proposed contours at two foot intervals or less to Class T-2 accuracy,
   b. Existing waterbodies, water courses, swamps and marshes,
   c. Accurate delineation of all soil types designated as Inland Wetlands,
   d. Delineation of flood hazard areas,
   e. Any existing trees greater than 12 inches in caliper.
   f. Location of rock outcrops and tree lines.
   g. Location of all flood boundaries.

3. Infrastructure Information
   a. Existing and proposed water, sewerage, and natural gas systems.
   b. Existing and proposed storm drainage systems (including pipe size, top of frame, and invert elevations),
   c. Existing and proposed electrical service systems.
   d. Existing and proposed utility easements.
   e. Proposed refuse disposal area(s) and screening details.
   f. Design calculations for utility systems.
   g. Location and size of all utility mains and services.

4. Development Information
   a. Existing and proposed buildings.
   b. Location, height, square footage, and dimensions of all existing and proposed buildings and structures including walls, and fences.
   c. Location, dimensions, areas, type, color, materials, and illumination of all proposed exterior signs.
   d. Location, height, design and intensity of all proposed exterior lighting.
   e. Permanent elevation bench mark.

5. Traffic and Parking Information
   a. Existing and proposed roads and driveways.
   b. Location of loading and parking areas showing the number of spaces.
   c. Proposed interior traffic circulation system, adequately designed to provide safe accessibility to all required off-street parking as well as providing police and fire protection to all structures, equipment and materials.
   d. Proposed provisions for pedestrian traffic including concrete sidewalks and/or easement where required by the commission.
   e. Limits of areas to be permanently paved and provided with lip curbing, and parking and planting islands.
   f. Construction details for roads, drives, parking areas, curbs and other improvements.

D. LANDSCAPING PLAN

A landscaping plan shall be submitted showing the following information unless specifically waived by the Zoning Enforcement Official or the Commission:

1. The seal of a licensed landscaped architect or professional engineer, as appropriate.

2. Existing Conditions
   a. significant existing trees with a caliper of 12 inches or more,
   b. name, location and size of existing vegetation to be preserved ,
   c. present wooded areas indicated by a foliage line,
   d. existing stone walls,
   e. significant rock outcrops.

3. Proposed Conditions
   a. details of landscaping showing the type, common name, scientific name, size at planting, number, location and extent of all proposed planting or vegetation, or otherwise provided for on the site.
   b. buffer areas and means of screening development from the view of highway traffic and neighboring property owners.
   c. other proposed landscape features.

4. Proposed measures for guaranteeing survival of proposed plantings.

5. Planned maintenance of landscaped areas.

6. A table which includes the calculations used to demonstrate compliance with the landscaping requirements.

7. Relevant planting specifications.

E. ARCHITECTURAL PLANS

Architectural plans shall be submitted showing the following information unless specifically waived by the Zoning Enforcement Official or the Commission:
1. the seal of a licensed architect.
2. schematic architectural floor plans
3. exterior building elevations for all building faces showing:
   a. proposed structures and/or changes to existing structures
   b. all exterior building materials and colors, clearly labeled.
4. proposed signage.

F. TECHNICAL INFORMATION

The following additional information shall be submitted unless specifically waived by the Zoning Enforcement Official or the Commission:
1. construction details, including cross-sections where appropriate, detailing the construction of proposed sidewalks, driveways, parking areas, storm drainage structures, and other site improvements.
2. storm drainage data showing drainage areas and estimated run-off of the area to be served by existing and proposed drainage facilities.
3. a timber cutting plan if site planning involves land within the Connecticut River Assembly Conservation Zone.

G. DESIGN REVIEW.

The applicant shall prepare and submit adequate information to demonstrate compliance with design guidelines and principles. The following items are required in addition to the site plan prepared in accordance with these Regulations:

1. The applicant shall demonstrate how the criteria in Section 6.12 are achieved by submitting street views of the property and surrounding properties showing buildings, parking, loading and landscape areas in relationship to the public street and adjoining properties.
2. The overall architectural design of the proposed structure(s), including elevations of all exterior elevations, showing all fenestrations, signs and other architectural features, including the color and style of the building materials (and samples, if necessary) and any architectural peculiarities.
3. Color renderings, if necessary.
4. The height, locations, fixture design, and intensity of all exterior lighting; expected illumination off the site.
5. The height, location and design of all signs.
6. Perspective drawings to show relationship after development of the site to off-site features, if necessary.
7. Elevation drawings from all streets abutting the site with all proposed plantings superimposed. Plantings shall be shown at the height at which they are proposed to be installed. Applicant is also encouraged to provide elevations showing expected height of plantings in ten years.
8. All artwork sculpture, fountains and other ornamental or decorative features visible from surrounding properties.
9. All provisions for and design of the following appurtenances if visible from the exterior:
    a. balconies, sunshades, awnings, louvers, roof leaders, downspouts, utility lines/meters/boxes
    b. loading docks, loading spaces, stairs, ramps refuse storage and pickup areas, visible mechanical equipment, flues, chimneys, exhaust fans

H. EROSION & SEDIMENT CONTROL PLANS

Unless specifically waived by the Zoning Enforcement Official or the Commission, an erosion and sediment control plan shall be submitted clearly showing information as required by the Wethersfield Inland Wetland and Watercourse Regulations.

I. POSSIBLE ADDITIONAL INFORMATION

The following additional information shall be submitted if specifically requested by the Zoning Enforcement Official or the Commission:

1. traffic analysis or parking demand study of the proposed development. (12/8/08)
2. the Commission shall also have the right to request that any applicant conduct other studies or impact analysis (including fiscal) that would allow the Commission to adequately determine the potential impacts of the proposed development to the site and to the community. (12/8/08)

3. Zone Change Map Requirements

1. An overall plan at no less than 100 scale for the entire parcel showing:
   a. Boundaries of the property certified to an A-2 Survey standard.
   b. Boundaries of the existing and proposed zoning.
   c. the location of significant natural features (wetlands, watercourses, steep slopes, flood plain) and other relevant information.
   d. A key map to the scale of the then current zoning map showing the proposed change.

2. Applications shall be accompanied by:
   a. three (3) copies of a Compilation survey map prepared at 24" x 36" at the same scale as the Assessor's maps and,
   b. the names, addresses and zip codes (when available) of all parcel owners as per the latest Assessor's records, keyed by parcel number, and
   c. the appropriate application fee, except that the Commission shall be exempt from any application fee.

3. The maps shall show:
   a. existing zone district lines
   b. property for which the zone change is requested
   c. a line representing areas within 500 feet in all directions from the parcel(s) for which the change in classification is requested
   d. lots and streets lying wholly or partially within 500 feet in all directions
   e. lot or parcel numbering consistent with the system used by the Assessors office.
   f. north arrow and location key map at a scale of 1" = 1000'
   g. the Town line, when located within 500 feet of a proposed zone change

4. Earth Filling & Removal Plan Requirements

For applications involving the excavation, removal or filling of earth materials, the following additional information shall be submitted unless specifically waived by the Zoning Enforcement Official or the Commission:

1. the quantity of material to be removed,
2. the limits of the proposed excavation, removal, filling, grading or processing with limit markers spaced a maximum of 200 feet apart and tied to the property boundary and/or major reference points with accurate bearings and distances.
3. detail of the proposed limit markers that shall equal or exceed 2" x 2" wood posts, brightly painted extending minimum of two feet above the surface of the ground.
4. the proposed location of a permanent bench mark plus an additional permanent elevation reference for every five acres, or part thereof.
5. storm drainage data showing all existing and proposed drainage facilities to ensure proper drainage of the premises both during and after completion of the proposed operation.
6. buffer areas and adequate provision for lateral support of adjacent properties.
7. fences or embankments where necessary for the protection and safety of vehicular and pedestrian traffic.
8. proposed vehicular access to and egress from the site and proposed work roadways within the site.
9. the limits of any proposed processing and the specific location of any proposed processing equipment.
10. Location of top soil test pits together with individual soil profiles.

APPENDIX B - PLOT PLAN REQUIREMENT

1. Scale 1" = 20' (with bar scale)
2. Date
3. Title block with:
   a. Title of map or plan
   b. Purpose of plan or proposed use (i.e. Site plan, subdivision, etc.)
   c. Owner's name
   d. Developer
   e. Company name
   f. Revision block
4. Surveyor's or Engineer's seal, signature, A-2 statement, etc.
5. All perimeter dimensions, bearings or angles
6. Lot corner pins or monuments set, found, to be set, etc.
7. North arrow
8. Adjoining property owners
9. Key map
10. Variances with volume and page indicated
11. Outline of building showing **complete** zoning compliance
12. Zone occupied
13. Lot area
14. Building area and usage of existing or proposed structures
15. Building line
16. Side yard set backs
17. Rear yard set back
18. Any existing or proposed easements on the property , include dimensions and bearings
19. 100 year flood zone, or flood zone it occupies
20. Wetlands limits, if any
21. Map references, if any
22. Basement floor elevation
23. First floor elevation
24. Garage floor elevation
25. Contours, include existing and proposed
26. Street name, address or lot number
27. Distances from house to property lines
28. Silt fence
29. Anti tracking pad
30. Check for tax or Town liens
31. Lot splits require two new separate plot plans, include deed references

APPENDIX C - DESIGN GUIDELINES

The following guidelines are intended to aid applicants in ensuring that their designs are in harmony with the purposes of the Design Review Advisory Committee and the Planning and Zoning Commission:

1. Relationship of Buildings to Site

a. All site components shall be organized in a coordinated, functional and safe manner and be compatible with site features and nearby residential areas.
b. A unified design theme for building massing, exterior treatments and signage shall be established.
c. The site shall be planned to accomplish a desirable streetscape and to provide for adequate planting, safe vehicular and pedestrian movement, and parking areas.
d. Parking areas shall be treated appropriately in relation to the building, the neighborhood, and the community.
e. Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
f. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.

2. Relationship of Buildings and Site to Adjoining Area

a. Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks and materials.
b. Attractive landscape transition to adjoining properties shall be provided.
c. Harmony in texture, lines and masses is required. Monotony shall be avoided.

3. Landscape and Site Treatment

a. Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good appearance.
b. Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.
c. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axes, and provide shade.
d. Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.
e. Plant material shall be selected for interest in its structure, texture, and color and for its ultimate growth. Plants that are indigenous to the area and others that will be hardy, harmonious to the design, and of good appearance shall be used.
f. In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.
g. Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings.
h. Where building sites limit planting, the placement of trees in park-ways or paved areas is encouraged.
i. Screening of service yards and other places that tend to be unsightly shall be accomplished by use of walls, fencing, planting, or combinations of these. Screening shall be equally effective in winter and summer.
j. Pedestrian walkways shall provide safe and convenient connections within the site and between adjacent sites and shall be constructed of slate, brick, concrete or paving blocks but shall not be gravel, earth or loose stone.

k. In areas where general planting will not prosper, other materials such as fences, walls, and paving of wood, brick, stone, gravel, and cobbles shall be used. Carefully selected plants shall be combined with such materials where possible.
l. Exterior lighting, where used, shall enhance the building design and the adjoining landscape. Lighting standards and building fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided.
m. Existing trees at 4" or greater caliper shall be incorporated into the site plan.
n. For every 5 parking spaces, minimum of 1-3" caliper tree must be planted - Norway; Crimson Maple; Pine Oak; Sycamore; and Black Locust.

4. Building Design

a. Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.
b. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.
c. Structures have well articulated facades to reduce the appearance of bulk.
d. Rooflines shall be varied to provide architectural interest and be articulated with parapet walls, gables, towers or a mansard roof.
e. Materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.
f. Materials, textures and color used on the exterior walls and roofs shall emphasize the use of materials associated with New England style architecture. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways.
g. Materials shall be of durable quality.
h. In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.
i. Building components such as windows, doors, eaves, and parapets, shall have good proportions and relationships to one another.
j. Colors shall be harmonious and shall use only compatible accents.
k. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways.
l. Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design.
m. Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways.
n. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.
o. Prototype structures (the first new structure in an area which has been designated for a particular character) shall reflect the desired character of the entire neighborhood.

5. Miscellaneous Structures and Street Hardware

a. Miscellaneous structures and street hardware shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings, scale shall be good, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.
b. Lighting in connection with miscellaneous structures and street hardware shall meet the standards applicable to site, landscape, buildings and signs.

6. Signs

a. Every sign shall have good scale and proportion in its design and in its visual relationship to buildings and surroundings.
b. Every sign shall be designed as an integral architectural element of the building and site to which it principally relates.
c. Design and placement of signs shall consist of materials and colors that are coordinated with the building facade design and materials, and lettering styles, sizes, and composition shall be consistent and coordinated with the building architecture.
d. The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.
e. The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message, and shall be composed in proportion to the area of the sign face.
f. Each sign shall be compatible with signs on adjoining premises, and shall not compete for attention.
g. Identification signs of a prototype design and corporation logos shall conform to the criteria for all other signs.
h. Signs shall not advertise brand names or symbols of products unless 50% or more of the floor space of the premises is directed to the sale or manufacturing of the product. Signs shall not contain selling slogans or product descriptions.

7. Maintenance - Planning and Design Factors

a. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.
b. Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.
c. Provision for washing and cleaning of buildings and structures, and control of dirt and refuse, shall be included in the design. Configurations that tend to catch and accumulate debris, leaves, trash, dirt and rubbish shall be avoided.

APPENDIX D - AMENDMENT DATES

Section	Title	Date
2.3	Definition of Base Flood Elevation (BFE)	9/26/08
2.3	Definition of Basement	9/26/08
2.3	Definition of Car Wash	10/18/05
2.3	Definition of Cemetery	5/6/05
2.3	Definition of Commercial Vehicle	10/15/10
2.3	Definition of Cost	9/26/08
2.3	Definition of Development	9/26/08
2.3	Definition of FEMA	9/26/08
2.3	Definition of Finished Living Space	9/26/08
2.3	Definition of FIRM	9/26/08
2.3	Definition of FIS	9/26/08
2.3	Definition of Foot Candle (fc)	12/20/05
2.3	Definition of Full Cut Off	12/20/05
2.3	Definition of Functionally Dependent Use of Facility	9/26/08
2.3	Definition of Glare	12/20/05
2.3	Definition of Highest Adjacent Grade	9/26/08
2.3	Definition of Historic Structure	9/26/08
2.3	Definition of Luminaire	12/20/05
2.3	Definition of Manufactured Home	9/26/08
2.3	Definition of Market Value	9/26/08
23	Definition of Mean Sea Level	9/26/08
2.3	Definition of Rear Lot	8/7/07
2.3	Definition of Mixed Residential and Commercial Uses	12/8/08
2.3	Definition of Recreational Vehicle	9/26/08
2.3	Definition of Residential Development	6/18/10
2.3	Definition of Sheilding	12/20/05
2.3	Definition of Sign, Animated	1/15/08
2.3	Definition of Sign, Flashing	1/15/08
2.3	Definition of Substantial Improvement	9/26/08
2.3	Definition of Variance	9/26/08
3.2.A.3	Renting of Rooms	5/6/05
3.2.B.1	Open Space Development	5/6/05
3.2.E.5	Cemeteries	5/6/05
3.2.1.E	Congregate Residential Development – Various Changes	8/8/08
3.4	Special Residential Development – Various Changes	5/6/05
3.4	Special Residential Development – Various Changes	6/18/10
3.4.C.2.e	Special Residential Development – Various Changes	8/8/08
3.5	Table Legend	10/15/10
3.5.1.A.	Parking of Commercial Vehicle	5/6/05
3.5.1.A	Garages	5/6/05
3.5.1.A.2	Parking of Commercial Vehicles	10/15/10
3.5.1.A.4	Parking of Commercial Vehicles	10/15/10
3.5.1.B	Outside Storage	5/6/05
3.3.5	Commercial Vehicles	10/15/10
3.6.B.1	Detached garages	5/6/05
3.7.B.4	Building Additions	5/6/05
3.9	Rear Lots	8/7/07
4.1.B.	Agricultural Zone – Permitted Uses	5/5/09
4.2	Floodplain Regulations	9/26/08
5.2.A.2	Mixed residential and commercial uses	12/8/08
5.2.E.5	Car Wash Facilities	10/18/05

5.2.F.1	Sit-down or take-out restaurants	05/17/11
5.2.F.1	Restaurant with outdoor dining	05/17/11
5.2.H.3.	Storage Facilities	8/16/05
5.3	Accessory Uses	5/6/05
5.3.A	Accessory Uses – Various Changes	10/15/10
5.3.B	Accessory Buildings	5/6/05
5.4.B.1	Special Provisions	12/8/08
5.9	Car Wash Facilities	10/18/05
5.10	Mixed Residential and Commercial Uses	12/8/08
6.2	Parking and Loading Regulations – Various Changes	6/18/10
6.3	Signs – Various Changes	5/6/05
6.3	Signs – Various Changes	1/15/08
6.3	Signs – Various Changes	2/19/08
6.8	Refuse Storage	5/6/05
6.7	Outdoor Lighting	12/20/05
Appendix A.2.I	Possible Additional Information	12/8/08

Planimetrics

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