

Section 500 Purpose

The use of land, buildings and structures, within the Town of Hamden, shall be established and constructed so as to conform to this Article and these Regulations. These standards establish certain nuisance factors that, if committed or exceeded in the use of land, buildings and structures, will be detrimental to the use, enjoyment and value of other land, buildings and structures and will be detrimental to the public health, safety and welfare.

The Zoning Enforcement Officer is authorized to make surveys and take measurements to determine compliance. No application for a Zoning Permit and no Certificate of Zoning Compliance shall be approved or issued by the ZEO until it has been determined that the proposed use of the land, building(s), and structure(s) will be established and conducted in accordance with these standards and with the standards stated in other relevant Town, State and Federal codes, ordinances and/or regulations. The standards specified in these regulations shall be of continuing application.

Section 510 General Requirements

The following general regulations pertaining to lots, yards, visibility at intersections, height limits and dwellings are applicable to all zones and are to be applied in addition to the specific requirements of the applicable zone.

510.1 Hours of Outdoor Construction

Unless otherwise explicitly allowed by the Commission outdoor construction shall only occur between the hours of 7am and 5pm Monday through Friday.

510.2 Continuation of Use

The continuation of an existing use where there is a change in ownership of a business requires a Zoning Permit.

510.3 Change in Use

A change of use may be allowed subject to Zoning Permit approval provided that:

- a. The proposed use does not require Special Permit approval;
- b. No significant site work is required, and;
- c. The required parking is currently available.

A nonconforming use may be changed to another nonconforming use subject to approval of a Special Permit and the following conditions:

- a. The proposed use will not have an increased impact upon the surrounding area;
- b. The number of required parking and loading spaces will not increase, and;
- c. The amount of impervious surface will not increase.

Once changed to a more conforming use, no use shall be changed again to a less conforming use. Bulk standards of the underlying zone shall apply.

Section 520 Environmental Conditions

520.1 Preservation of Special Features

The applicant shall preserve special features that enhance the value of the development and/or the community. Special features to be preserved include, but are not limited to, large individual trees, groves or stands of trees;

brooks, streams, ponds, creeks, waterfalls, lakes, wetlands and their adjacent buffer areas; historic landmarks; scenic vistas, overlooks, and ridgelines.

The planning and design of the site, including related streets, drainage and other improvements, shall provide for preservation of natural features of the site by:

- a. Avoiding cuts or fills that result in potential soil erosion and excessive tree removal or that disturbs water resources;
- b. Avoiding relocation of or encroachment upon natural wetlands, watercourses and their buffer areas;
- c. Avoiding removal of mature trees, desirable woods and other vegetation, particularly those existing plant materials that serve as wind barriers in the winter or offer passive cooling of buildings in the summer;
- d. Minimizing driveway and road width and curbing to reduce necessary clearing and retain the natural landscape;
- e. Identifying these special features on the topographic maps submitted in accordance with these Regulations.

520.2 Alternative Preservation Plans

Should the applicant propose to remove, alter, or in any way change the features described above, he/she shall submit documentation acceptable to the Commission demonstrating that the proposed plans to preserve special features are reasonable.

520.3 Air Pollution

No dust, dirt, fly ash, smoke, gas, fumes or odors shall be emitted into the air from any lot so as to endanger the public health and safety, to impair safety on or the value and reasonable use of any other lot, or to constitute a critical source of air pollution or to create a nuisance.

520.4 Danger

No material that is dangerous due to explosive potential, extreme fire hazard or radioactivity shall be used, stored, manufactured, processed or assembled *except in accordance with applicable codes, ordinances and regulations of the Town of Hamden, State of Connecticut and Federal Government.*

520.5 Noise

(See Ordinance 100.02 enforced by the Hamden Police Department and **Section 510.1** of these regulations)

520.6 Vibration

With the exception of vibration necessarily involved in the construction or demolition of buildings, no vibrations shall be transmitted beyond the lot where they originate.

520.7 Refuse and Pollution

520.7.1 Dumpster & Solid Waste Disposal Location and Design

All dumpsters and trash compactors shall be appropriately screened and maintained and placed on concrete pads. Concrete pads shall be bermed on three sides to retain fluids. Dumpsters shall be plugged and covered. Dumpsters shall not be located within required setbacks when abutting a residential or mixed-use property.

520.7.2 Pollution

No refuse or other waste materials shall be dumped on any lot except as provided for in these regulations. No refuse or other waste materials and no liquids shall be dumped on any lot or dumped or discharged into any

river, stream, water course, storm drain, pond, lake or swamp so as to constitute a source of water pollution.

- a. All hazardous materials and waste chemicals shall be stored inside on an impervious floor with some form of secondary containment.
- b. Solid waste material shall be stored in an appropriately sized, covered, solid waste dumpster or other water-tight container that is plugged to prevent the release of any liquids.
- c. Waste material shall be disposed of by a licensed waste hauler in accordance with all applicable federal, state and local regulations.
- d. All servicing of vehicles and equipment shall be conducted indoors on an impervious surface.
- e. All vehicle and equipment washing shall be conducted indoors.
- f. There shall be absolutely no discharges of motor vehicle fluids or detergent chemicals to the environment.
- g. If the property is located within the Mill River Watershed or an Aquifer Protection Area, the RWA shall be notified of any spills of hazardous materials.
- h. RWA inspectors shall be granted access to any property located within the Mill River Watershed or an Aquifer Protection Area during the Authority's annual inspection program.
- i. All fuel, oil, paint and other hazardous materials stored on-site shall be placed in a secondary container and kept in a locked indoor area with an impervious floor when not being used.
- j. If fuel for construction equipment is stored on-site it shall be placed in a secondary containment system in a secured area.
- k. Any on-site fueling and repairs shall be conducted over a portable spill containment system.
- l. A supply of absorbent spill response material shall be kept on-site to clean up any spills of hazardous materials.
- m. The RWA shall be notified of any spills of hazardous materials.

520.8 Natural Resource Removal, Re-grading & Filling, Accessory Use

Loam, topsoil, sand, gravel, clay or stone may be excavated, or removed from any lot, and land may be re-graded or filled, subject to Special Permit and Site Plan approvals and the following conditions:

- a. Demolition debris consisting of brick, block and concrete may be screened, sifted, washed, crushed or processed in conjunction with the demolition of existing on site structures in any zone subject to Special Permit and Site Plan approval and the following qualifying standards and conditions:
 - i. The site is one acre or more in size;
 - ii. The site is located on and has access to a major thoroughfare as designated on the Town Road classification map;
 - iii. Structures to be crushed are at least 5,000 square feet in footprint; and
 - iv. Crushing activity is limited to no more than four months.
- b. Commercial excavation, and clay and gravel mining operations are prohibited.

520.8.1 General Requirements

- a. Natural resource removal, re-grading and filling equal to or in excess of 1,000 cubic yards, exclusive of that earthwork falling within the area delineated by the footprint of an approved structure, shall only be allowed when it is part of site development that is essential to an application that requires Site Plan and/or Special Permit approval.
- b. Natural resource removal, re-grading and filling in excess of 60 cubic yards but less than 1,000 cubic yards, exclusive of that earthwork falling within the area delineated by the footprint of an approved structure, shall only be allowed when it is part of site development that is essential to an application that requires a Zoning Permit, Site Plan and/or Special Permit approval.

520.8.2 Exceptions

The following shall not require a Zoning Permit:

- a. *Excavation, removal, re-grading or filling in conjunction with an approved subdivision grading plan, pro-*

vided that no more than 10,000 cubic yards of material are deposited or removed.

- b. Incidental excavation, removal, re-grading or filling in connection with maintenance or landscaping, provided that no more than 60 cubic yards of material are deposited or removed per calendar year.*
- c. Agricultural excavation, re-grading or filling operations, provided that no more than 250 cubic yards of material are deposited or removed per calendar year.*

520.8.3 Required Information

Any application involving more than 1,000 cubic yards of excavation, re-grading or filling shall contain the following information, unless waived by the Town Planner and the Town Engineer:

- a. Existing contours in the area to be excavated re-graded or filled;
- b. Proposed contours after completion of excavation, re-grading or filling;
- c. Proposed vehicular access to a street;
- d. An estimate of the number of cubic yards of material to be filled, excavated, graded, or removed;
- e. An estimate of the number and types of trucks and other machinery to be used on the site;
- f. The location(s) and type(s) of buildings, including temporary buildings, to be erected;
- g. Hours of operation and number of calendar days anticipated to complete filling, excavating, grading, re-grading or removal; and
- h. Details of any proposed blasting and storing of explosives.
- i. To reasonably review an application, the Commission may require the submission of additional information about soil conditions, locations and depths of rockledge, ground water conditions, and other such information. The Commission may request such information for both pre- and post-development conditions.
- j. Sedimentation and erosion control plans with all information required per **Section 520.9** of these regulations.

520.8.4 Standards

Permits issued for natural resource removal, re-grading and filling activity in excess of 1,000 cubic yards shall be valid for up to two years and will require permit renewal for such activity every two years.

The Commission may require the applicant to submit periodic reports that demonstrate the progress of the excavation, re-grading, removal, or filling activity, including contours and cross sections. These reports shall be prepared and certified by a civil engineer or a land surveyor, licensed to practice in the State of Connecticut. If at any time the Commission finds that the excavation, re-grading, removal or filling is not being conducted or cannot be conducted in accordance with the approved plans, the Commission shall order the applicant to cease operation and may revoke the permit.

At the time of expiration or renewal of the permit, the property owner or his/her authorized agent shall file with the Commission a report by a civil engineer or surveyor, licensed to practice in the State of Connecticut, certifying that the excavation, re-grading or filling completed to date conforms with the approved plans. A 2-year renewal may be granted by the Commission in accordance with the procedures and standards of these Regulations, based upon updated maps and data.

If the Commission finds that excavation, re-grading, removal or filling will not result in the creation of any drainage or sewage problems or other conditions that would impair the use of the property in accordance with these Regulations and that such excavation, re-grading, removal or filling will be in harmony with the general purpose and intent of the Zoning Regulations, the Commission shall issue a Special Permit and/or Site Plan with the following conditions:

- a. Resulting slopes shall not increase the concentration or flow of water or sediment to adjoining properties;
- b. Adverse drainage or sewage problems or other conditions which would impair the use of the property shall not be created or exacerbated;
- c. No screening, sifting, washing, crushing or other processing of excavated or fill material shall be conducted

on the premises unless said premises are located in a Manufacturing Zone or unless approved as part of a Special Permit and Site Plan application in accordance with **Paragraph 521**.

- d. There shall be no excavation within 20 feet of any street line or any other lot line unless one of the following conditions is met:
 - i. Excavation is of an elevation equal to or above the grade of an adjoining lot or street at the lot line or street line;
 - ii. Excavation is within the area delineated by the footprint of an approved structure;
 - iii. The adjoining property owners file a joint application that is approved by the Commission;
 - iv. The adjoining property owner(s) document(s) that he/she/they have no objections to the proposed activity;
 - v. The Town Engineer determines that the proposed activity will not adversely affect the adjoining properties.
- e. Proper drainage shall be provided to prevent the collection and stagnation of water.
- f. No sharp declivities, pits, depression or soil erosion problems shall be created, and no resulting slopes or banks shall exceed one foot of vertical rise to two feet of horizontal distance.
- g. Any soil stored on-site for more than 30 days shall be stabilized and seeded. All stockpiled soil shall be protected by approved sedimentation and erosion controls.
- h. Topsoil shall be spread uniformly over the excavated or filled area and over exposed rock surfaces that result from excavation or fill, to a minimum depth of four inches, in accordance with the approved contour plan. No excavated rock will be stockpiled on the premises, except that which is to be used on-site for erosion control or landscaping purposes.
- i. When the excavation, re-grading, removal or filling operations have been completed, these and other vegetated areas destroyed shall be seeded with a perennial rye grass or similar planting.
- j. Truck egress site(s) shall be equipped with anti-tracking pads. Access to and from the excavation site shall be located so as to minimize conflict with existing traffic patterns.
- k. The premises shall be excavated, re-graded or filled in conformity with the approved plan.
- l. All materials used as fill shall be noncombustible. Broken blocks, bricks, concrete, rocks and similar debris are allowable as fill when mixed with enough gravel or filler to create fill that is void of air pockets.

520.9 Sediment and Erosion Control Regulations

520.9.1 Purpose

Sedimentation and erosion controls shall be installed whenever soil disturbance may cause sedimentation on or erosion of neighboring property and/or the deposition of sediment into the public water supply or public storm management system or into a wetlands or watercourse.

A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than 1/2 acre.

520.9.2 Exemptions

- a. *A single-family dwelling that is not part of a subdivision of land;*
- b. *Any application for development where the disturbed area is one-half acre or less; and*
- c. *Agricultural activities.*

520.9.3 Procedures

Soil Erosion and Sediment Control Plans shall be submitted as part of a Special Permit or Site Plan application. Plans for development not requiring Special Permit or Site Plan review shall be submitted as part of a Zoning Permit application.

The Commission and/or its designated agent may refer any Soil Erosion and Sediment Control plan to the New Haven County Soil and Water Conservation District or to any other agency or consultant for review and comment.

520.9.4 Application

The application shall include the following:

- a. A soil erosion and sediment control plan shall provide for the adequate control of accelerated erosion and sedimentation and reduces the danger from stormwater runoff at the proposed site based on the best available technology, found in the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended. Alternative principles, methods and practices may be used with prior approval of the Commission. The plan may be submitted as part of a Special Permit or Site Plan application as set forth in these regulations. Plans shall include:
 - i. A narrative describing the proposed project, a schedule for grading and construction activities including start and completion dates, sequence of grading and construction activities, sequence for installation and/or application of soil erosion and sediment control measures, and the sequence for final stabilization of the project site.
 - ii. The design criteria, construction details, installation and/or application procedures, and operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.
- b. A site plan complying with Article 7 and containing the following additional information:
 - i. The proposed alterations on the site, including cleared, excavated, filled or graded areas;
 - ii. The location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
 - iii. The sequence of grading and construction activities;
 - iv. The sequence for installation and/or application of soil erosion and sediment control measures; and
 - v. The sequence for final stabilization of the development site.
- c. Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

520.9.5 Standards

The Soil Erosion and Sediment Control Plan shall meet the following minimum standards:

- a. Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles outlined in Chapters 3 and 4 of the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended.
- b. The minimum standards for individual measures are those in the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended.
- c. The appropriate method from Chapter 9 of the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Commission.
- d. The Commission may grant exceptions to the minimum standards when requested by the applicant if technically sound reasons are presented.
- e. All erosion controls shall be installed prior to the commencement of construction activities.
- f. All stockpiles of excavated material remaining on-site for more than a month shall be temporarily seeded or covered.
- g. Erosion controls shall be inspected regularly and immediately after each rainfall, as well as maintained and modified as necessary.
- h. Hay bales proposed for use on paved surfaces shall be replaced with a combination of filter fabric, concrete blocks and gravel, or by silt sack inserts.
- i. If the property is located within the Mill River Watershed or an Aquifer Protection Area:
 - i. The RWA shall be notified three days prior to the start of any construction activity.

- ii. RWA inspectors shall be granted access to the site to conduct routine inspections.

520.9.6 Conditions of Approval

The Commission or its designated agent may include conditions deemed necessary, including, but not limited to:

- a. Installation of measures necessary for sediment and erosion control prior to start of construction;
- b. Receipt of a bond to cover costs of measures required to control soil erosion and sedimentation; and
- c. Progress reports from the applicant assuring installation and maintenance of controls.

520.9.7 Inspections

Inspections shall be made by the Commission and/or its designated agent(s) during development to ensure:

- a. Compliance with the approved plan, and
- b. Control measures and facilities are properly performed, installed and maintained.

520.10 Grading of Slopes

520.10.1 Grading Standards

- a. Slopes of paved surfaces must not be less than 1.0% in grade, nor greater than 5%..
- b. Slopes of earth surfaces must not be less than 2.0% in grade in the general vicinity of buildings, to ensure drainage away from the buildings.
- c. Unpaved driveways may not exceed 10% in grade. Paved driveways may not exceed 12% in grade. Driveways require a blend, or vertical transition curve, not to exceed 6%. Lots recorded on the land records prior to the adoption of this section of the Zoning Regulations may exceed the above percentages only with the approval of the Town Engineer and the Town Planner.

520.11 Stormwater Management

520.11.1 Purpose

Changes to the land without proper consideration of stormwater impacts can be a significant source of pollution to Long Island Sound, its tributaries, the public water supply and other waters of the State of Connecticut and the Town of Hamden. These are valuable natural, economic, recreational, cultural and aesthetic resources. The protection and preservation of these waters is in the public interest and is essential to the health, welfare and safety of the citizens of the Town of Hamden.

The intent of these Regulations is to establish requirements for Stormwater Management Plans. Such plans should include design practices and technical standards that address any proposed change to the land that may alter hydrologic conditions. Stormwater Plans should also:

- a. Preserve pre-development site hydrology to the extent possible;
- b. Reduce the average total suspended solids (TSS) loadings by 80%;
- c. Manage runoff velocity and volume such that the physical and biological character of the existing drainage systems is maintained or improved;
- d. Prevent increases in downstream flooding and/or streambank erosion.

520.11.2 Applicability

No person shall develop land without having provided stormwater management measures that control or manage runoff from such development, except as provided within these Regulations. The stormwater management measures must be consistent with the 2004 Connecticut Stormwater Quality Manual, as amended.

A Stormwater Management Plan shall be prepared for all development proposals, when it is determined by the Commission, the Town Planner or Town Engineer, that changes to the land associated with the proposal may

alter hydrologic conditions resulting in potential pollution and/or other adverse impacts to the surface water, ground water or other natural resources of the Town of Hamden.

520.11.3 General Requirements

Stormwater Management Plans shall include:

- a. A narrative describing the project, the objectives of the Stormwater Management Plan including the potential impacts resulting from the proposed development, and a description of the practices, techniques, structures and facilities proposed in the Stormwater Management Plan to mitigate such impacts.
- b. The existing features and proposed improvements;
- c. The potential impacts resulting from the proposal or activity;
- d. A description of the practices, techniques, structures and facilities proposed to mitigate such impacts,
- e. A construction schedule including phasing and sequencing.
- f. Identification of the Owner(s) of the property on which the development is proposed and identification of the Applicant submitting an application for approval and/or a permit.
- g. Identification of the Responsible Person(s) for implementation of the Stormwater Management Plan during the construction period of the development including mailing address, 24-hour contact telephone number(s), facsimile number(s) and email address.
- h. A description of the procedures to be implemented in the case of emergency environmental or severe rainfall events during the construction period of the development.
- i. Identification of all known local, State and/or Federal regulatory approvals and/or permits that may be required to be obtained for the development.
- j. A map based on United States Geological Survey quadrangle mapping depicting the following:
 - i. Site of the development and vicinity,
 - ii. Sub-regional drainage basin(s),
 - iii. Identifying hydrologic unit code(s) within which the site of the development is located.
- k. A description of the surface water and ground water resources, including identification of water quality classifications and the presence of impaired water-bodies as identified by the Connecticut DEP, on and in the vicinity of the site of the proposed development.
- l. A description of the development, construction limitations and constraints of the site of the proposed development including:
 - i. Areas of exposed bedrock.
 - ii. Areas of shallow depth to bedrock surficial soils as defined by the U.S.D.A. Soil Conservation Service Soil Survey of New Haven County.
 - iii. Areas of high erosion hazard surficial soils as defined by the U.S.D.A. Soil Conservation Service Soil Survey of New Haven County.
 - iv. Areas of ground surface slopes greater than or equal to twenty (20) percent.
 - v. Areas of potential shallow depth to ground water.

No increase in stormwater peak flows will be allowed unless downstream increases are compatible with an overall flood plain management system. The following items should be considered in determining whether increased peak flows are compatible with an overall flood plain management system:

- a. Timing of peak flows from sub-watersheds
- b. Increased duration of high flow rates
- c. Stability of the downstream channels
- d. Distance downstream that the peak discharges are increased
- e. Run-off prior to development from the 2 year to the 100 year flood events.

When stormwater detention structures are required, they shall be designed so that the peak flow after development shall not exceed the pre-construction peak

The applicant shall furnish projections of the increase of stormwater runoff created by the proposed development from the 2-year, 10-year and 100 year frequency, 24-hour duration Type III Distribution Storms, as computed with Technical Release #55, Urban Hydrology, Engineering Division, Soils Conservation Service, USDA, January 1975, as amended or by use of other methods conforming to sound engineering practice. Rational method shall not be used in computing drainage flows in drainage basin areas in excess of one thousand (1,000) acres.

520.11.4 Design Guidance and Recommendations

The following documents, incorporated in these Regulations by reference, give guidance and recommendations for the analysis and design of practices, techniques, structures and other facilities to be incorporated in the Stormwater Management Plan. Other standards of practice, engineering analysis and design, computational or sizing methodologies may be used upon review and approval of the Commission, or the Town Planner or Town Engineer.

The following documents are incorporated in these Regulations by reference:

- a. Town of Hamden Engineering Standards, as amended;
- b. Connecticut Council on Soil and Water Conservation and Connecticut Department of Environmental Protection, Connecticut Guidelines for Soil Erosion and Sediment Control, Bulletin No. 34, 2002, as amended.
- c. Connecticut Department of Transportation, Connecticut Department of Transportation Drainage Manual 2000, as amended.
- d. Connecticut Department of Environmental Protection, 2004 Connecticut Stormwater Quality Manual (Final Draft), as amended.
- e. Hamden Engineering Department, The Hamden Stormwater Management Plan, 2004, as amended.
- f. Other methods, Federal, State technical releases/ documents conforming to sound engineering practice.

520.11.5 Design Practices and Technical Standards

Stormwater Management Plans shall incorporate the design practices and technical standards appropriate for the site conditions and proposed development.

The Commission, the Town Planner and/or the Town Engineer may require additional design practices and/or technical standards to be incorporated in the Stormwater Management Plan where a proposal will discharge stormwater runoff to an area identified as sensitive surface water, ground water or other natural resource, impaired and/or experiencing existing flooding, stream channel instability or water quality problems.

520.11.6 Site Planning and Design

Site planning and design practices, best management practices (especially those referred to as non-structural practices) and practices referred to as Low Impact Development (LID) and Alternative Site Design techniques intended to mitigate the effects of changes to the land hydrologic conditions, shall be considered in the design of a development proposal.

These planning and design practices should:

- a. Protect and preserve a site's natural features and systems including drainage systems, resource protection and buffer areas
- b. Preserve vegetation
- c. Avoid creating steeply sloped areas
- d. Avoid excessive site grading
- e. Minimize the area of impervious and managed surface coverage including sidewalks, streets, driveways and walkways
- f. Encourage the disconnection of impervious and managed surfaces

- g. Minimize changes in surface water drainage patterns
- h. Promote temporary storage of stormwater runoff
- i. Promote infiltration of stormwater runoff
- j. Reduce increases in volume of stormwater runoff and changes in magnitude, frequency and duration of stormwater discharges to receiving waters
- k. Generally prevent and minimize impacts to surface and ground water resources
- l. Reduce or eliminate the use of curbing
- m. Reduce use of storm sewers
- n. Encourage use of permeable paving materials where practicable
- o. Encourage use of bio-retention basins, rain gardens and swales

520.11.7 Stormwater Infiltration

The guidance and recommendations given in the 2004 Connecticut Stormwater Quality Manual, as amended, shall be the minimum used in the design of stormwater infiltration practices and techniques, and structures or facilities. Protection and improvement of the water supply is essential.

Where stormwater runoff is proposed to be infiltrated into natural soils and/or fill material, subsurface investigations including field testing to determine soil infiltration rates shall be made of the hydro-geologic conditions of the site and vicinity of the infiltration practice, technique, structure or facility.

If a stormwater infiltration practice, technique, structure or facility is also intended to function to control peak rates of discharge of stormwater runoff, the practice, technique, structure or facility shall be designed in accordance with the recommendations and guidance given in the Connecticut Department of Transportation Drainage Manual 2000, as amended.

520.11.8 Concentrated Stormwater Runoff

- a. Where concentrated stormwater runoff is proposed to be discharged to a stormwater collection and conveyance system, man-made or natural channel, culvert, bridge, or other hydraulic structure due to site and design conditions, the hydraulic adequacy of the system, channel and/or structure shall be verified by the applicant's civil engineer.
- b. Where concentrated stormwater runoff is proposed to be discharged directly to the ground surface or directly to a wetland or watercourse, the stability of the outlet at the discharge location and the requirement for outlet and slope protection measures beyond the discharge location shall be determined.
- c. Where it is determined that a system, channel, structure or discharge outlet location is hydraulically inadequate under existing conditions and/or will be hydraulically inadequate due to the proposed design, the Applicant shall:
 - i. Improve stormwater collection and conveyance systems to a condition where the systems are hydraulically adequate to convey the peak discharges developed from the design post proposal or activity 10-year recurrence interval precipitation event,
 - ii. Improve man-made or natural channels to a condition where the channels are hydraulically adequate to convey the peak discharges developed from the design post proposal or activity 10-year recurrence interval precipitation event,
 - iii. Improve culverts or bridges to a condition where the culvert or bridge will safely convey the design post proposal or activity peak discharges
 - iv. Determine the stability of the outlet of the conveyance system, channel or structure and the requirement for outlet protection measures at the discharge location and for slope protection measures beyond the discharge location if applicable, or
 - v. Develop a site design that attenuates post construction peak rates of discharge equal to or less than levels

of existing peak rates of discharge.

520.11.9 Stream Channel Protection

Where a development proposal will discharge stormwater runoff to a natural channel, the following criteria for stream channel protection shall be incorporated in the design of the proposal where the Commission or the Town Planner or Town Engineer, has determined that stream channel protection measures are required.

- a. When stormwater runoff is discharged to a natural channel, the Applicant shall either:
 - i. Improve the channel using methods and materials that will minimize the impacts on the physical, chemical and biological integrity of the natural channel system, and will preserve the natural channel characteristics to the maximum extent practicable, or;
 - ii. Develop a site design that meets one or both of the “over-control“ method criteria for stream channel protection by either:
 - a) Attenuating the design post proposal or activity 24-hour duration, 2-year recurrence interval peak rate of discharge of stormwater runoff to the channel to one-half of its magnitude, or;
 - b) Attenuating the post construction activity of a 24-hour duration, a 2-year recurrence interval peak rate of discharge of stormwater runoff to the channel to be less than or equal to the design post proposal or activity 24-hour duration, 1-year recurrence interval peak rate of discharge of stormwater runoff to the channel.
- b. Where concentrated stormwater runoff is discharged to a natural channel that is experiencing channel instability under existing conditions, or has been identified by the Commission, or the Town Planner or Town Engineer as requiring additional protection, the Applicant shall either:
 - i. Improve the channel using methods and materials that will minimize the impacts on the physical, chemical and biological integrity of the natural channel system, and will preserve the natural channel characteristics to the maximum extent practicable, or
 - ii. Develop a site design that provides extended detention of the design post proposal or activity 24-hour duration, 1-year recurrence interval peak rate of discharge of stormwater runoff to the channel for a minimum period of 24-hours.

520.11.10 Over-Bank Flooding Protection

Where stormwater runoff is proposed to be discharged from the site of the proposal, the hydraulic adequacy of hydraulic structures and/or receiving channels to convey the design post proposal or activity 25-year, 50-year and 100-year recurrence interval peak rates of discharge shall be verified.

Where it is determined that a structure or receiving waterway is hydraulically inadequate under existing conditions and/or will be hydraulically inadequate due to the development proposal, redevelopment proposal or activity, the Applicant shall either:

- i. Improve the hydraulic structure or waterway to a condition where the design post proposal or activity 25-year, 50-year and 100-year recurrence interval peak rates of discharge can be conveyed, or
- ii. Develop a site design that will attenuate the design post proposal or activity 25-year, 50-year and 100-year recurrence interval peak rates of discharge to be less than or equal to the design existing condition 25-year, 50-year and 100-year recurrence interval peak rates of discharge.

520.11.11 Erosion and Sediment Control

The guidance and recommendations given in the Connecticut Guidelines for Soil Erosion and Sediment Control, 2002, as amended shall be the minimum standards used in the design of erosion and sediment controls.

520.11.12 Specific Data Required

All storm drainage calculations must be certified by a registered Professional Engineer. The Commission or the

Town Planner or Town Engineer may require that the preparation of the Stormwater Management Plan include other professionals in the disciplines of landscape architecture, environmental sciences and others.

Copies of the Stormwater Management Plan shall be submitted with each application to the Planning and Zoning Commission for approval.

520.11.13 Design information shall include the following:

- a. Drawings presented at a scale that will allow for clear identification of all existing conditions and post construction conditions on and in the vicinity of the site of the development. These drawings shall include:
 - i. Property boundaries
 - ii. Adjoining property owners
 - iii. Zoning District(s) and/or boundaries
 - iv. Existing ground surface elevation contours preferably referenced to the National Geodetic Vertical Datum of 1929
 - v. Proposed ground surface elevation contours Benchmark(s)
 - vi. Buildings and other structures
 - vii. Utility company facilities and services
 - viii. Drinking water supply reservoir and well locations
 - ix. Existing and proposed easements including those for access, utilities, drainage, maintenance and conservation or resource protection purposes
 - x. Existing and proposed areas subject to deed restrictions including those for conservation or resource protection purposes
 - xi. Ephemeral, intermittent and/or perennial watercourses
 - xii. Surface water bodies
 - xiii. Special Flood Hazard Areas or boundaries and base flood elevations where determined, floodways or boundaries and/or stream channel encroachment lines
 - xiv. Inland Wetland areas or boundaries
 - xv. Inland Wetland regulated areas or boundaries
 - xvi. Resource protection areas and boundaries
 - xvii. Aquifer protection district areas or boundaries
 - xviii. Public water supply watershed areas or boundaries
 - xix. Areas of ground surface slope greater than or equal to twenty (20) percent
 - xx. Areas of exposed bedrock
 - xxi. Surficial soil types classified by hydrologic soil group as defined by the NRCS
 - xxii. Areas of shallow depth to bedrock surficial soils as defined by the U.S.D.A. Soil Conservation Service Soil Survey of New Haven County
 - xxiii. Areas of high erosion hazard surficial soils as defined by the U.S.D.A. Soil Conservation Service Soil Survey of New Haven County
 - xxiv. Areas of potential shallow depth to groundwater
 - xxv. The locations of all subsurface investigations
 - xxvi. Existing land use
 - xxvii. Existing ground cover conditions including vegetation types
 - xxviii. Proposed land use
 - xxix. Proposed ground cover conditions
 - xxx. Existing impervious surface and managed surface coverage areas
 - xxxi. Proposed impervious surface and managed surface coverage areas
 - xxxii. Surface water drainage patterns and watershed and/or catchment boundaries
 - xxxiii. The locations of all stormwater collection, conveyance and management systems and other hy-

draulic structures including, culverts, bridges and dams

xxxiv. Tributary land areas to appropriate points for purposes of hydrologic and hydraulic analysis and hydrologic and hydraulic design of proposed practices and techniques, and structures or facilities

xxxv. Travel time component and time of concentration flow paths for purposes of hydrologic and hydraulic analysis and design of proposed practices and techniques, and structures or facilities

- b. Subsurface soil investigation information for the design of all practices, techniques, structures and facilities where the determination of soil classifications and depths to groundwater, restrictive soil layers and/or rock are required, and where the determination of particle gradation analyses and in-situ soil properties including soil infiltration rates are required.
- c. A description of design methodologies and computer models used, and hydrologic, hydraulic and water quality design computations for all practices and techniques, and structures and facilities. In general, this information should be submitted in the form outlined in the hydrologic and hydraulic design and analysis documentation requirements of the Connecticut Department of Transportation Drainage Manual 2000, as amended.
- d. Structural design and supporting information and geo-technical design and supporting information for certain stormwater management system components including, storm sewers, channels, outlet protection measures, culverts, bridges, dams, spillways, outlet works and other structures, as required by the Town Engineer.
- e. Drawings including plans, profiles, sections and typical details of all stormwater management system components at adequate scale(s) and containing sufficient detail to clearly depict the intent of the design and the details of construction and/or installation.
- f. The Commission may, at its sole discretion, require the applicant to submit a hydrologic study of pre-development site conditions conducted at a level of detail commensurate with the probable impact of the proposed activity as determined by the Town Engineer.
- g. Post Proposal or Activity Stormwater Management Operation and Maintenance Plan including:
 - i. A description of the operation and maintenance tasks and an implementation schedule.
 - ii. Identification of the Responsible Person(s) for implementation of the Stormwater Management Operation and Maintenance Plan including mailing address, 24-hour contact telephone number(s), facsimile number(s) and email address.
 - iii. Agreements, declarations of covenants and restrictions, easements and/or other legal instruments governing the requirements for operation and maintenance of all post construction proposal or activity stormwater management measures as required by the Commission, or the Town Planner or Town Engineer as its administrative agent, and the Town of Hamden Attorney.

The applicant shall submit the following data for review by the Town Engineer:

- a. Topographic Contour Map(s) showing drainage area(s)
- b. Narrative and computations including, but not limited to, the following:
 - i. Method used to calculate stormwater runoff
 - ii. Runoff characteristics of the property pre- and post-development
 - iii. Drainage calculations
 - iv. Maximum velocity and quantity at point(s) of discharge from the system
 - v. Design calculations for all drainage piping and structures

- c. Narrative and computations for detention structures including, but not limited to, the following:
 - i. Inflow and outflow hydrographs for detention area
 - ii. Maximum storage volume
 - iii. Design of spillway or other measures for the release of excess flows beyond that of the design capacity of the structure
 - iv. Flood routing of all runoff greater than the design capacity of the detention facility
 - v. Time required for the facility to drain completely
 - vi. Materials used in facility construction
 - vii. Methods employed to avoid clogging the discharge mechanism
 - viii. Safety measures
 - ix. Proposed landscaping and vegetative measures used to stabilize slopes and bottom surfaces.

520.11.14 Exemptions

- a. *Upon written request, the Commission, at the request of the Town Planner or Town Engineer, may waive these Regulations in whole or in part, when the development proposal, redevelopment proposal or other activity will upon completion, have less than five-thousand (5000) square feet of impervious surface coverage, and disturb less than one (1) acre of land surface area, or where due to special conditions related to the site or vicinity of the proposal or activity, the requirements of these Regulations, in whole or in part, may not be technically feasible. No waiver request shall be approved that would cause an adverse impact to the surface water, ground water and other natural resources of the Town of Hamden. The Applicant shall demonstrate to the satisfaction of the Town Engineer, that approval of a waiver request will meet this standard.*
- b. *Activities defined as Agricultural Uses shall be exempt from these Regulations.*
- c. *Development that does not require Special Permit and/or Site Plan approval are exempt from demonstrating that there will be no increase in runoff.*

520.11.15 Standards and Criteria for Decision

No stormwater management plan may be approved without a finding that the plan is consistent with these Regulations and the following general criteria:

- a. Design and planning for site development shall provide for minimal disturbance of pre-development natural hydrologic conditions, and shall reproduce such conditions after completion of the proposed activity, to the maximum extent feasible.
- b. Pollutants shall be controlled at their source to the maximum extent feasible in order to contain and minimize contamination. Methods include but are not limited to sweeping of pavements, especially in the early spring, the use of sediment basins prior to infiltration and encouragement of sheet flow to filter strips.
- c. Stormwater management systems shall be designed and maintained to manage site runoff in order to eliminate surface and groundwater pollution, prevent flooding and, where required, control peak discharges and provide pollution treatment.
- d. Stormwater management systems shall be designed to collect, retain and treat the first inch of rain on-site, so as to trap floating material, oil and litter. On-site storage methods include but are not limited to landscaped depressions, grass swales, infiltration trenches and retention or detention basins.
- e. Stormwater management systems shall use the best available technology to treat stormwater quality prior to off-site discharge. Stormwater shall be treated as recommended in the 2004 Connecticut Stormwater Quality Manual (or later version), including design of treatment practices for the Water Quality Volume or Water Quality Flow, as appropriate.
- f. Stormwater runoff rates and volumes shall be controlled by slowing runoff velocities and encouraging infiltration. BMP methods for controlling runoff and encouraging infiltration include but are not limited to: the minimization of impervious surfaces, the use of grass or vegetative filter zones, landscape depressions, slotted curb spacers, perforated pipes for conveying stormwater, establishment of buffers from streams, wetlands and water bodies, and any combination of methods, where appropriate.
- g. Stormwater treatment systems shall be employed where necessary to ensure that the average annual load-

ings of total suspended solids following the completion of the proposed activity at the site are no greater than such loadings prior to the proposed activity. Alternatively, stormwater treatment systems shall remove 80% of total suspended solids from the site on an average annual basis. BMP methods for stormwater treatment include infiltration through vegetative strips, grass swales and detention basins.

520.11.16 Maintenance Covenants

Upon approval of the application but prior to the issuance of a Zoning Permit, the applicant shall file Covenants on the Land Records committing current and future landowners to ongoing maintenance of the approved stormwater treatment facilities. At a minimum the covenants shall include:

- c. Provisions for annual inspection and maintenance of the facilities.
- d. Submittal of annual reports to the Town Engineer documenting inspection dates, observations and actions.
- e. An easement to Town personnel for “inspection” purposes.

Section 530 Lot, Block and Building Configuration

530.1 Front Yards / Build-To Lines

Specific to Zones R3, R4, R5, T3, T3.5, T4, T5, M and NC

The purpose of this section is to create a uniform location for buildings by requiring a build-to line. This section shall apply to all lots in R3, R4, R5, T3, T3.5, T4, T5, M and NC zones.

Where buildings exist on adjacent lots, the Commission may require that a proposed building match one or the other of the adjacent setbacks and heights rather than the provisions of these regulations.

Yard Projections: Nothing in these Regulations shall prohibit the projection of not more than one foot into a required yard of pilasters, belt courses, columns, sills, cornices, or similar architectural features, nor the planting of landscaping in such spaces. In the case of one-, two- and three-family homes existing at the effective date of this amendment, uncovered ramps required for handicapped accessibility may project as necessary into a required yard. The ramps should be compatible with the architecture of the structure and neighborhood and should not adversely affect property values. Uncovered ramps shall not be considered when calculating area coverage. In the case of one-, two- and three-family homes, unenclosed stoops or verandas and associated roof overhangs may project not more than six feet into any required yards. *See also Section 591.2 Visibility at Intersections*

530.2 Rear Lots

No building or structure shall be built on any lot unless the lot has a frontage of at least 25 feet on a public street or in an approved subdivision, unless otherwise authorized by the Town Engineer under Chapter 154 of the Code of Ordinances regarding building on unaccepted streets. Access to the rear lot shall be provided by an access way that shall:

- a. Not exceed a length of 400 feet;
- b. Not be less than 25 feet wide at any point;
- c. Not be included in the minimum required lot area; and
- d. Contain a driveway from the public street to the building or structure;
- e. Contain only one driveway and provide access for one lot only. The Commission may approve a shared access-way only where there is an environmentally sensitive crossing;
- f. The maximum number of abutting access ways shall not exceed two.

All rear lots created after the effective date of this amendment must comply with the following standards:

- a. Each lot must be at least 50% larger than the standard minimum lot permitted in that zone.

- b. There must be a buffer of at least 50 feet between any structures on the rear lot and the boundary between the front and rear lots. The buffer must contain evergreens or fencing that provides adequate screening.
- c. Rear lots shall be limited to 15% of the total lots proposed for a subdivision and may only be approved in conjunction with a subdivision.

530.3 Non-conforming Lots, Buildings and Uses

These Regulations shall not prohibit the construction of an otherwise permitted structure on, or an otherwise permitted use of, any lot, the area or width of which does not meet the minimum area or does not meet the minimum width requirements of the zone in which it is located, provided:

- a. The lot was of legal size on the date it was created as a lot; and
- b. All yard, coverage and other zoning requirements can be met. However; in those instances where the lot area or shape prevent conformance with one or more yard requirements, the requirement for that yard shall be the same as that in the most restrictive zone to which the lot area most nearly conforms;
- c. The owner of the lot presents satisfactory evidence of compliance with this section.

Existing buildings and appurtenances that do not conform to the provisions of these Regulations may continue in the same use and form until a substantial modification occurs or is requested, at which time the Commission shall determine the provisions of this Section that shall apply. The modification of existing buildings is permitted by Site Plan Approval if such changes result in increased compliance with the specifications of these regulations.

The restoration or rehabilitation of an existing building shall not require the provision of on-site stormwater retention/detention in addition to that existing.

530.4 Height Limitations

Building height shall be measured from the average elevation of the finished grade adjacent to the exterior walls of the building to the :

- a. Highest point of the roof, including any parapet, in the case of a flat roof;
- b. Top of the lower slop of a mansard roof;
- c. Average height between the eaves and the ridge of a gable, hip or gambrel roof or other roof type.

The building height limit shall be applied separately for each wing or other distinct portion of a building or structure.

When the finished ground level slopes away from the exterior wall, the vertical distance will be calculated based upon the lowest points within the area between the building and the lot line, or when the lot line is more than ten feet from the building, between the building and a point ten feet from the building.

The height limitations of these Regulations may be exceeded as follows, provided that such features are only erected to such heights as are necessary to accomplish the purpose they are intended to serve:

530.4.1 A spire, tower or belfry on a religious institution, school, public library, or public museum provided that:

- a. The height of the spire, tower or belfry shall not exceed 50 feet; and
- b. The total area covered by such features shall not exceed 10% of the roof area.

530.4.2 Cupolas or chimneys provided that:

- a. The height of the cupola or chimney shall not be more than 20% higher than the total building height allowed; and,
- b. The total area of such features which exceed the total building height limitation shall not exceed 5% of the

roof area.

530.4.3 Flagpoles of up to 75 feet in height;

530.4.4 Water tanks, of any height, where the Commission has granted a Special Permit.

530.4.5 Roof-top equipment for non-residential buildings (such as HVAC equipment, ventilators, sky-lights, bulkheads, or similar features) provided that:

- a. Adequate appropriate screening shall be provided; and
- b. Such equipment which exceeds the total building height limitation shall not have a horizontal area greater than 5% of the roof area of the building on which it is located.

530.4.6 See **Section 672** regarding height limits of amateur radio antennas.

530.4.6 Gas station, Drive-in Teller and similar canopies that are accessory structures shall provide a minimum clearance of 14 feet and may not exceed 18 feet in height.

530.5 Calculation of Lot Area

To determine compliance with the minimum lot size required in any zone or for any use, the area of wetlands, watercourses and steep slopes exceeding 20% grade shall be subtracted.

EXAMPLE: Lot Area Calculation	
Total Land Area	80,000 sf
minus Wetlands	-10,000 sf
minus Slopes Exceeding 20% grade	-10,000 sf
Lot Area	60,000 sf
This lot would be a legal and conforming lot in an R-2 zone, but not an R-1.	

530.6 Lot Splits and Lot Line Revisions

All Simple Splits and Lot Line Revisions must be reviewed and approved by the Town Planner prior to recording on the Land Records and may not result in creation of a rear lot or a non-conforming lot.

Section 540 Site Amenities

540.1 Accessory Buildings

540.1.1 Detached accessory buildings:

- a. If an accessory building is not used for human habitation or for the housing of animals, it may be located in the rear yard provided that said structure shall have a pitched roof with a minimum pitch of 4/12.
- b. Detached Accessory Building shall not include structured parking.

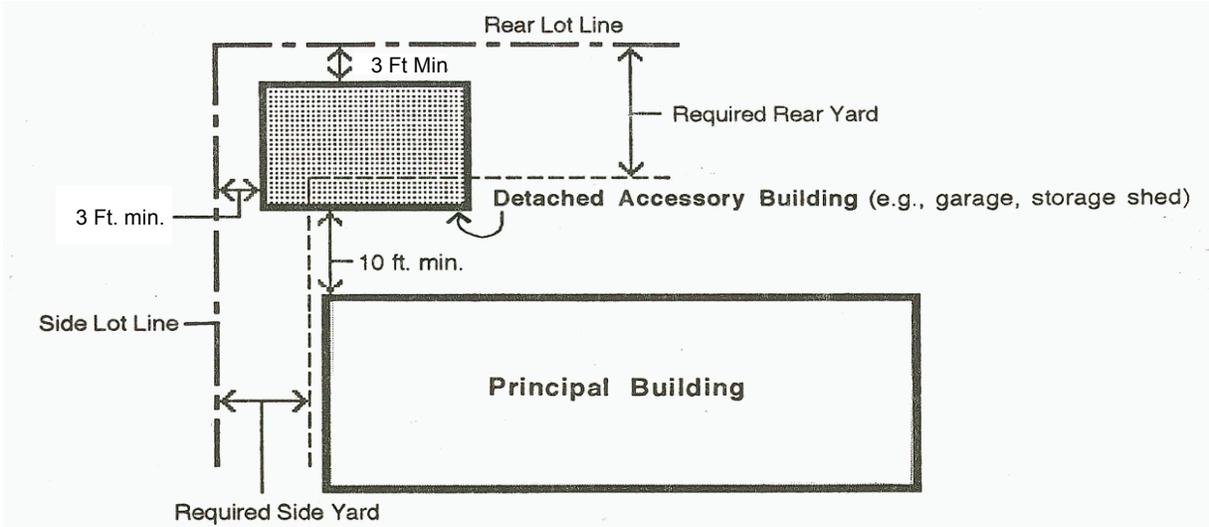


Figure 5.1 Location(s) of Accessory Buildings on Lot.

- c. No swimming pool, tennis court, or other recreational structure, including related improved areas shall be permitted in any required side or front yard of any residential zone.

540.2 Landscape Standards

The following standards are intended to enhance the appearance and natural beauty of the Town and to protect property values through preservation and planting of vegetation, screening and landscaping material. Specifically, these standards are intended to reduce excessive heat, glare and accumulation of dust; to provide privacy from noise and visual intrusion; and to prevent the erosion of the soil, excessive run-off of drainage water, and the consequent depletion of the ground water table and the pollution of water bodies.

Any tree/plant selected to be planted in a Hamden right-of-way that is not listed below must be approved by the Commission:

Table 5.1 List of Recommended Street Trees for Town Rights-of-Way				
Species	Mature Size	Preferred for:	Possible Negatives	Best Cultivars
English Oak, <i>Quercus robur</i>	40-60 ft	easy to transplant, tolerant	acorns, mildew problems	<i>Fastigiata</i> (upright forms for street planting)
Oriental Flowering Cherry, <i>Prunus serrulata</i>	20-35 ft	spring flowers, less wire interference	spreading habit, life expectancy	<i>Kwansan</i>
Paperback Maple, <i>Acer griseum</i>	20-30 ft	bark, fall color	availability, winter dieback	
Eastern Redbud, <i>Cercis canadensis</i>	20-30 ft	flowers, highly tolerant	stem canker, seed pods	<i>Forest Pansy, Oklahoma</i>

Table 5.1 List of Recommended Street Trees for Town Rights-of-Way

Species	Mature Size	Preferred for:	Possible Negatives	Best Cultivars
Kousa Dogwood, <i>Cornus kousa</i>	20-30 ft	flowers later, more disease/insect-resistant	low branching, wide crown, fruit	<i>C. x rutgersensis</i> hybrids (<i>C. florida</i> x <i>C. kousa</i>), Milky Way
Sargent Cherry, <i>Prunus sargentii</i>	20-30 ft	spring flowers, bark		<i>Columnaris</i>
Sawtooth Oak, <i>Quercus acutissima</i>	35-45 ft	better transplanter, longevity	availability, acorns	
Shingle Oak, <i>Quercus imbricaria</i>	50-60 ft	highly tolerant, longevity	acorns, size	
Japanese Maple, <i>Acer palmatum</i>	20-25 ft	red foliage, fall color, less wire interference		<i>Bloodgood</i>
Dogwood, <i>Cornus florida</i>	25-30 ft	white or pink spring flowers	dogwood borer, anthracnose	<i>Cherokee Chief/Princess</i> , <i>Cloud Nine</i>
Flowering Pear, <i>Pyrus calleryana</i>	30-35 ft	spring flowers, pyramidal habit	life expectancy, breakage	<i>Chanticleer</i> , <i>Aristocrat</i>
Honey Locust, <i>Gleditsia triacanthos var. inermis</i>	30-70 ft	fall color, open habit	bean pod, fruit	<i>Shademaster</i> (plant seedless varieties only)
Ginkgo, <i>Ginkgo biloba</i>	50-80 ft	fall color	wet soil, plant only male trees	
London Planetree, <i>Platanus x acerifolia</i>	70-100ft	highly tolerant, interesting bark	anthracnose, disease susceptible	<i>Bloodgood</i>
Linden, <i>Tilia cordata</i>	40-70 ft	highly tolerant, pyramidal habit		<i>Greenspire</i>
Japanese Zelkova, <i>Zelkova serrata</i>	50-80 ft	resemblance to Elm, highly tolerant		<i>Green Vase</i> , <i>Village Green</i>
Red Maple, <i>Acer rubrum</i>	40-60 ft	fall color, columnar & spreading cultivars		<i>October Glory</i> , <i>Red Sunset</i>
Katsira tree, <i>Cercidiphyllum japonicum</i>	20-40 ft	fall color	trunk splitting in young trees	
Trident Maple, <i>Acer buergerianum</i>	25-35 ft	fall color, bark, drought tolerant, less wire interference	availability, winter dieback	
Hedge Maple, <i>Acer campestre</i>	25-35 ft	tolerant to stress, less wire interference	availability, heavy seed crops	<i>Queen Elizabeth</i>
Amar Maple, <i>Acer ginnala</i>	15-20 ft	fall color, fragrant flowers, wide site tolerance	availability	
American Elm <i>Ulmus americana</i>	60-120 ft	high arching limbs	DED, plant resistant cultivars only	<i>Valley Forge</i>
American Hornbeam, <i>Carpinus carolinian</i>	20-30 ft	fall color, less wire interference		
Turkish Filbert, <i>Corylus colurna</i>	40-50 ft	pyramidal habit, drought tolerant	availability, nuts	
Green Ash, <i>Fraxinus pennsylvanica</i>	50-60 ft	stress tolerant, fall color	borer, scale	<i>Patmore</i> , <i>Summit</i> , <i>Marshall Seedless</i>
Pin Oak, <i>Quercus palustris</i>	60-70 ft	easy to transplant, pyramidal habit, fall color	acorns, size	

Table 5.1 List of Recommended Street Trees for Town Rights-of-Way

Species	Mature Size	Preferred for:	Possible Negatives	Best Cultivars
Lace-bark Elm, <i>Ulmus parvifolia</i>	40-50 ft	bark, resistant to Dutch Elm disease, highly tolerant	availability	<i>Allee</i>

540.3 Landscaping, Screening and Buffer Areas

540.3.1 General Requirements

The following provisions shall apply to any use in all zones:

- a. Landscaping materials, trees, and other plants required by these regulations shall be installed according to accepted horticultural practices and all plants shall be maintained in a healthy growing condition. Any landscaping materials, trees, and/or plants that are in a condition which does not fulfill the intent of these regulations shall be replaced in kind by the property owner during the next planting season.
- b. The property owner shall maintain any screening fence or wall required by these regulations in good condition throughout the period of the use of the lot.
- c. All landscaping materials, trees and plants adjacent to parking areas, loading areas or driveways shall be properly protected from damage by vehicles, barriers, curbs or other means.
- d. To the extent possible, existing trees, vegetation and unique site features, such as stonewalls, shall be retained and protected. Existing healthy, mature trees, if properly located, shall be fully credited against the requirements of these regulations.
- e. Where it is not feasible to comply with the requirements for a front landscaped area or landscaped parking area due to lot size and shape or existing structures, the Commission may approve the substitution of planters, plant boxes or pots containing trees, shrubs, and/or flowers to comply with the intent of these regulations.
- f. In cases where the edge of the pavement within a public right-of-way does not coincide with the front lot line, the property owner shall landscape the area between the front lot line and the edge of the street pavement.

540.3.2 Screening of Surface Parking Lots

- a. In the absence of a building facade along any part of a frontage line, a streetscreen shall be built in the same plane as the facade.
- b. Streetscreens should be between 3-1/2 and 4-1/2 feet in height. The streetscreen may be replaced by a hedge or fence. Streetscreens shall have openings no larger than necessary to allow for pedestrian and one-way automobile access.

540.3.3 Front Landscaped Area

The purpose of landscaping is to enhance the appearance of the use on the lot but not to screen the use from view. A front landscaped area shall be required in all zones *except for T3.5, T4 and T5*. Where front yard landscaping is required, grass or other ground cover shall be used and appropriate trees and shrubs shall be included. At a minimum, one shade tree having a diameter at breast height (DBH) of two inches shall be planted within the front landscaped area for each 50 feet or fraction thereof of lot frontage.

Residential Zones. In all residential zones, the required front yard, except for the driveway, shall be landscaped with grass or other suitable ground cover, trees, and/or shrubs.

540.3.4 Buffer Area

Table 5.3 Sign Types Allowed by Zone														
	R1	R2	R3	R4	R5	T1	T2	T3	T3.5	T4	T5	M	NC	TC
Blade/Projecting	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Canopy/Wall						•	•	•	•	•	•	•	•	
Billboard	Prohibited													
Roof-top	Prohibited													
A-Frame					•	•	•	•	•	•	•	•		
Wall Mounted						•	•	•	•	•	•			
Temporary	•	•	•	•	•	•	•	•	•	•	•	•	•	

550.2.1 Examples of Signs

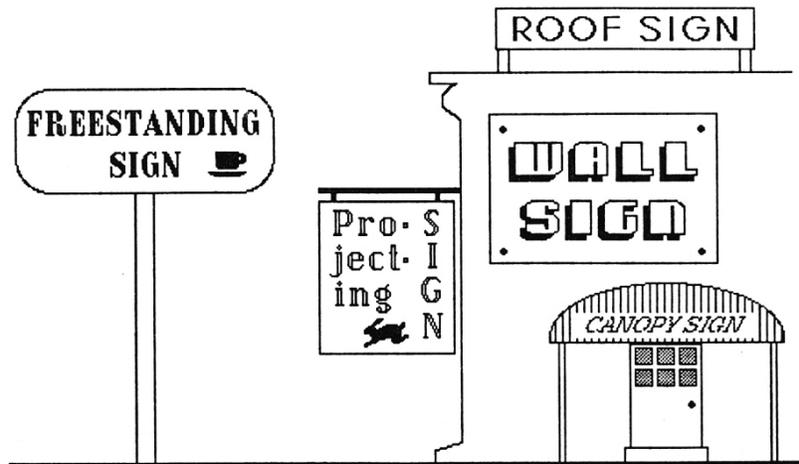


Figure 5.2 Examples of Signs

550.2 Signage Standards

550.2.1 General to zones All Zones

- a. The address number, no more than 6 inches measured vertically, shall be attached to the building in proximity to the principal entrance or at a mailbox, or displayed on a free standing sign.
- b. Buildings with a secondary facade may have an additional address number, no more than 6 inches measured vertically, that shall be attached to the building in proximity to a secondary entrance or at a mailbox.
- c. A maximum of two signs is allowed **per use**.

550.2.2 Specific to all zones.

Illumination

- a. No sign shall be animated or flashing, except for a time, temperature, or other public service device employed as a part of otherwise non-flashing, non-animated display.
- b. Signage in all zones may be externally illuminated, *except that signs within the shopfront glazing may be neon lit*. When a sign is illuminated from an external source, the light source shall be effectively shielded so as to prevent beams or rays of light from being directed onto adjoining properties or traveled roadways.
- c. Self-illuminated signs shall be such that all direct light sources are completely covered.

550.2.3 Specific to zones T1, T2, T3, T3.5, T4, T5, M, TG, NC

Wall Mounted Sign

One wall mounted sign, not to exceed two-feet in height or five-feet in length may be attached to the building in proximity to the principal entrance.

550.2.4 Specific to zones T3, T3.5, T4, T5, M, NC

External Permanent Sign Band

A single external permanent sign band may be applied to the primary facade of each building, providing that such sign not exceed 3 feet in height by any length.

550.2.5 Specific to zones R1, R2, R3, R4, R5, T1, T2, T3, T3.5, TG, NC

Canopy and Wall Sign Standards

- a. The address number, no more than 6 inches measured vertically, shall be shown on a canopy sign unless displayed on a free standing sign.
- b. No end of any wall sign shall extend beyond the outer edge of any front, side or rear wall of a building or beyond the outer edge of any portion of a building to which a wall sign is affixed.
- c. Theater marquee signs may extend the full length of the marquee, but shall not project beyond the end of the marquee.
- d. All signs affixed to a building shall be parallel to the wall to which they are attached and shall not project more than 24 inches therefrom.
- e. No sign shall be permitted to be painted or posted directly upon the exposed surface of any wall and no sign shall be posted, painted or otherwise affixed to any rock, fence, tree or utility pole.
- f. No sign shall extend above the lowest point of the main roofline.

550.2.6 Specific to zones T3.5, T4, T5

Blade Signs

No more than one blade sign per establishment may be permanently installed perpendicular to the façade within the first layer of a T2, T3, T3.5, T4 or T5 Zone. Such a sign shall not exceed a total of 4 square feet and shall clear 8 feet above the sidewalk.

550.2.7 Specific to zones T1, T2, T3, T3.5, T4, T5, M, TG, NC

Free-Standing Sign Standards

- a. Only one freestanding business sign shall be permitted on a lot, except as provided in **Section 550.4.7**. A freestanding business sign shall be limited to identifying the names and addresses of the business or businesses occupying the lot, except as provided herein.
- b. A freestanding sign shall be located entirely within the property lines of the lot and shall be screened from the view of adjoining residential zones on the street frontage on the same side of the street.
- c. No sign structure shall conflict with the corner visibility requirements in **Section 530.2 and 591.2** of these regulations.
- d. No freestanding sign shall exceed a height of 20 feet as measured from the ground to the top of the sign.
- e. The bottom edge of all free-standing signs shall be at least 10 feet above ground level, except as provided in **Section 550.4.5** or in such cases where it can be established that no obstruction to street or access-egress traffic visibility will result.
- f. The smallest dimension of a freestanding sign shall be no less than 4 feet.
- g. No freestanding sign shall exceed a total surface area of 32 square feet, except as provided in **Section 530.1 and 550.4.6**.

550.2.8 Specific to zones T1, T2, T3, T3.5, T4, T5, M, TG, NC

Temporary Signs

- a. Signs temporarily attached to a window or door, announcing sales or special features are permitted, provided that they do not exceed 10% of the area of said window or door, and provided that they are in place for not more than 30 days.
- b. Special advertising devices, including but not limited to plaques, banner, pennants and streamers, are permitted for a period of not more than 30 days after the opening of a new business, provided that they do not constitute a public nuisance.

- c. Non-profit organizations and municipal agencies may employ temporary signs not exceeding 32 square feet in total signage area, advertising special activities in any zone for a period not to exceed 14 days. No zoning permit is required. The signs must be removed immediately after the event.
- d. Sponsor Signs and Banners at public ball fields are permitted for the duration of a single sporting season.

550.2.9 Specific to zones T3.5, T4, T5, M, TG, NC

A-Frame Signs

A-Frame signs shall not exceed four square feet on each of two sides are permitted. A-Frame signs shall not obstruct sidewalks. Signs may not create any obstruction to street, or access, or egress visibility.

550.2.10 Specific to zones T1, T2, T3, T3.5, T4, T5, M, TG, NC

Billboard Prohibition and Roof-top Signs

Billboards and roof-top signs are prohibited.

550.2.11 Specific to all zones.

Maintenance

- a. The installation, alteration, repairing, maintenance and inspection of lighted signs shall conform to requirements of local codes and ordinances.
- b. All signs, together with their supports, braces, guy wires and anchors shall be kept in good repair and in safe condition.
- c. The owner and/or lessee of the premises on which a sign is erected shall be directly responsible for keeping such sign in good repair and safe condition.

550.2.12 Specific to all zones.

Measurement of Area

- a. The area of a sign shall include all exposed faces of a sign measured from the outer dimensions of the plate or frame by which the sign is enclosed.
- b. When a sign is comprised only of letters, designs or figures attached to a wall, the area shall be computed as the area of the smallest geometric shape that encloses all letters, symbols or designs.
- c. Both sides of a double-face or **v-type** sign shall be used in computing total surface area unless the two faces of such sign are parallel to and within 24 inches of each other.

550.2.13 Specific to all zones.

Sign Prohibitions

The following signs shall be prohibited in any zone:

- a. Traffic signs that are not approved by the appropriate State or Local traffic authority.
- b. Any artificial light or light-reflecting device that is located where such light distracts the attention of users of a public highway and which competes for attention with, or may be mistaken for, a traffic signal;
- c. String or festoon lights;
- d. Exposed neon, fluorescent, and/or incandescent tubing or lamps, raceways, ballast boxes and transformers or other electrical apparatus;
- e. Flashing, moving, flickering, blinking, illuminated animation, moving lights or floodlight illumination;
- f. Signs of a temporary character or purpose, except as provided in **Section 550.4.6**, irrespective of the composition of the sign or material used, therefore, including, but not limited to, paper signs and/or sticker utilized as signs and/or affixed to store windows;
- g. Moving signs;
- h. Signs designating the name and/or the stamp of the sign contractor or sign company and attached to a business sign advertising another use, product, service, or activity, except for an identification sign not to exceed five square inches in size;
- i. Signs attached to or painted on railroad trestles or bridges;

- j. Roof signs;
- k. All signs not expressly permitted by these regulations.

550.2.14 Specific to zones R1, R2, R3, R4, R5, T2, T3

Primarily Residential Zones

Signs are permitted as follows:

- a. A name plate or sign for permitted uses giving only the name of the occupant or the use of the premises. Said sign shall not exceed a total surface area of 1½ square feet.
- b. A real estate sign or signs not exceeding 6 square feet of total area and set back from any street line at least 5 feet, advertising the sale or lease of the premises on which such sign is displayed. When a property is sold or rented, the foregoing sign may be replaced by one temporary sign not exceeding 6 square feet of total area, noting the sale or rental. Such sign shall be removed upon occupancy of the land or structure, or within 90 days of the sale, whichever is less.
- c. Contractor's signs not to exceed 16 square feet of total area, when displayed on a building under construction or reconstruction.
- d. Bulletin boards and signs on the premises of churches, schools and similar non-profit institutions. Said signs shall not exceed 16 square feet in total area and may or may not be part of the architecture of the building.
- e. Signs advertising the use of premises for Special Permit uses. Such signs shall not exceed 16 square feet in total area.
- f. No freestanding sign shall be more than 6 feet in height.

550.2.15 Specific to zones M, TG, NC

Signage in Special Districts

In Special Districts signs are permitted for the uses specified and subject to the same limitations.

Business signs including wall and freestanding signs advertising a business or businesses located on the premise, are subject to the following requirements:

- a. The total aggregate surface area of all business signs on a lot shall not exceed one square foot for each linear foot of the face of the building. Face of the building in this context shall mean the frontage of the building containing the business's principal entrance.
- b. In mixed use or multi-tenant buildings, the total sign area for said building shall be pro-rated on the basis of 1 square foot of sign for each linear foot of building frontage.
- c. No one business use or tenant shall have more than two signs on the premises except that one additional wall identification sign shall be permitted at a secondary business entrance facing a parking lot. Said identification sign shall not exceed two square feet in area and shall be exempt from the total allowable sign area.
- d. Directional signs for pedestrians and vehicular movement on the subject property, including entrance and exit signs, shall not exceed an area of two square feet and unless mounted to a wall, 24 inches in height. Horizontal directional signs applied to the surface of a parking area are exempt from this provision.

550.2.16 Specific to all zones.

Shopping Center Signs

This section shall apply only to the existing buildings in shopping centers constructed prior to the effective date of these Regulations. Shopping centers built or substantially altered after this date shall be subject to the sign regulations for the appropriate zone.

Shopping centers having a gross floor area of not less than 75,000 sq. ft. are permitted the following signs:

- a. Those signs permitted for the uses specified and subject to the same limitations.
- b. A freestanding sign for the purpose of identifying the shopping center complex, located at the main entrance and not to exceed 100 square feet in area or a height of 20 feet.

- c. If a shopping center has more than one main entrance, a second freestanding sign of 50 square feet shall be permitted.
- d. If a free-standing building separate from the shopping center complex exists on the site, such building or buildings shall be permitted one free-standing identification sign, each face of which shall not exceed a maximum of 24 square feet and a maximum of 15 feet in height.
- e. Each tenant or owner of a business within a shopping center is entitled to no more than two exterior store-identification signs, except that one additional wall identification sign shall be permitted at a secondary business entrance facing a parking lot. Said identification sign shall not exceed two square feet in area and shall be exempt from the total allowable sign area.
- f. Department stores having a retail sales area of not less than 25,000 sq. ft. may have two identification signs on any two of the exterior walls in addition to those permitted in 'e' above.
- g. Department stores having exterior entrances not facing the enclosed mall may have identification signs at each entrance to said department store.
- h. All signs facing the interior of an enclosed mall shall not be subject to the provisions of these regulations.
- i. The advertising or information content of all signs shall be limited to letters designating the proper name of the center complex mall, free-standing building, or individual retail store in the manner described below. Such description shall be by general descriptive terms and shall not include any specifications of the merchandise offered for sale within or the services rendered therein. It shall contain no advertising device, slogans, symbols or marks other than the proper name of the facility being identified, except as the device, slogan, symbol or mark constitutes a portion of the proper name.

550.2.17 Specific to all zones.

There shall be no signage permitted beyond that specified in this section. Signage may be further regulated by village district regulations.

550.3 Procedures

550.3.1 Permits

No sign, except as provided in **Section 550.2.11** shall be constructed, erected, altered or otherwise changed unless approved by variance. Political signs, traffic control signs and directional signs are exempted from these provisions.

550.3.2 Applications

All applications for sign permits shall be accompanied by two copies of a plot plan showing the location and size of all existing signs on the site, drawn to a scale of not less than 1" = 10', with dimensions showing the height, design, materials, colors and illumination of the proposed sign, and by a building elevation or sketch showing building dimensions.

560 Sidewalk Standards

560.1 Sidewalks Along Private Streets

- a. **Sidewalks shall be required on both sides of the street in T4, T5, and NC zones. The minimum width of a sidewalk shall be 5 feet (10 feet?).**
- b. **Sidewalks shall be required on at least one side of the street in T3, R4, R5 and M zones. The minimum width of a sidewalk shall be 5 feet .**
- c. **All sidewalks shall be constructed of concrete.**
- d. **The Commission may, at its discretion, waive these requirements, provided that the application gives due consideration to pedestrian safety.**

570 Fences and Walls (314.5)

- a. Fences shall be erected so that the outer, decorative surface faces away from the property on which the fence is erected.
- b. Fences of any type located within the first 25 feet of the front property line shall not exceed four feet in height. Fences within required side and rear yards shall not exceed six feet in height.
- c. No fence of any type shall be erected or maintained that unreasonably or dangerously interferes with the visibility to or from a driveway.
- d. A minimum of five feet must be left between the closest faces of terraced retaining walls.

planting area

Figure 5.3 Terraced Retaining Wall Configuration

580 Outdoor Lighting

Specific to all zones.

580.1 Purpose

These regulations are intended to provide specific standards regarding lighting, in order to:

- a. Enhance public safety and welfare,
- b. Maximize the effectiveness of site lighting,
- c. Prevent unnecessary upward illumination
- d. Avoid illumination of adjacent properties, and
- e. Reduce glare.

580.2 Illumination Standards

All exterior lights and sign illumination shall be designed, located, installed and directed in such a manner as to:

- a. Prevent direct or objectionable glare or light trespass;
- b. Be shielded to the extent possible;
- c. Be contained within the target area;
- d. Maximize energy conservation; and
- e. Limit the illumination to the minimum amount adequate for the intended purpose of the lighting.
- f. Shield direct light source(s) so that they shall not be visible at the property line at ground level or above when adjacent to residential property and in all residential zones.
- g. When more than four luminaries are proposed for a site, the Commission may require a photometric plan from the manufacturer or a qualified engineer that demonstrates compliance with 'a' and 'b' above

580.3 Fixture Standards

To reduce off-site glare, lighting fixtures for all parking and pedestrian areas shall be:

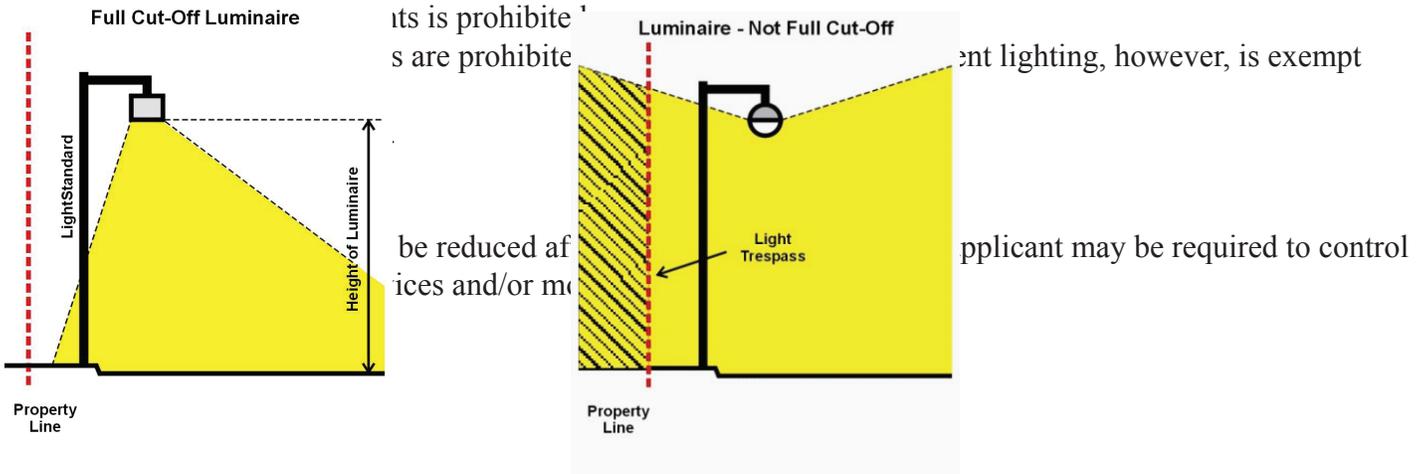
- a. Full cut-off type fixtures; or
- b. Fully shielded/recessed fixtures where the lens is recessed or flush with the bottom surface.
- c. Lighting fixtures for building security or aesthetics and any display purposes shall, *except as may otherwise be approved, be:*
 - i. Top downward (not upward or sideways);
 - ii. Full cut off; or
 - iii. Fully shielded/recessed.

580.4 Glare & Heat

No light shall be transmitted beyond the lot where it originates so as to endanger the public health or safety, including the public safety on any street or highway, or to impair the value and reasonable use of any other lot.

580.5 Prohibited Lighting

- a. The use of laser source light or any similar high-intensity light, when projected above the horizontal, is prohibited.



**Full Cut-off Luminaires
REQUIRED**

**Non-Full Cut-off Luminaire
NOT ALLOWED**

Figure 5.4 Luminaire Types

580.7 Footcandle Standards for Exterior Lighting

On-site lighting is limited to between 0.5 and 1.5 footcandles, unless specifically listed below or otherwise approved by the Commission.

Table 5.4 Footcandle Standards			
Use	Max. Exterior fc	Use	Max. Exterior fc
Accessory Building & Use	0.2	Hospital	5.0
Adult-Oriented Establishment	2.4-0.6	Nursing Home	5.0
Agriculture		Medical Office	0.8-0.2
Commercial Farm	0.2	Rehabilitation Facility - Out Patient	2.4-0.6
Community Garden	0.1	Heliport	3.6-0.9
Truck Garden	0	Home Occupation	0.2
Animals		Library & Museum	0.8-0.2
Animal Day Care	0.2	Lodging	
Animal Training Facility	0.2	Vehicle Storage	20.0
Grooming	0.2	Accessory Use	1.0
Keeping of Animals	0.1	Commercial	20.0
Kennel	0.2	Natural Resource Removal	2.4-0.6
Stable	0.2	Office Building	2.4-0.6
Veterinary Hospital	0.2	Open Space Development	0.2
Business & Personal Service	0.8-0.2	Place of Public Assemble	0.8-0.2
Cemetery	0.1	Place of Worship	0.8-0.2
Civic Club, Lodge or Association (non-profit)	0.8-0.2	Public Parking Lot & Public Garage	1.5-0.5
Community Residence	2.4-0.6	Public Use & Public Utility	0.2
Day Care		Residential	0.2
Adult Day Care	2.4-0.6	Multi-Family Dwellings	2.4-0.6
Child Day Care Center, Nursery School or Group Day Care Home	0.8-0.2	Managed Residential Care Facility	2.4-0.6
Family Day Care Home	0.2	Refuse Disposal	2.4-0.6
Food Service		Research, Development & Medical Laboratory	0.8-0.2
Catering Facility	0.8-0.2	Retail	
Outdoor Cafe	0.1	<20,000 sf gross leasable space	0.8-0.2
Restaurant	0.8-0.2	>20,000 sf gross leasable space	2.4-0.6
Take-out Food Service	2.4-0.6	Sale of Alcohol	0.8-0.2
Funeral Home	2.4-0.6	Sale of Fire Arms	2.4-0.6
Golf Course & Country Club	2.4-0.6	Schools	2.4-0.6
Health Care Facility		Storage	
Bed & Breakfast	0.2	Warehouse & Wholesale w/ indoor storage	0.8-0.2
Hotel / Motel	2.4-0.6	Outdoor Storage	3.0
Inn	0.8-0.2	Accessory Use	8.0
Rooming & Boarding House	0.2	Primary Use	8.0
Manufacturing	0.8-0.2	Student Housing	0.2
Motor Vehicle Uses		Telecommunications Facility	0.1
Gas Station, Service & Repair, Rental	2.4-0.6	Wind Energy Conservation System	0.1
Car Sales	20.0		

Section 590 Infrastructure

590.1 Utilities

Specific to all zones.

590.1.1 General Requirements

No development plan shall be approved unless:

- a. Adequate public utilities, public sanitary sewers or Health Department-approved on-site septic systems, and storm drainage are provided by the developer(s).
- b. Clear evidence has been furnished of safe and satisfactory means of supplying potable water and fire protection.
- c. The developer(s) provides fire hydrants at appropriate locations when public water is available. All Town specifications for furnishing and installing water systems and hydrants must be met.

590.1.2 Sanitary Sewers

Where public sewers are available, all sites shall be properly connected to an approved and functioning sanitary sewer system prior to issuance of a Certificate of Zoning Compliance. All sanitary sewer extensions and connections shall be made in accordance with the specifications in the Connecticut Public Health Code regulations and the rules and regulations of the Greater New Haven Water Pollution Control Authority.

590.1.3 Individual Services

Electric power, telephone, and other cable systems shall be placed underground, *with the exception that existing electric power and telephone/cable system facilities may be used where appropriate for industrial and commercial uses*. The Commission may waive this provision only if the utility company has determined that safe underground installation is not feasible because of soil, water or other natural or man-made conditions. Existing overhead wires on residential streets may remain; however, all extensions must be underground.

590.1.5 Water Supply

Sites with a property boundary within 200 feet of an existing public water supply must connect to public water in accordance with the State Public Health Code, Sec. 19-13-B51m, unless the Commissioner of Health Services grants an exception.

Section 591 Traffic, Parking & Loading Requirements

Specific to all zones.

591.1 Off-Street Parking and Loading Regulations

591.1.1 Applicability

Off-street parking and loading facilities shall be provided and used to serve all buildings erected, moved, altered, or enlarged and all premises otherwise developed. Such facilities shall be provided, in accordance with the standards specified in these Regulations, to accommodate the motor vehicles, occupants, employees, customers, suppliers and other persons normally visiting or servicing such buildings or premises at one time.

591.1.2 Location of Parking and Loading Facilities

Parking and loading spaces required for all uses in any Residential Zone shall be located on the same lot as the principal use.

Parking spaces required for any use in a Non-Residential zone shall consist of one or more of the following:

- a. Those located on the same lot as the principal use, and/or;
- b. Legal on-street parking spaces corresponding to the lot frontage, and/or;
- c. Parking spaces by purchase or lease for 25 years from a parking lot or garage within 300 feet, and/or;

d. Spaces available in a public parking garage located within 300 feet.

e.

591.1.3 Required Parking and Loading Spaces

Unless otherwise specifically approved by the Commission, required parking facilities for passenger vehicles shall contain not less than the minimum space set forth below. Rooftop and indoor parking may be included in the required number of spaces. Off-street parking and loading shall be maintained as long as the building or use remains on the property. No owner of any building or use affected by this section shall discontinue, change or dispense with, or cause the discontinuance of, any required parking or loading space. No person, firm or corporation shall occupy a building without providing parking and loading spaces that meet with the requirements of and are in compliance with these Regulations. No sales or servicing or dead storage of automobiles, trucks or automotive equipment shall occur in any parking or loading space.

A minimum of one bicycle rack place shall be provided for every ten vehicular parking spaces.

Table 5.5 Required Parking Spaces for Residential Zones & Special Districts^{a b c d}
(Parking Requirements for T-Zones are located on Table 3.1)

Building &/or Property Uses(s)	Function	Parking Requirement
Accessory Building		As determined by the Commission
Accessory Use		As determined by the Commission
Adult-Oriented Establishment	RETAIL	3 spaces per 1,000 sf of gross floor area
Agriculture		
Commercial Farm	OTHER	As determined by the Commission
Community Garden	OTHER	1 space for each 5 plots offered
Truck Farm	RETAIL	3 spaces per 1,000 sf of net floor area
Animals		
Animal Day Care	RETAIL	1 space per every 2 employees and 1 space per 10 licensed animal capacity
Animal Training Facility	RETAIL	1 space per every 2 employees and one space per animal during peak size class
Grooming	RETAIL	3 spaces per 1,000 sf of gross leasable area
Keeping of Animals	RETAIL	
Kennel	RETAIL	1 space per every 2 employees and 1 space per 10 licensed animal capacity
Stable	OTHER	As determined by the Commission
Veterinary Hospital	RETAIL	5 spaces per 1,000 sf of gross area
Business & Personal Service	RETAIL	4 spaces per 1,000 sf of gross leasable area
Cemetery	CIVIC	As determined by the Commission
Civic Club, Lodge or Association (non-profit)	CIVIC	1 space for each 3 legal occupants, as defined by the Fire Marshall
Community Residence		
Mentally Ill Adults - Group Home	RESIDENTIAL	2 spaces
Mentally Retarded Persons - Group Home	RESIDENTIAL	2 spaces
Sober Houses & Drug Treatment Facility	RESIDENTIAL	As determined by the Commission
Conference Center Development	CIVIC	1 space for each 3 legal occupants, as defined by the Fire Marshall
Day Care		
Adult Day Care	OTHER	1 space per every employee and 1 space per 8 licensed client capacity; sufficient drop-off and pick-up stacking space must be provided
Child Day Care Center, Nursery School & Group Day Care Home	OTHER	1 space per every employee and 1 space per 8 licensed client capacity; sufficient drop-off and pick-up stacking space must be provided
Family Day Care Home (children)	OTHER	1 space per every employee and 1 space per 8 licensed client capacity; sufficient drop-off and pick-up stacking space must be provided
Food Service		
Catering Facility	RETAIL	4 spaces per 1,000 sf of gross leasable area
Outdoor Cafe	RETAIL	0 additional spaces
Restaurant	RETAIL	16 spaces per 1,000 sf of patron floor area
Take-out Food Service	RETAIL	4 spaces per 1,000 sf of gross leasable area
Funeral Home	OTHER: CIVIL SUPPORT	1 space for every 3 legal occupants, as defined by the Fire Marshall, plus 3 spaces for special vehicles
Golf Course & Country Club	CIVIC	1 space for every 3 legal occupants, as defined by the Fire Marshall, plus 3 spaces for special vehicles
Health Care Facility		

Table 5.5 Required Parking Spaces for Residential Zones & Special Districts^{a b c d}
(Parking Requirements for T-Zones are located on Table 3.1)

Building &/or Property Uses(s)	Function	Parking Requirement
Hospital	OTHER: CIVIL SUPPORT	1 space for each 2 employees plus 1 space for each 4 beds
Nursing Home	OTHER: CIVIL SUPPORT	1 space for each 2 employees plus 1 space for each 4 beds
Medical Office	OFFICE	5 spaces per 1,000 sf of gross floor area
Rehabilitation Facility - Out-Patient	OFFICE	1 space for each 2 employees plus 1 space for each 4 beds
Heliport	CIVIC	As determined by Commission
Home Occupation	RESIDENTIAL	As determined by Commission
Library & Museum	CIVIC	1 space for each 3 legal occupants, as defined by the Fire Marshall, plus 3 spaces for special vehicles
Lodging		
Bed & Breakfast	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with a Bed & Breakfast, as determined by the Commission, plus 2 for owner occupied unit
Hotel / Motel*	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with a Hotel / Motel*, as determined by the Commission, plus one per employee on maximum size shift
Inn	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with an Inn, as determined by the Commission, plus 1 per employee on maximum size shift
Rooming & Boarding House	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with a Rooming & Boarding House, as determined by the Commission
Manufacturing		
Accessory Use	OTHER	1 space for each 2 employees during the largest daily work shift or 1 space for each 500 sf of gross floor area, whichever is greater
Primary Use	OTHER	1 space for each 2 employees during the largest daily work shift or 1 space for each 500 sf of gross floor area, whichever is greater; Parking area for office area computed separately
Motor Vehicle Uses		
Gas Station, Service & Repair, Rental	RETAIL	1 space for each 5 cars offered for sale
Car Sales (new & used)	RETAIL	1 space for each 5 cars offered for sale
Vehicle Storage	OTHER	As determined by the Commission
Accessory Use	OTHER	As determined by the Commission
Natural Resource Removal**	OTHER	As determined by the Commission
Office Building		
Office Space	OFFICE	3 spaces per 1,000 sf of gross floor area
Open Space Development	RESIDENTIAL	Calculate based upon dwelling unit composition
Place of Public Assemble &/or Worship	CIVIC	1 space for every 3 legal occupants
Public Use & Public Utility	CIVIC	As determined by the Commission
Public Parking Lot & Public Garage	CIVIC	As determined by the Commission
Residential		
Single-Family Accessory Dwelling Unit	RESIDENTIAL	1 space per dwelling unit
Accessory Dwelling Unit, Other	RESIDENTIAL	1.5 space per dwelling unit
Multi-Family Dwelling (adaptive re-use or new construction)	RESIDENTIAL	1-1/2 spaces per dwelling unit for efficiency and 1 BR units; 2 spaces for 2 or more BR's
Managed Residential Care Community	RESIDENTIAL	1 space for each employee during largest daily work shift; 1 space per 2-2BR dwelling units; plus 1 space per 3-single or efficiency dwelling units

Table 5.5 Required Parking Spaces for Residential Zones & Special Districts^{a b c d}
(Parking Requirements for T-Zones are located on Table 3.1)

Building &/or Property Uses(s)	Function	Parking Requirement
Single-Family Dwelling	RESIDENTIAL	2 spaces
Two-Family Dwelling	RESIDENTIAL	4 spaces
Three-Family Dwelling	RESIDENTIAL	6 spaces
Refuse Disposal		
Resource Recovery, Transfer Station, Volume Reduction Facility	OTHER	As determined by the Commission
Research, Development & Medical Laboratory	OTHER	1 space per 500 sf gross leasable floor area
Retail	RETAIL	4 spaces per 1,000 sf of gross leasable floor area
Schools		
Business School	OTHER	1 space for each employee plus 1 space for each 2 non-residential students plus 1 space for each 4 resident students
College & University	OTHER	1 space for each employee during the largest daily work shift, plus 1 space for each 2 non-residential students plus 1 space for each 4 resident students
Athletic Arenas, On-campus	OTHER	Indoor Athletic Arenas, with a seating capacity of 3,000 to 7,000 owned and operated by a College or University and located on a campus of said institution shall, provide 1 off-street parking space for every 3 seats. The Commission, may, at its discretion, allow for up to one-third of the parking spaces required under this regulation to be unpaved, environmentally sensitive parking spaces. Said spaces shall be designed and constructed to specifications acceptable to the Commission.
Dormitories	LODGING	As Determined by the Commission
Elementary & Secondary School	OTHER	As Determined by the Commission
Storage		
Warehouse, wholesale w/ indoor storage	OTHER	As Determined by the Commission
Outdoor Storage	OTHER	As determined by the Commission
Accessory Use	OTHER	As determined by the Commission
Primary Use	OTHER	As determined by the Commission
Student Housing	RESIDENTIAL	1 space per student
Telecommunications Facility	CIVIC	As determined by the Commission
Wind Energy Conservation System	OTHER	As determined by the Commission

^a The shared parking factor from Article III may be applied to parcels with more than one use.

^b Parking is not allowed within the front yard setback for student housing.

^c Stacking of parking spaces for single-family homes is permitted.

^d At the Commission's discretion, stacking of parking spaces may be permitted for small non-residential uses.

The Commission may modify required parking where the applicant demonstrates that parking use is complementary at different times of the day or week.

591.1.4 Required Truck-Loading Spaces

Truck-loading spaces shall be adequate in number to serve the proposed use and shall be located on the site so as not to impede on-site pedestrian and vehicular circulation.

591.1.5 Parking and Loading Area Specifications

All off-street parking and loading areas, whether or not required by these regulations, shall comply with the following specifications.

591.1.5.1 General Design (*See also Section 540* Landscaping, Screening and Buffer Areas)

- a. Parking and loading areas shall be designed and constructed for safe circulation of vehicular and pedestrian traffic on the lot and shall avoid interference with public use of adjacent streets and sidewalks.
- b. No parking lot shall be designed or constructed that requires vehicles to back onto a street.
- c. Buildings shall be arranged on the lot so as to permit vehicular access to the rear of the lot.
- d. Parking lots shall be designed to minimize large, open expanses of paving.

591.1.6 Surfacing and Drainage

All parking and loading areas shall be properly surfaced, graded and drained. Stormwater drainage systems shall be designed to minimize run-off and maximize absorption of pollutants by the soil. Required parking and loading facilities for all uses, other than one- and two-family dwellings, shall have an all-weather, dust-free surfacing or bituminous or concrete paving, and shall be maintained in good condition and capable of allowing free and safe movement of all vehicles using the facilities.

Any parking spaces in excess of the minimum required shall be pervious unless expressly stated otherwise by the Commission.

591.1.7 Curb Cuts, Ingress and Egress

- a. The Police Department and the Traffic Engineer shall review ingress and egress locations.
- b. The Town Engineering Department or the State Traffic Commission shall review curb-cut widths and curb-cut radii, where appropriate.
- c. No curb-cut radii shall be designed or constructed so as to force a vehicle to cross a traffic lane or to climb a curb.
- d. Where feasible, new curb-cuts shall be aligned with existing curb-cuts on the opposite side of the street.
- e. The number of curb cuts per block should be minimized.

Parking Aisles

Parking aisles or interior driveways shall be of adequate width to serve a particular design arrangement of parking spaces, the following being the minimum width permitted:

Design Arrangement	One-Way Aisle Width	Two-Way Aisle Width
90° parking	24 feet	24 feet
60° parking	18 feet	24 feet
45° parking	13 feet	24 feet
30° parking	11 feet	24 feet
Parallel parking	24 feet	24 feet

Ninety-degree parking shall be used unless there is positive control of the direction of all traffic. Arrows painted on the surface of each aisle or driveway shall indicate traffic flow or direction.

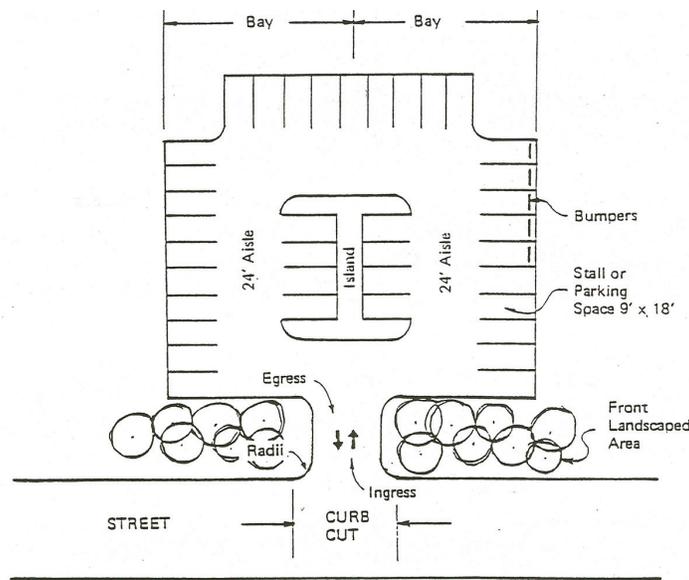


Figure 5.5 Typical Arrangement for 90° Parking

591.1.8 Parking Spaces

- a. All parallel parking spaces shall measure at least 9 feet by 22 feet and all other parking spaces shall measure at least 9 feet by 18 feet, exclusive of driveways and aisles, except as provided below and shall have access to a street or alley by way of a driveway.
- b. Except for those at one- or two-family dwellings, all parking spaces shall have bumper guards or curbs to prevent damage to trees, shrubs, landscaping and lighting and to prevent interference with pedestrian use of sidewalks.
- c. All parking spaces, except for one and two-family dwellings, shall be marked by painted lines, curbs or other means.

591.1.9 Spaces for Small Cars

Where a parking lot contains more than 30 car spaces, the applicant may provide up to 40% of the total required parking in small-car spaces, subject to approval by the Commission. A small-car space shall not be less than 8½ feet in width and 16 feet in length. The applicant is encouraged to use the difference in area between each small-car space and standard parking space for additional landscaping on the site.

591.1.10 Parking Lot Sidewalks

- a. For parking lots for more than 30 cars, every other double bay shall provide for sidewalks on a raised curbed area consistent with sidewalk requirements below. The Commission may, at its discretion, waive this requirement, provided that the application gives due consideration to pedestrian and vehicular safety, pedestrian and vehicular flow, and adequacy of landscaping.
- b. Where no wheel stops are provided, the sidewalk shall be 6 feet wide. Where wheel stops are provided, the minimum width of the sidewalk shall be 4-1/2 feet. All sidewalks shall be constructed of concrete.

591.1.11 Handicapped Parking

Parking shall be provided for the physically handicapped in accordance with Article 21 of the Basic Building Code of the State of Connecticut.

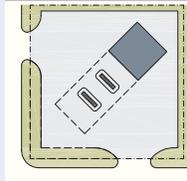
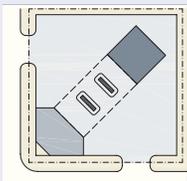
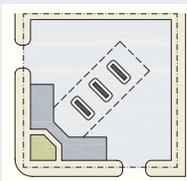
591.1.12 Attended Parking for Events

Attended parking areas are permitted to accommodate overflow parking that occurs due to temporary events such as banquets, conferences, fairs and similar occasions of public congregation. The Zoning Enforcement Officer may approve an attended parking area permit in any zone. Event parking will require a parking attendant on duty one hour before the scheduled beginning time of the event and up until one hour after the ending time of the event. Prior to approving a plan for an event parking permit, the applicant shall obtain the approval of the Fire Marshall and the Police Chief.

591.1.13 Drive-through Window Service and Queue Space

591.1.13.1 General Requirements

- a. Drive-through window services shall be designed and located to minimize conflict between pedestrian traffic and vehicular traffic.
- b. A traffic study shall be required for all drive-through applications, unless waived by the Commission,
- c. Drive-through window services shall comply with the following standards:
 - i. Drive-through windows shall be located in the rear of the building. The Commission may waive this requirement when the configuration of the lot or building warrants a different location or in instances where abutting residential property would be better served by a buffer.
 - ii. All drive-through lanes shall be 9 feet wide.
 - iii. All drive-through lanes shall be designed to allow vehicle queuing on site and shall be physically separated from entrances and exits so as not to obstruct vehicular access/egress.
 - iv. If the site allows, the Commission may require that a landscaped area be placed between the drive-through lane(s) and the general access lane(s) and parking area.
 - v. The drive-through shall be clearly defined by pavement markings and directional signage.

Gas Station		<p>a. Keep gas station and pumps and build a corner store at the intersection</p> <p>b. Eliminate gas station; keep the pumps and increase them, plus build a corner stor on both sides of intersection</p>	Corner Stores	T4		Corner Stores	T4 T5	
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Examples of re-design of existing drive-through condition

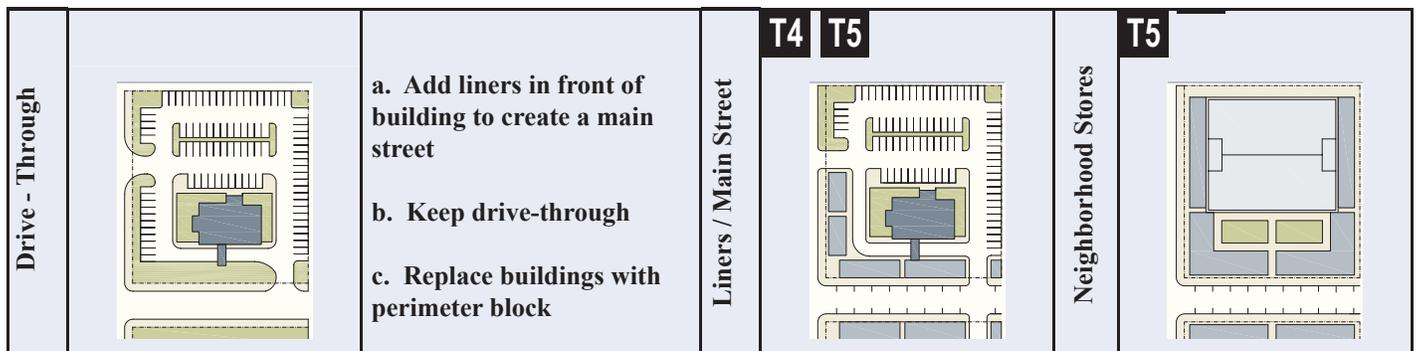
591.1.14 Queue Space Standards

- a. Minimum queue space shall be provided for uses as specified in **Table 5.7**. Queue space shall be provided in such a manner that the head of the queue starts adjacent to the specified use and extends so as not to obstruct or encroach upon any parking space or aisle. Queue space shall only be provided on the lot and for the use to be served and shall not extend into any street or right-of-way.

- b. Each queue space shall have a dimension of 9 feet in width by 18 feet in length.

Table 5.7 Required Queue Spaces	
Use	Required Queue Spaces*
Automatic Teller Machine (ATM), drive-up type	4 per machine
Bank Drive-up window	8 for each window in a separate lane
Pharmacy Drive-up window	4 for each window
Take-out food service	8 for each window
Other	As determined by the Commission

*Unless modified by the State Traffic Commission



Examples of re-design of existing gas station designs

591.1.15 Landscaped Parking Area (See also, 540.3.4 Buffer Area)

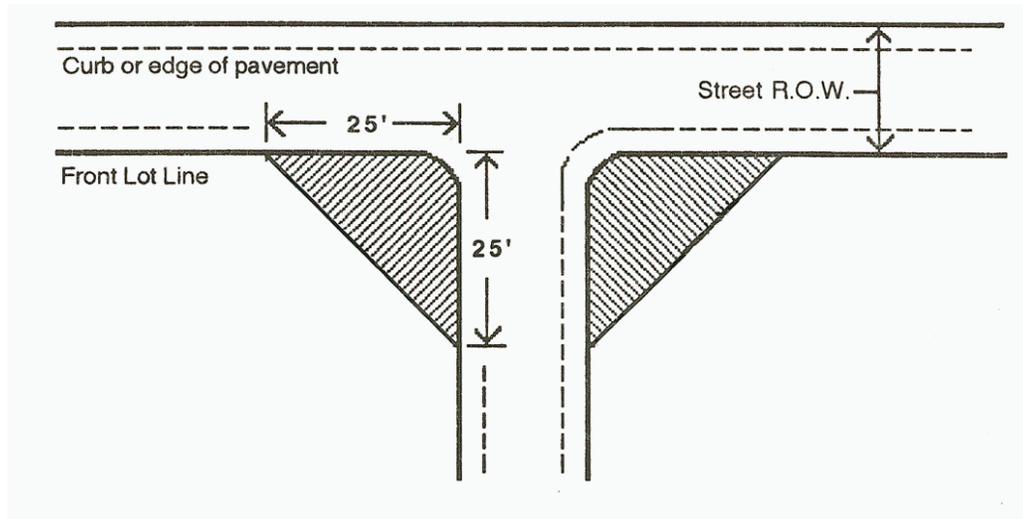
In addition to the front-landscaped and buffer-area requirements, parking lots shall comply with the following minimum standards:

- Where 30 or more parking spaces are required, there shall be at least 10 square feet of interior landscaping for each parking space within the paved portion of the parking area and at least one tree for every 5 parking spaces or fraction thereof.
- Each separate landscaped area shall contain a minimum of 120 square feet, shall have a minimum dimension of at least 9 feet, shall be planted with grass or shrubs, and shall include at least one tree of not less than 2- inch caliper. Required landscaped area may be amassed.
- Parking spaces within or below a structure, or otherwise covered, shall not be counted when computing required landscaped areas or number of trees pursuant to this section.
- A landscaped area shall be provided along the perimeter of any parking area except along that portion of the parking area that is functionally integrated with an adjoining parking area on an abutting lot. The landscaped area shall have a minimum dimension of 5 feet, shall be planted with grass or shrubs and shall include at least one tree of not less than a 2-inch diameter measured at breast height (DBH) for every 30 feet along the perimeter of the parking area. In cases where the parking area adjoins a public sidewalk, the required landscaped area shall be extended to the edge of the sidewalk.
- Trees used in parking lots shall be those deemed appropriate for street tree use, as listed in these Regulations.

591.2 Visibility at Intersections

591.2.1 Corner Lots and Visibility

No structure, wall, fence, shrubbery, trees or signs shall be erected, maintained, or planted on any lot that unreasonably or dangerously obstructs or interferes with the visibility of drivers on a curve or at a street intersection. The minimum clearance shall require a clear space between the elevations of 3 feet and 7 feet above the street grade (top of curb) within 25 feet of the intersecting street lines that border corner lots. (Also See **Section 530.1**)



Shaded area to be kept clear of plantings, fences, walls or other visual barriers between three and seven feet above street grade.

Figure 5.6 Visibility at Street Intersections

