ZONING REGULATIONS

FOR THE

TOWN OF GRISWOLD, CONNECTICUT

EFFECTIVE DATE: JULY, 1973

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ZONING REGULATIONS
TOWN OF GRISWOLD, CONNECTICUT

SECTION 1: TITLE, AUTHORITY, PURPOSE

1.1 **Title and Authority.** These Regulations shall be known and may be cited as the "Zoning Regulations, Town of Griswold, Connecticut", which herein are called "these Regulations", and have been prepared and adopted in accordance with the provisions of Chapter 124 of the Connecticut General Statutes

1.2 **Purpose.** The purpose of these Regulations is to protect the public, health, safety, convenience and property values; and, in accordance with the Griswold Plan of Development, adopted December 14, 1992, And enacted in modified form most currently on June 11, 2007 to lessen congestion in the streets; secure safety from fire, panic, flood and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population and to facilitate the adequate provision for transportation, water, sewage, schools, parks, and other public requirements. (8/10/09)

1.3 **Official Rulings.** Official Rulings on the interpretation of the Griswold Zoning Regulations and how those regulations apply to a specific situation will be provided to any owner of record upon request. The request may be directed to the Planning and Zoning Commission. (11/10/97) (8/10/09)

1.3.1 Official Rulings: In order for a ruling to be official, it must be in writing and signed by the Chairman of the Planning and Zoning Commission. (11/10/97)

1.3.2 When a request is submitted to the Planning and Zoning Commission for an official opinion or interpretation, a summary of the request shall be prepared by the Town Planner and forwarded to the Planning and Zoning Commission as part of the next regularly scheduled monthly meeting agenda. (11/10/97)

1.3.3 Any zoning opinions or interpretations given verbally or in writing by anyone other than the Griswold Planning and Zoning Commission are unofficial, and applicants and/or landowners should be aware that these rulings are not the official position of the Planning and Zoning Commission and, therefore, should not be construed as an official ruling of the Town of Griswold Planning and Zoning Commission. (11/10/97)

1.3.4 The Office of the Planning & Community Development Department shall create a separate file for copies of all official rulings and official rulings shall be catalogued in a chronological order and by street address. All requests for an official Planning and Zoning Commission ruling or interpretation must include

a. The property address and owner,,
b. The volume and page of the applicable property deed,
c The Assessor's lot number
d The date of the ruling request,
e. The requestor's name and address, and
f. A short description of the use. (11/10/97)

SECTION 2: ADMINISTRATION AND PROCEDURES

2.1 **Enforcement.** These Regulations shall be enforced by the Commission or its appointed agent, the Zoning Enforcement Officer. A Deputy Zoning Enforcement Officer *may* be appointed by the Commission to enforce the zoning regulations in the limited periods when the Zoning Enforcement Officer is absent or in the case where the Zoning Enforcement Officer may have or appear to have a conflict of interest with a property owner. (8/10/09
)

2.2 **Zoning Permit.** No building shall be erected, moved or structurally altered and no use shall be established or changed without a Zoning Permit from the Zoning Enforcement Officer *(under Section 4.1 and 4.2)* or the Commission (*for all other uses)* issued in conformance with the provisions of these Regulations. (8/10/09)

2.2.1 Application for a Zoning Permit shall be made on a form provided for that purpose and obtainable in the office of the Zoning Enforcement Officer.

2.2.2 Applications for permitted uses in the Residential districts and for any single-family and two-family dwellings and accessory buildings and uses or expansions or additions to such buildings may be approved by the Zoning Enforcement Officer provided they meet the requirements of these Regulations. The Zoning Enforcement Officer may require a plot plan prepared, signed, and sealed by a licensed land surveyor or registered professional engineer to insure compliance with these Regulations. The Zoning Enforcement Officer may further require that location markers for the building foundation be set by a licensed land surveyor in accordance with the plot plan prior to the issuance of a Zoning Permit. Applications for all other uses and buildings shall be reviewed by the Commission and shall be submitted together with a site plan as prescribed in Section 13 of these Regulations, to the Zoning Enforcement Officer or the Commission. The Commission shall review all such applications and site plans in accordance with Section 13 of these Regulations. The Commission may require that location markers for the building foundation be set by a licensed land surveyor in accordance with the site plan prior to the issuance of a Zoning Permit.

2.2.3 A permit may not be issued for buildings or structures for uses of land or buildings or structures not clearly permitted by these Regulations in the various districts, except that uses similar to permitted uses may be permitted in accordance with Section 2.2.4, below. (7/27/12)

2.2.4 In any case where a use is alleged to be similar to a specified use permitted by these Regulations, its status shall be determined by the Commission by reference to the most clearly similar use or uses permitted by these Regulations, or it shall be declared that the use is not similar. When the status of a use has been so determined, such determination shall thereafter have general applicability to all uses of the same type.

2.2.5 A Zoning Permit is not required for the normal maintenance and upkeep of property in any district.

2.2.6 A Zoning Permit shall not be issued for any use which creates, or may reasonably be expected to create, a dangerous condition, objectionable noise, smoke, dust, fumes or water pollution detectable at the property

2.2.6.1 Commercial poultry and animal slaughter, the distillation of bones, rendering or dumping of dead animals and tanneries,

2.2.6.2 Coal or petroleum distillation or derivation of by-products,

2.2.6.3 Blast furnaces or smelting of ores or metal,

2.2.6.4 Manufacture of explosives,

2.2.6.6 Fat rendering in the manufacture of tallow, grease or oil,

2.2.6.7 Refining and recovery of products from fish or animal refuse,

2.2.6.8 Gas manufacture and storage by other than a public utility company except for on-site use, except that the storage for local retail distribution purposes and local retail distribution of liquefied petroleum products may be permitted, provided they comply with the standards of the National Board of Fire Underwriters and applicable state laws,

2.2.6.9 Distilleries that produce alcoholic beverages,

2.2.6.10 Adult bookstores and adult theaters; such establishments are customarily not open to the public generally but only to one or more classes of the public, excluding minors by reason of age,

2.2.6.11 A hazardous waste facility, a hazardous waste disposal site, or hazardous waste storage, as used in this section, a hazardous waste facility means a facility as defined in Chapter 445, Section 22a-115(2) of the General Statutes; hazardous waste shall mean waste as defined in Chapter 445, Section 22a-115(1) of the General Statutes; hazardous waste disposal shall mean disposal as defined in Chapter 445, Section 22a-115(3) of the General Statutes and hazardous waste storage shall mean storage and long term storage as defined, respectively, in Chapter 445 Sections 22a-115(5) and (6) of the General Statutes

2.2.6.12 Ash landfills,

2.2.6.13 Commuter parking lots, motor vehicle storage lots or a similar use as a primary or accessory use is prohibited in all zoning districts within the corporate limits of the Town of Griswold (12/8/97), and

2.2.6.14 Junk Yards Prohibited in All Zones. Junkyards, as defined in these Regulations shall be prohibited in all zones. The inclusion of this prohibition is for clarity only and does not amend pre-existing prohibition against junkyards which arose by virtue of Section 2.2.3 of these Regulations. (7/30/9)

2.3 **Special Exceptions.** Applications for Special Exceptions shall be made on a form provided for such use and available from the Planning & Community Development Department. Such applications, together with site plans as specified in Section 13 of these Regulations, shall be submitted to the Planning & Community Development Department or the Commission and shall be processed in accordance with the provisions of Section 12 of these Regulations.

2.4 **Variances.** Any person whose application for a Zoning Permit is denied because the application is not consistent with the requirements of these Regulations may apply to the Zoning Board of Appeals for a Variance.

2.5 **Zone Changes.** Any person seeking a change in these Regulations or a change in the Zoning Map may apply for such change on a form prescribed for that purpose and available from the Planning & Community Development Department. (See Section 18 of these Regulations.)

2.6 **Certificate of Zoning Compliance.** No newly constructed or enlarged building shall be occupied until a Certificate of Zoning Compliance has been issued. A Certificate of Zoning Compliance shall be issued by the Zoning Enforcement Officer, without charge, upon completion of the work if the building and use comply with these Regulations and the approved application. The Zoning Enforcement Officer may require an as-built site plan to facilitate this review. (12/28/00) (3/21/2013)

2.6.1 A Certificate of Zoning Compliance shall remain valid only so long as the building, the use thereof or the use of the land remains in full conformity with these Regulations or of an amendment thereto. (12/28/00) (3/21/13)

2.6.2 After the effective date of these Regulations, the Zoning Enforcement Officer will issue, without charge, upon request of the owner or occupant, a Certificate of Zoning Compliance for any legal nonconforming building existing on the effective date of these Regulations. (12/28/00) (3/21/13)

2.6.3 If any work required in accordance with an approved Zoning Permit, Site Plan, Special Permit, Variance, or other approval required under these Regulations, shall be incomplete or not in compliance with approved plans or the terms of such approval, no Certificate of Zoning Compliance shall be issued; provided, however, that the property owner may, at its option, post a performance guarantee in the form of cash or a non-revocable letter of credit to assure the completion of any such incomplete or deficient work. Such performance guarantee shall be in a form satisfactory to the Zoning Enforcement Officer, and shall be issued by a financial institution having offices within the State of Connecticut. (3/21/13)

2.7 **Recording.** No Variance or Special Exception shall become effective until a copy thereof, certified by the Zoning Board of Appeals or this Commission, as appropriate, containing a description of the premises to which it relates and specifying the nature of such Variance or Special Exception, including the zoning provision which is varied in its application or to which a Special Exception is granted, and stating the name of the owner of record, is recorded in the Town's Land Records. The Town Clerk shall index the same under the Grantor's Index under the name of the then record owner and the record owner shall pay for such recording.

2.8 **All Zoning Permits**, as approved by the Commission and all Special Exceptions shall be endorsed by the Commission Chairman or Secretary and shall describe the kind of special exception granted and any conditions of approval attached and shall be filed on the Griswold land records. When a Special Exception document is filed for uses on a property, previous Special Exceptions on the parcel shall be null and void unless the previously approved Special Exceptions for any other ongoing uses on that same parcel unrelated to the new Special Exception application shall remain in force. Special Exceptions shall expire in five (5) years unless all work has been completed and certified as zoning compliant. (8/10/09) (06/10/13)

2.9 **Other Permits.** A Zoning Permit indicates that the application complies with the provisions of these Regulations. However, other permits may be required before the applicant can begin the related building or use, such as those concerned with driveways, wetlands, water and sewer facilities, fire protection, building code and health code. Determining what other permits are required and obtaining such other permits is the responsibility of the applicant.

2.9.1 No Building Permit shall be issued by the Building Official for a building, use or structure subject to these Regulations without certification in writing from the Zoning Enforcement Officer that such building, use or structure is in conformity with these Regulations or is a valid non-conforming use under these Regulations.

2.9.2 No permit for road/drainage improvements to support subdivision lots or site or infrastructure plans for commercial projects where over one (1) acre of land in total is disturbed shall be issued without the applicant securing whatever additional permits that may be required by other federal, state, or local entities and having signed an affidavit of such permit details and/or registrations. This requirement would include but not be limited to a General Permit for Construction Activities from CTDEP (forms and guidance document available from the Town Planner) as suggested in the Town of Griswold's Municipal Stormwater Management Plan, certification as required by the State Traffic Commission, certificate from Department of Public Utilities Commission, State Department of Health, Department of Energy and Environmental Protection. (8/10/09)

2.10 **New Appendix A. Land Use Application Fees and Special Review Fee Ordinance for the Town of Griswold.** (8/10/09)

2.10.1 No fee shall be charged to an official municipal agency, board, department or commission of the Town of Griswold or the Borough of Jewett City. (12/28/00)

2.11 **Penalties.** In accordance with Section 8-12 of the General Statutes, the owner or agent of any building or premises where a violation of any provision of these Regulations has been committed or exists, or the lessee or tenant of an entire building or premises where such violation has been committed or exists, takes part or assists in any such violation, shall be fined not less than ten ($10) nor more than two hundred ($200) dollars for each day that such violation continues; but if the offense is willful, the person convicted thereof shall be fined not less than $100 nor more than $250 for each day that such violation continues, or imprisoned not more than ten (10) days for each day such violation continues or both; and the circuit court shall have jurisdiction of all such offenses, subject to appeal as in other cases.

2.12 **Soil Erosion and Sediment Control Plan.** A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half (1/2) acre. The soil erosion and sediment control plan shall be submitted pursuant to Section 13.4 of these Regulations. A single-family dwelling that is not a part of a subdivision of land shall be exempt from this soil erosion and sediment control plan requirement. The Commission, in its sole discretion, shall determine what constitutes the size of the disturbed area.

2.13 **Inland Wetlands.** If an application for a Special Exception or an application for site plan approval involves an activity regulated under the provisions of Chapter 440 of the General Statutes, the applicant shall submit an application for a permit to the Griswold Inland Wetlands Commission not later than the day such application is filed with the Griswold Planning and Zoning Commission. The decision of the Planning and Zoning Commission shall not be rendered until the Griswold Inland Wetlands Commission has submitted a report with its final decision to the Planning and Zoning Commission. In making its decision, the Planning and Zoning Commission shall give due consideration to the report of the Griswold Inland Wetlands Commission.

2.14 **Notice to Neighboring Municipalities.** The Commission shall notify the clerk of any adjoining municipality of the pendency of any Special Exception or site plan concerning any project on any site when: (1) any part of the property affected by the Commission's decision is within 500 feet of the adjoining municipality; (2) a significant portion of the traffic to the completed project will use streets within the adjoining municipality to enter and exit the site; (3) a significant portion of the sewer and water drainage from the project on the site will flow through and significantly impact the drainage or sewer system within the adjoining municipality; or (4) water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality. Such notice shall be made by registered mail and shall be mailed within seven (7) days of the date of receipt of the application or site plan and no hearing shall be held on the application or site plan until after the adjoining municipality has received such notice. A representative from the adjoining municipality may appear and be heard at any hearing on any such application or site plan.

2.15 **Notice to Abutting Property Owners of Public Hearing.** Whenever an application is filed with the Planning and Zoning Commission that requires a public hearing per the Griswold Zoning Regulations, or whenever the Commission deems it necessary to hold a public hearing for an application, the applicant shall, no later than ten (10) days prior to the date of the scheduled public hearing send notices to all abutting property owners by First Class Mail, and proof of such mailing shall be evidenced by a certificate of mailing. Such ownership shall be indicated on the most recent Grand List. Said notices shall contain the following information: (3/9/04) (8/10/09)

a. A copy of the zoning application filed with the Commission. (3/9/04)

b. A copy of the site plan. If the site plan contains multiple sheets, the sheet that best describes the proposed project shall be forwarded. The copy may be reduced as long as the document is readable. (3/9/04)

c. A narrative describing the proposed development. (3/9/04)

d A copy of the legal notice giving the date, time and place of the public hearing. (3/9/04)

SECTION 3: ZONING MAP

3.1 **Zoning Map.** The map entitled "Zoning Map, Griswold, Connecticut", is a part of these Regulations. The zoning map shows the boundaries and zoning designations for each district of the Town of Griswold. Use and dimensional requirements for each district are found in these Regulations.

3.1.1 All district boundaries shown on the official zoning map dated September 2000 and as amended occasionally through 2007 will be modified to follow outside boundaries of digital tax parcel map layer and the districts modified as shown on the replacement digital Official Zoning Map to be made effective on August 10, 2009

3.1.2 Districts as modified from the August 10, 2009 Town of Griswold Zoning District map shall also include an overlay zone showing the Aquifer Protection Area for the Hopeville Road Wellfield Level A Map. (01/15/12)

SECTION 4: R–80 RURAL RESIDENTIAL DISTRICTS
R–60 LOW DENSITY RESIDENTIAL DISTRICTS AND
R–40 MEDIUM DENSITY RESIDENTIAL DISTRICTS
OSPR – OPEN SPACE PASSIVE RECREATION DISTRICT

4.1 **Purpose. R–80 Districts** include most of the Town's existing or proposed open space and recreation areas, are generally remote from existing or planned public sewer and water service, contain valuable natural resources such as aquifers, or present physical limitations for development. Minimum lot sizes are 80,000 square feet.

R–60 Districts are intended to provide a low density residential transition zone between the high and medium density residential zones and the rural density residential zone. The areas are usually remote from existing or planned public sewer and water services and may present physical obstacles for development. Minimum lot sizes are 60,000 square feet.

R–40 Districts are intended to encourage most residential development to take place in areas of the Town that are conveniently accessible, have suitable physical conditions for on-lot sewage disposal, and which focus on areas of previous residential growth. These areas are not expected to be served by public sewers in the foreseeable future, but may be served by public water systems. Minimum lot sizes are 40,000 square feet.

OSPR District – Open Space Passive Recreation Districts are intended to be those areas most appropriate for use as low activity open space and passive recreation; and are shown on the Zoning Map as Open Space Passive Recreation areas. (8/10/09)

4.2 **Permitted Uses.** The following uses are permitted by right in R-40, R-60 and R-80 Districts provided appropriate site plan review materials have been reviewed and approved by the Zoning Enforcement Officer (for Sections 4.2.1 and 4.2.2) or the Commission (for other sections including Section 4.2.3); Go to Section 2.2.2 for more details of Zoning Permit requirements. (8/10/09)

4.2.1 Single-family dwellings.

4.2.2 Two-family dwellings provided that the lot area is twice that required for a single-family dwelling.

4.2.3 Home Occupations.

4.2.4 Accessory uses and buildings, except that no accessory building shall be used as a residence.

4.2.5 Farming for commercial purposes, including agriculture, forestry, truck and nursery gardening, greenhouses, dairy farming, livestock and poultry raising, provided that:

a. The lot contains not less than five (5) acres.

b. No building, other than a residence or garage shall be located closer than 150 feet from any street line or from the nearest dwelling on a lot under separate ownership.

c. Buildings for housing livestock or poultry which are kept for domestic use only shall be located not less than 100 feet from a street line and not less than 40 feet from a side or rear lot line.

d. Seasonal roadside stands for the sale of farm produce shall not be larger than 200 square feet, shall have not more than two signs with an aggregate of 12 square feet in area for advertising the produce. Such stands shall not be less than 20 feet from any street line, not less than 50 feet from any street intersection or 15 feet from any adjoining property line.

1. The commission may, by special exception, permit a permanent year round commercial farm store for the sale of farm grown or farm raised products provided it meets the conditions of section 12.24 and section 11.8 of these regulations. (2/15/14)

e. Buildings, pens, or other enclosures for pigs shall not be located closer than 500 feet from the nearest residence on a lot under separate ownership.

f. As accessory to the principal farming use as defined in Section 4.2.5 the farming premises may be used for such uses as weddings, wedding receptions, birthday parties, nuptial showers, barbecues, cross country funning events, craft shows and similar type uses. Said facility may contain structures and may be developed in phases provided that each phase must be subject to appropriate site plan review by the Commission. (1/24/14)

1. The lot area of the farm must be ten (10) acres or more and the accessory use may be located within the total farm lot area.

2. Provisions shall be made for adequate parking for the accessory uses and such parking areas shall be located anywhere within the total farm area.

3. The area subject to parking as provided in subparagraph 3, above, may be on a parking area that is surfaced with processed gravel. Said parking area shall be of adequate size so as to provide one (1) parking space for three (3) anticipated patrons utilizing the accessory use.

4. The area subject to parking need not be adjacent to the site of the accessory use but shall be under common ownership provided if the site of the accessory use and the parking area is not under common ownership, then in such an event if the owner of the site for the accessory use has a written easement or license agreement with the owner of the parking area, then the parking requirement as provided in this subparagraph shall be deemed satisfied.

5. Alcoholic beverages may be consumed at the event on the site provided they are furnished by the individual and/or entity using the site and are not sold to patrons of the event. In the event a caterer is used to furnish food and beverages, including alcoholic liquors, such caterer shall hold a current valid Caterer Liquor Permit issued by the Connecticut Department of Consumer Protection

6. Accessory uses under this subparagraph may commence at 7 AM and shall terminate at 10 PM; provided any activity that is an accessory use involving bands, music and/or serving and or use of alcoholic beverages may commence at 9 AM and terminate at 10 PM.

7. Potable water shall be available at the site and sanitation shall be furnished by an on-site sewerage system or by portable restrooms. All water and sanitation systems must satisfy the State health Code and be approved by the Uncas Health District.

8. Running races conducted from the farm shall be limited solely to persons and all races involving motor vehicles, ATV's, motorcycles and/or snowmobiles shall be prohibited.

9. The uses provided in this Section 4.2.5.f shall be subject to site plan review by the Commission. The applicant for site plan review may request waivers of specific sections of Section 13 of these regulations provided the sections subject to the waivers do not jeopardize the Commission's ability to determine if the accessory use enhances the health, safety and welfare of the citizens of Griswold.

10. Should the principal farm use be abandoned and/or discontinued, the accessory uses as provided in this subsection 4.2.5.f shall be terminated and shall not become the principal use.

11. Any accessory use to a farm use as described in Section 4.2.5 of these regulations that will involve the sale of services, goods, foods and/or beverages, other than services provided by a caterer holding a caterer Liquor Permit shall, if required by ordinance of the Town of Griswold, require the provider/vendor of such services, t. al., to secure a vendor's permit.

4.2.6 Temporary and limited moratorium on residential subdivisions/resubdivisions. (2/1/08)

4.2.6.1 Purpose. The purpose of this moratoriums to provide the relief from considering larger subdivisions often involving proposed new town roads in regular scheduled meetings for the commission so that they may consider and adopt through public hearings modifications to the zoning and/or subdivisions Regulations that are the result of planned studies or discussion of goals recommended in the updated Plan of Conservation and Development effective July 30, 2007.

4.2.6.2 Applicability: During this temporary and limited moratorium, no new subdivision or resubdivision applications relating to parcels from the R-40, R-60, and R-80 zoning districts dealing with creation of a total of five lots (including the parent parcel) or more or any subdivision containing a new proposed town road or extension to a town road shall be reviewed or approved by the Commission.

4.2.6.3 Effective Date/Term: This temporary and limited moratorium will be effective on February 1, 2008, and remain in effect for a term through and including August 10, 2009.

4.2.6.4 Revisions to the terms of this moratorium may be made for good cause through a similar public hearing process as created this section.

4.2.7 **Garage Sales/Yard Sales.** Garage or yard sales are an accessory activity to a residential use and are permitted *in* any residential zone provided no such sale shall occur on the same lot more than four (4) times in a calendar year, and each occurrence shall be limited to no more than three (3) consecutive days; and provided that in regard to all garage or yard sale activities

which are located on lots fronting on any State highway, the lot owner shall provide parking areas on-site, off the highway, for safety and driving sight-line purposes. Garage Sales and/or Yard Sales on lots which do not or cannot provide on-site, off State Highway parking, are not permitted. (8/10/09)

4.2.8 **OSPR District Permitted Uses.** The following uses are permitted by right (zoning permit). (8/10/09)

4.2.8.1 Open space; usually for habitat preservation, forestry preservation and the like. (8/10/09)

4.2.8.2 Passive recreational uses, such as biking trails or hiking paths, with no motorized vehicles allowed. (8/10/09)

4.2.9 **Aquifer Protection Area Overlay Zone Registration and Permitted Uses**

4.2.9.1 The following existing uses on the effective date of Aquifer Protection Area Regulations (March 15, 2012) and the Overlay Zone may fill out registration forms and documents with the use of Best Management Practices (BMPs) in order to be allowed to continue or expand by seeking modified permit. (01/15/12)

a. Underground storage or transmission of oil or petroleum.
b. Oil or petroleum dispensing for the purpose of retail, wholesale, or fleet use.
c. On-site storage of hazardous materials for the purpose of wholesale sale.
d. Repair or maintenance of vehicles or internal combustion engines of vehicles.
e. Salvage operations of metals or vehicle parts.
f. Wastewater discharges to ground water other than domestic sewage and stormwater.
g. Car and truck washing (unsewered).
h. Production or refining of chemicals.
i. Clothes or cloth cleaning service (dry cleaner).
j. Industrial laundry service (unsewered).
k. Generation of electrical power by means of fossil fuel (power plant).
l. Production of electronic boards, electrical components, or other electrical equipment.
m. Embalming or crematory services (unsewered).
n. Furniture stripping operations.
o. Furniture finishing operations.
p. Storage, treatment, or disposal of hazardous waste under a Resource Conservation and Recovery Act (RCRA) permit (hazardous waste facility).
q. Biological or chemical testing, analysis or research (unsewered).
r. Pest control services.
s. Photographic finishing.
t. Production or fabrication of metal products.
u. Printing, plate making, lithography, photoengraving, or gravure.
v. Accumulation or storage of waste oil, anti-freeze, or spent lead-acid batteries (recycling facility under a DEEP Permit).

w. Production of rubber, resin chemicals, elastomers, or plastic.

x. Storage of de-icing chemicals.

y. Accumulation, storage, handling, recycling, disposal, reduction, processing, burning, transfer or composting of solid waste. (under a DEEP permit; a solid waste facility, landfill, transfer station, composting facility, processing center)

z. Dying, coating or printing of textiles, or tanning of finishing of leather.

aa. Production of wood veneer, plywood, reconstituted wood or pressure-treated wood.

bb. Pulp production processes.

4.2.9.2 New Permitted Uses Only by those entities Registered in 4.2.9.1 above

Uses a. through bb. above in 4.2.9.1 may be new permitted uses applied for only by those Registrants above who can demonstrate to the Aquifer Protection Area (APA) Commission appropriate compliance to Best Management Practices (BMPs) for the new uses on a parcel within the Aquifer Protection Area Overlay Zone on the Zoning Map enacted (January 15, 2011).

4.3 **Special Exceptions.** The following uses are permitted in R-40, R-60 and R-80 zones provided they meet the conditions of Section 12 of these Regulations and Section 11.8 of these Regulations. (8/26/99) (8/10/09)

4.3.1 Convalescent facilities, and/or nursing homes, rehabilitation facilities assisted living facilities and continuing care facilities**.** (8/10/09)

4.3.2 Educational or religious uses and social clubs.

4.3.3 Cemeteries.

4.3.4 Private aircraft landing fields.

4.3.5 Public service company facilities, as defined in Section 16.1 of the General Statutes.

4.3.6 Excavations.

4.3.7 Commercial recreation facilities, such as facilities for skating, shooting, golf, horseback riding, skiing, boating, tennis, baseball and swimming.

4.3.8 Recreational campgrounds.

4.3.9 Offices for the practice of medicine, veterinary medicine and dentistry, hospitals, clinics and other medical buildings.

4.3.10 Kennels with more than 6 dogs or cats over six months of age for commercial purposes. (8/10/09)

4.3.11 Funeral homes.

4.3.12 Public government facilities such as town offices, firehouses, police stations, ambulance garages, and public works garages.

4.3.13 Bed and breakfast facilities. (7/1/93)

4.3.14 Country Inns. (4/30/98)

4.3.15 Non-Profit Small Domestic Animal Shelters. (2/1/08)

4.3.16 Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities as described in Section 12.21. (8/10/09)

4.3.17 Public service structures such as pump stations, associated piping, and water towers up to a maximum height of 100 feet for service, pressure maintenance, and fire protection. (8/10/09)

4.4 OSPR District Special Exceptions. The following uses are permitted provided they meet the conditions of Section 12 of these regulations. (8/10/09)

4.4.1 Public parks and active recreation facilities to include but not be limited to playgrounds, ball fields, nature education areas and related accessory uses such as necessary parking lots, sanitary and other support facilities. (8/10/09)

SECTION 5: R–20 HIGH DENSITY RESIDENTIAL DISTRICTS

SECTION 5: R-20 High Density Residential Districts has been eliminated in its entirety in Zoning Regulations; this Section 5 has been intentionally left blank. (8/10/09)

SECTION 6: C–1 VILLAGE COMMERCIAL DISTRICTS

SECTION 6 C Village Commercial Districts and Section 7: C-2 Highway Commercial Districts, in their entirety have been blended to form a new SECTION 7: C – COMMERICAL DISRICTS in these Zoning Regulations. This Section 6 has been intentionally left blank. (5/12/16)

SECTION 7: C - COMMERCIAL DISTRICTS

(Entire Section effective 5/12/16)

7.1 **Purpose.** The "C" Commercial District is intended to provide opportunities for a variety of professional, financial, retail and service establishments, grouping of automotive and related commercial establishments which will complement each other and thereby encourage sound economic conditions for all uses.

7.2 **Permitted Uses.** The following uses are permitted by right in these Districts, provided they meet the conditions of Section 13 and Section 11.8 of these Regulations. (8/26/99) (3/3/00

7.2.1 Retail businesses, such as variety stores, apparel stores, drug stores, grocery stores, antique shops, music shops, sporting goods stores, and book, stationery, magazine, candy, and tobacco shops which contain up to and including 5,000 square feet. Uses in excess of 5,000 square feet shall require a Special Exception in accordance with Section 12. (3/3/00) (8/10/2009) (11/9/2010) (11/18/11) (7/11/12)

7.2.2 Business services, such as banks, credit unions, loan companies, and other financial institutions, real estate and insurance agencies, utility offices, government and business and professional offices which contain up to and including 5,000 square feet. Uses in excess of 5,000 square feet shall require a Special Exception in accordance with Section 12. (3/3/00) (8/10/09)

7.2.3 Personal services, such as barber shops, beauty salons, photographic studios, tailor, dressmaking, and millinery which contain up to and including 5,000 square feet of gross floor area. Uses in excess of 5,000 square feet shall require a Special Exception in accordance with Section 12. (3/3/00) (8/10/09)

7.2.4 Temporary Garage Sales/Yard Sales. Temporary Garage or yard sales are an accessory activity to a village commercial use and are permitted provided no such sale shall occur on the same lot more than four (4) times in a calendar year, and each occurrence shall be limited to no more than three (3) consecutive days; and provided that in regard to all temporary garage or yard sale activities which are located on lots fronting on any State highway, the lot owner shall provide parking areas on-site, off the highway, for safety and driving sight-line purposes. Temporary Garage Sales and/or Yard Sales on lots which do not or cannot provide on-site, off State Highway parking, are not permitted. (8/10/09)

7.2.5 **Food Vending Operations**

Intent: The purpose of this regulation is to provide reasonable standards relative to the accessibility, appearance, and safety regarding mobile commercial food vending operations.

Exemptions: The provisions of this section shall not apply to special events, festivals, community projects or public events which occur on a periodic basis and/or those that are specifically approved by the Griswold Board of Selectmen (and/ or the Borough Board of Burgesses) as an approved community-based special event.

Responsibility: It shall be the applicant's responsibility to obtain any and all applicable permits over and above the local permits referenced in Section 6.2.5.1 of this regulation.

Violations: The vendor, property owner/lessee and assigns shall be responsible for any violation of this section or any other sections of the Town of Griswold Code of Ordinances. Such violations may result in the revocation or denial of a Certificate of Zoning Compliance and for any future vending permits

General Requirements: Mobile food vending carts may be allowed as a conditional and temporary use in the C Commercial zone provided they meet the following criteria:

7.2.5.1 Evidence of compliance with the applicable regulations of Uncas Health District and the Griswold Fire Marshal-for the proposed food-vending vehicle and which shall be in the form of written documentation from the Uncas Health District and the Griswold Fire Marshal. This evidence of compliance is a prerequisite to and required to start the application process.

7.2.5.2 A site plan drawn to scale showing that the proposed vending vehicle placement meets the applicable front, side and rear setbacks for its underlying zoning district

7.2.5.3 There is a principal structure and/or business on site

7.2.5.4 The number of vending vehicles permitted per parcel shall be determined based on a site plan prepared in accordance with Sections 13.

7.2.5.5 A minimum of five (5) parking spaces shall be provided and maintained in addition to the minimum parking required for the principal business. Access driveways and parking areas shall be constructed in accordance with Section 14 of these regulations entitled Parking Requirements.

7.2.5.6 No portion of the vending vehicle shall be allowed to occupy or obstruct access to any parking stall or parking aisle required by the Zoning ordinance.

7.2.5.7 The vending vehicle shall not be located within twenty five (25) feet of an ingress /egress driveway.

7.2.5.8 The placement of the vending vehicle shall not create a hazard for traffic circulation within the site.

7.2.5.9 A letter or copy of an official lease agreement from the property owner to the vendor if the property is not owned by the vendor.

7.2.5.10 The Zoning Officer and/or Town Planner must find that the proposed operation complies with all applicable provisions of this Section, and that the proposed operation will not adversely affect traffic accessibility, or health and public safety.

7.2.5.11 The vending vehicle must obtain an annual zoning compliance permit and shall be required to satisfy the requirements of this section.

7.2.5.12 Isuance of a food vehicle vending permit shall be on a temporary basis and pay and the fees are as follows: $25 for a weekend up to a maximum of 3 days, $75 for a season up to a maximum of 7 week, and $250 for an annual fee.

7.2.5.13 Proposed signage shall conform to Section 15 of the Griswold Zoning Regulations for commercial zones. Flashing, blinking or strobe type lights to attract attention are strictly prohibited.

7.2.5.14 Vending on any street or sidewalk where vending is otherwise prohibited.

7.2.5.15 Vending between the hours of 10:00 p.m. and 8:00 a.m. is prohibited.

7.2.5.16 Sell food or beverages for immediate consumption unless there is a litter receptacle

available for patrons use.

7.2.5.17 Te use of any device which produces loud noise, **FLASHING, OR STROBING LIGHTS** or the use of any loudspeaker, public address system or similar device to attract the attention of the public is strictly prohibited.

7.2.5.18 All charcoal and gas fired grills shall be property screened, fenced or blocked to prevent the general public from accessing the heated surfaces.

7.2.5.19 Portable bathroom facilities shall be provided when vending operations provide outdoor seating for the general public.

7.3 **Special Exceptions.** The following uses are permitted provided they meet the conditions of Section 12 and Section 11.8 of these Regulations. (8;16/99 (3/3/00)

7.3.1 Assembling, converting, altering, finishing, cleaning or any other processing of products which is clearly accessory to a retail or service business and where goods so produced and/or processed are to be sold exclusively from the lot provided that: (3/3/00) (8/10/09)

a. The area used for such purposes shall be fully concealed from any street, and shall not be greater in area than 20% of the square feet devoted to retail sales; (3/3/00)

b. Not more than four (4) employees are engaged in such production or processing (3/3/00)

7.3.2 Hospitals, Clinics, Medical Laboratories, Veterinary Services and other related Medical Services, and other medical buildings.(3/3/00)

7.3.3 Accessory uses and buildings, including the residence of the owner or an employee of the principal use, provided any residence shall be located within the same building or a separate building from the principal use. (3/3/00)

7.3.4 Hotels, motels, restaurants and other eating establishments.

7.3.5 Commercial recreation, including dance halls, billiard and pool parlors, bowling alleys, skating facilities, and drive-in theaters and similar establishments. (3/3/00)

7.3.6 Automotive service stations, automotive, marine, recreation and agricultural equipment sales, service, and repairs; airports for air commerce and general aviation as defined in Section 15-41-21 of the Regulations of Connecticut State Agencies, including the sales, servicing and repair of new and used aircraft and a flight school, with a runway not in excess of 3,000 feet in length. (3/3/00)

7.3.7 Excavations.

7.3.8 Amusement Game Arcades

7.3.9 Non-automotive repair services, such as electronics, radio, television and appliance shops, plumbing shops, carpenter shops, upholstery shops, and repair shops, except that no such operation shall require more than three (3) full-time employees.

7.3.10 Laundromats and Dry-Cleaning Establishments. (3/3/00)

7.3.11 Banquet Halls, Banquet Facilities (7/1/93)

7.3.12 Bed and Breakfast Facilities (7/1/93) (3/3/00)

7.3.13 Gasoline stations with or without convenience stores or food–related drive–through windows. (7/1/93) (8/10/09)

7.3.14 Hotels, Banquet Facilities and Conference Centers

7.3.15 Funeral Homes and Crematories

7.3.16 Country Inns

7.3.17 Public Service Company Facilities, Public Service Structures such as pump stations, associated piping, and water towers up to a maximum height of 100 feet for water service, pressure maintenance, and fire protection**.** (8/10/09)

7.3.18 Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities as detailed in Section 12.21. (8/10/09)

7.3.19 Convalescent / Nursing Homes, Rehab Facilities, Assisted Living, Continuing Care

7.3.20 Liquor stores are permitted by Special Exception as long as there is not consumption of liquor on the premises and as long as there are not other liquor stores located on a lot within 500 feet of a lot containing another liquor store or any other retail business selling alcoholic beverages. SEE Section 11.13. (7/27/12)

7.3.21 Retail businesses which are not package or liquor stores and which are permitted to sell beer and/or wine, not for consumption on the premises, and which receive subsequent state permits. (7/27/12)

7.3.22 Warehousing, Wholesaling, Wholesaling Distribution Centers

7.3.23 Child or Adult Day Care Centers

7.3.24 Home improvement supplies, including plumbing and lumber supplies. (3/3/00)

7.3.25 Self-storage facilities. (7/1/93) (3/3/00)

7.3.26 Truck terminals and repairs. (3/3/00)

7.3.27 Commercial nurseries, greenhouses, and garden centers. (3/3/00)

SECTION 8: BP – BUSINESS PARK DISTRICT

(Entire Section effective 8/18/05)

8.1 **Purpose.** The Business Park District zoning classification is intended to provide for the establishment of business/commercial districts located in close proximity to an interstate highway exchange; and it is intended that the BP District will be located where suitable and compatible commercial and industrial land uses, consistent with these Regulations and consistent with environmental preservation guidelines, may be sited. Sound environmental preservation guidelines, for the purposes of the Town of Griswold Zoning Regulations are defined as guidelines for zoning approvals which take into consideration the need to preserve the town's natural resources, to preserve air quality, water quality, and to consider the safety and

security of nearby property and nearby property owners. These guidelines, therefore, shall eliminate uses which create unreasonable or severe impact, or create an unreasonable risk of severe impact on aquifers, water supplies, water quality, air quality, soil quality, forest and other natural resources.

8.2 **Minimum Size.** A Business Park District shall contain a minimum of 50 contiguous acres of land area, a portion of which must be readily accessible to an interstate highway, and which must have a minimum of fifty (50) feet of road frontage on one of the following State Highways in the Town of Griswold:

8.2.1 Route 12

8.2.2 Route 138

8.2.3 Route 164

8.2.4 Route 201

8.2.5 Route 165

For the purposes of this section, one or more parcels under different ownership may be combined to achieve the minimum acreage requirements, provided that all owners sign the application documents and the application includes such rights-of-way, cross easements, declarations, or other legal documents as may be required to assure the development and use of the parcels in accordance with the plans presented.

8.3 **Permitted Uses.** The following uses are permitted by right, provided they shall meet the conditions of Section 11.8 "Landscaping, Screening, Buffer and Architectural Design Requirement", and provided that they shall meet all other applicable sections of these Regulations, including but not limited to Section 13 "Site Plan Requirements", and provided that they shall meet the architectural review of the Commission, landscaping amenities appropriate to the location and adjacent properties, the posting of required performance guarantee; and the submission of all site plan documents under the signature and seal of a Connecticut licensed design professional. (8/10/09)

8.3.1 Business, corporate, administrative and professional offices, bank or other financial institution.

8.3.2 Hospitals, medical offices and clinics.

8.3.3 Government Offices.

8.4 **Special Exceptions.** The following uses may be permitted, provided they meet the conditions of Section 12, Section 13, and Section 11.8 and all other applicable sections of these Regulations: (8/10/09)

8.4.1 Restaurants, fast food establishments, hotels, motels, conference centers, and banquet facilities.

8.4.2 High-tech manufacturing uses, including but not limited to electronics, aerospace, pharmaceuticals, and medical supplies.

8.4.3 Retail businesses such as variety stores, department stores, apparel stores, sporting goods stores, home improvement stores, etc. having a minimum square footage of 30,000 square feet per retail use.

8.4.4 Automotive, marine, recreational, construction and agricultural equipment rental, sales, service and repair.

8.4.5 Light industrial fabrication, manufacturing, processing or assembling of products other than those specified in Section 8.4.2.

8.4.6 Public service company facilities.

8.4.7 Commercial nurseries, greenhouses and garden centers.

8.4.8 Convalescent and/or nursing homes, rehabilitation facilities, assisted living facilities and continuing care facilities and/or elder care facilities including elder care day care. (8/10/09)

8.4.9 Child or Adult Day Care Centers. See Section 12.23 (8/10/09) (7/27/12)

8.4.10 Woodworking shops

8.4.11 Construction industry offices and equipment storage facilities.

8.4.12 Warehouses and wholesale distribution centers.

8.4.13 Research and development offices and laboratories.

8.4.14 Health or exercise clubs.

8.4.15 Theaters, bowling alleys or indoor skating rinks.

8.4.16 The Planning and Zoning Commission may issue a Special Exception for a reasonable and compatible recreation use facility. For purposes of this section, the words "recreational use" shall mean indoor or outdoor sports and fitness facilities, playing fields, picnic areas and facilities for the sale and serving of food, health products and beverages incidental and related to permitted recreational use. For the purposes of this section, the words "recreational use" shall not mean professional or semiprofessional sporting events, trade shows, theaters, music concerts, or nightclubs. (8/10/09)

8.4.17 Public Service Structures such as pump stations, associated piping, and water towers up to a maximum height of 100 feet for water service, pressure maintenance, and fire protection. (8/10/09)

8.4.18 Retail businesses which are not package stores that may wish to sell beer and/or wine, not for consumption on the premises, and which receive subsequent state permits. (11/18/11)

8.5 **Access.** Lots within a Business Park District may be used for the purposes set forth in this Section 8 only if they comply with the following access requirements and with the frontage and dimensional requirements as specified in Section 8.9 herein:

8.5.1 In order to maintain and preserve the residential and rural character of the abutting areas of Griswold which will be adjacent to the new Business Park District(s), the Planning and Zoning Commission shall require, if practicable, developers or businesses within each district to create internal business park roadways, which intersect a state road, and which provide ingress and egress to the Business Park District. The use of existing town roads for these internal roadways shall be prohibited only if the subject road serves more than one (1) residential dwelling unit(s). Said internal business park roadways shall meet all the road construction requirements of the Town of Griswold as specified in Griswold Road Ordinances, except that the minimum roadway width shall be thirty (30) feet to accommodate the higher frequency of two-way trailer truck traffic. (6/28/06)

8.5.2 Access to Town roads that serve more than one (1) dwelling unit(s) shall be gated for emergency vehicle access only. (6/28/06)

8.6 **Lot Coverage.** Maximum lot coverage by impervious surfaces**,** including all parking areas, buildings, and other structures, shall be limited to sixty percent (60%) of the total lot area. (8/10/09)

The Planning and Zoning Commission may, by Special Exception, increase said maximum lot coverage to eighty percent (80%) of the total lot area, provided that the stormwater generated by all impervious areas is subject to collection in an approved stormwater management system designed and constructed using low impact development techniques to reduce stormwater impact consistent with the guidelines of the current Connecticut Department of Energy and Environmental Protection Stormwater Management Manual (2004) or more recent amendments**.** (8/10/09)

8.7 **Utilities.** Land development projects within the Business Park District shall utilize public sewer and public water utilities; however, in the event that connection to public sewer and/or public water is impracticable due to the location of the lot or lots, then the land development project must include a private sewer system and private wells adequate for the project as determined by the State Department of Health and the Town of Griswold Department of Health. Consideration must be given to the impact of the construction and development as a whole, and the sewer system and well/water system, in particular, on surrounding and nearby wells, residences, aquifers and wetlands.

8.7.1 All utility appurtenances including sewer, water, stormwater management, electrical, fiber optic, cable television, telephone, etc. shall be located underground to the extent reasonably possible, and in accordance with all applicable local, state and federal regulations.

8.8 **Sidewalks.** The Commission may require an applicant to construct sidewalks on one or both sides of internal roadways and/or along existing State Highways where frontage is utilized in accordance with this Section.

8.9 **Dimensional Requirements.** The following dimensional requirements shall apply to lots within the Business Park District and said requirements shall be cross-referenced to Section 10 of these Regulations:

8.9.1 Lots which front on a State Highway:

8.9.1.1 The minimum lot size shall be 80,000 square feet.

8.9.1.2 The minimum street frontage shall be 150 feet.

8.9.1.3 Maximum Lot Coverage: See Section 8.6 of these Regulations.

8.9.1.4 Minimum Front Yard Requirement: 50 feet.

8.9.1.5 Minimum Side and Rear Yard Requirement when the Business Park District abuts a Commercial lot: 30 feet. (06/28/06) (8/10/09)

8.9.1.5.1 Minimum Side and Rear Yard Requirement for a Business Park water tower where abutting any Residential (R) district or use: 100 feet. (8/10/09)

8.9.1.6 Minimum Side and Rear Yard Requirement when the Business Park District is adjacent to any residential lot or any lot in residential use: 50 feet

8.9.2 Lots which front on the internal business park roadways, but not on any State Highway:

8.9.2.1 The minimum lot size shall be 60,000 square feet.

8.9.2.2 The minimum street frontage shall be 100 feet.

8.9.2.3 Maximum Lot Coverage: See Section 8.6 of these Regulations.

8.9.2.4 Minimum Front Yard Requirement: 30 feet.

8.9.2.5 Minimum Side and Rear Yards: 20

SECTION 9: I – INDUSTRIAL DISTRICTS

9.1 **Purpose.** This section is intended to provide for the establishment of Districts where certain manufacturing and related activities may occur.

9.2 **Procedure.** Industrial Districts may be established by the Commission or in response to an application for a change of zone. On receipt of an application for a change of zone, the Commission shall proceed as provided for in Section 8-3 of the General Statutes. No application for a change of zone to establish an Industrial District shall be approved unless the following conditions are met.

9.2.1 The proposed zone includes at least ten (10) acres of land.

9.2.2 The application is accompanied by a site plan for the proposed use, prepared in accordance with Section 13 of these Regulations.

9.3 **Permitted Uses.** The following uses are permitted in the Industrial Districts, providing they meet the conditions of Section 13 and Section 11.8 of these Regulations. (8/26/99) (8/10/09)

9.3.1 Manufacturing, assembling, processing and packaging of raw materials or products, except as prohibited in Section 2.2.6 of these Regulations, and provided that all such activity is conducted within buildings.

9.3.2 Truck terminals and warehouses.

9.3.3 Research laboratories.

9.3.4 Printing and publishing.

9.3.5 Accessory uses and buildings.

9.4 **Special Exceptions.** The following uses are permitted, provided they meet the conditions of Section 12, Section 13, and Section 11.8 of these Regulations. (8/26/99) (8/10/09)

9.4.1 Excavations.

9.4.2 Banquet halls and banquet facilities. (7/1/93)

9.4.3 Public Service Structures such as, associated piping, and water tower up to a maximum height of 100 feet for water service, pressure maintenance, and fire protection. (8/10/09)

9.4.4 Convalescent and/or nursing homes, rehabilitation facilities, assisted living facilities and continuing care facilities and/or elder care facilities including elder care day care. See Section 12.22. (7/27/12)

9.4.5 Medical Clinics, Medical Offices, Research Laboratories, and other related Medical Services including Veterinary Services. (11/10/14)

9.4.6 Mixed Use Developments such as Multi-Family Residential, Elderly Residential, Retail, Restaurants and Office Uses. Mixed-use development is defined as a development consisting of a blend of compatible uses including commercial, multi-family residential, elderly residential, professional offices and medical uses planned as a cohesive project designed to encourage and promote a well planned development. A mixed-use development shall consist of a minimum of at least three of the herein permitted land use types in to be considered for review. (11/10/14)

SECTION 10: DIMENSIONAL REQUIREMENTS

10.1 Minimum Lot Size.

R-80	-	80,000 square feet	C-	-	40,000 square feet
R-60	-	60,000 square feet	I	-	40,000 square feet
R-40	-	40,000 square feet			

BP - 80,000 square feet with frontage on a State Highway. (8/18/05)
60,000 square feet with frontage on an internal business park roadway. (8/18/05)

10.1.1 Interior or rear lots are allowed under these regulations, provided that the lot includes an access strip no less than 50 feet wide at all points, and provided that the access strip connects to an improved town or state road, and provided that the lot has at least twice the required minimum lot size for the underlying zone not including the access corridor strip or any part of the parcel under 100 feet wide, provided, however, that the Commission may approve a rear lot having a lot size of one and one-half (1 1/2) times that required in the subject zone with an access corridor width of 30 feet in a Conservation Subdivision under Subdivision Regulation Section 6.3.8; and provided however the commission may approve a rear lot having a lot size of two (2) times that required in the subject zone with an access corridor width of 30 feet in a Conventional Subdivision with two tiers of rear lots in Subdivision Regulation Section 5.2.6. For other requirements for rear lots, see the following section**.** (8/10/09)

10.2 Minimum Street Frontage.

R-80	-	200 feet	C-	-	150 feet
R-60	-	175 feet	I	-	150 feet
R-40	-	150 feet			

BP - 150 feet with frontage on a State Highway. (8/18/05)
100 feet with frontage on an internal business park roadway. (8/18/05)

10.2.1 Minimum frontage requirements may be reduced to no less than 50 feet by vote of the Commission on the zoning permit site plan for lots facing a circular turn-around at the end of a permanent dead end street, provided that the frontage requirement is maintained at the building line. (8/10/09)

10.2.2 The minimum frontage requirement may be reduced by vote of the Commission, for rear lots or interior lots to no less than fifty (50) feet for an interior lot, provided such lot has a minimum lot size which is two times the standard required lot size for that zoning district, unless otherwise provided in these regulations. At no point shall a lot line be closer than fifty (50) feet apart, unless otherwise provided by these regulations. Not more than four (4) such rear lots with reduced frontage shall be located adjacent to each other in either one or two tiers behind the street frontage lots. The Commission, in its sole discretion, may require at any time that the applicant submit a survey which conforms to Class A-2 standards for accuracy, as defined in the Regulations of State Agencies pursuant to Conn. Gen. Stats. §20-300b, as amended. (8/10/09)

10.2.3 The access strip for each rear lot must be owned in Fee Simple by the lot owner. (8/10/09)

10.3 Minimum Front Yard

R-80	-	75 feet	C	-	40 feet
R-60	-	50 feet	I	-	40 feet
R-40	-	50 feet			
BP	-	50 feet with frontage on a State Highway. (8/18/05) 30 feet with frontage on an internal business park roadway. (8/18/05)			

The street line from which the minimum front yard is measured shall be considered to be no closer than twenty-five (25) feet from the centerline of the roadway.

10.3.1 ADA Access Ramps. In the R-40, R-60, and R-80 zones, the front yard setback requirement shall not apply to the construction of an ADA handicap ramp for single family and two-family residential buildings built prior to 2009.

10.4 Minimum Side and Rear Yards.

R-80	-	50 feet	C	-	30 feet
R-60	-	30 feet	I	-	30 feet
R-40	-	30 feet			
BP	-	30 feet with frontage on a State Highway. (8/18/05) 20 feet with frontage on an internal business park roadway. (8/18/05) 50 feet from any adjacent Residential (R) district. (6/28/06)			

10.4.1 Side and rear yards may be reduced by one-half (1/2) for accessory buildings on residential lots.

10.4.2 Side yards may be reduced by vote of the Commission on a zoning permit or special exception site plan as applicable between commercial buildings on adjoining lots in the C-Commercial zone, provided the Commission determines that such reduction will not result in limiting access to all parts of the property by emergency vehicles and will enhance the attractiveness and economic welfare of the adjoining establishments. (8/10/09)

10.4.3 **Corner lots.** When a lot has two front yards, setbacks shall be maintained on corner lots where the front yard shall be the street side on which the house faces and the rear yard shall be opposite the front yard, and the remaining sides shall be the side yards. The setback dimensions shall be determined by the setback requirement for the zone.

10.5 Maximum Lot Coverage

R-80	-	10 %	C	-	45%
R-60	-	15%	I	-	60%
R-40	-	20%			
BP	-	See Section 8.6 of these Regulations.			

10.6 **Maximum Building Height.** No residential building shall exceed three (3) stories, nor shall the total building height above a finished grade exceed thirty-five (35) feet, except that features such as steeples, cupolas, water towers, antenna structures for individual dwellings, chimneys, wind energy conversion systems, and agricultural buildings may exceed thirty-five (35) feet in height, up to a maximum of fifty (50) feet in height, and any such structure which exceeds thirty-five (35) feet shall require a Special Exception in accordance with Section 12 of these Regulations. The Commission may, by Special Exception in accordance with Section 12 of these Regulations, permit a nonresidential building higher than thirty-five (35) feet or three (3) stories if it determines that such building shall not constitute a safety hazard or be visually inconsistent with the general character and appearance of the surrounding area. All items higher than thirty-five (35) feet must have fall space, on the same lot, equal to the height of the item, to protect adjacent property.

For non-residential buildings, the maximum building height shall not exceed five (5) stories, nor shall the total building height above a finished grade exceed fifty-five (55) feet in height except *for* features such as steeples, cupolas, water towers, antenna structures for individual non-residential buildings, chimneys, wind energy conversion systems. Agricultural buildings may exceed 55 feet up to a maximum of sixty (60) feet; and except that the Commission may, by Special Exception in accordance with Section 12 of these Regulations, permit a non-residential building of higher than fifty-five (55) feet or five stories if it determines that such building shall not constitute a safety hazard or be in visual conflict with the general character and appearance of the surrounding area.

Water towers for storage, pressure maintenance, and fire protection shall be limited to 100 feet in height. All structures higher than fifty-five (55) feet shall be permitted only by Special Exception**.** For Wind Energy Conversions Systems (WECS), see Section 11.15 of these Regulations. For Wireless Telecommunication Facilities Towers and other commercial radio tower structures, see Section 11.19 of these Regulations. (1/15/99) (8/10/09)

10.7 **Area and Frontage Exception.** Any lot of record in separate ownership and not contiguous with other lots in the same ownership at the time of adoption of these Regulations and which does not meet the area and frontage requirements for the district in which it is located, may be used for the purposes permitted in that district, provided that the yard and other requirements, excepting those for lot area and frontage, can be met. In addition, all water and sewage systems shall comply with the appropriate regulations of the Town of Griswold and the State of Connecticut.

Documentary proof of pre-existing lots or lots of record in separate ownership and not contiguous with other lots in the same ownership at the time of adoption of these Regulations shall be provided to the Zoning Enforcement Office at, or prior to, the time that an application for a zoning and/or building permit is made. Such proof shall include but not be limited to deeds, maps and certified title searches. (6/01/90)

10.8 **Driveway Access Design and Construction Standards.**

No Zoning Permit shall be issued by the ZEO or the Commission as applicable to the use of land unless the driveway shall conform to these standards. (8/10/09)

10.8.1 Surface flow from driveways: Driveways shall be designed to prevent surface flow onto existing or proposed streets. The Board of Selectmen or their designated agent may review and approve a design to prevent surface flow from Town property onto private property. Privately owned and maintained drainage diversion swales, detention areas, and/or dry wells shall be utilized to the greatest extent possible. Where private drainage features are utilized, a declaration and covenant, to the satisfaction of the Town Attorney, shall be filed in the land records requiring that maintenance of such features is the responsibility of the lot owner and that, subject to proper notification by the Town. (8/10/09)

10.8.2 Construction Standards: Driveways shall be constructed of a durable, non- erodible, load-bearing material capable of supporting emergency equipment up to 50,000 pounds. Sub–base shall be bank run gravel with a minimum depth of 8 inches. Base material shall be processed gravel with a minimum depth of 4 inches. Culverts in the Town right-of-way shall be a minimum 15 inches internal diameter and should be located no closer than 10 feet from another driveway. Use of ACCMP is not allowed. (8/10/09)

10.8.3 Slope and Grading Standards: Driveway grades shall not exceed 15% and driveways stretches where grades exceed 10% shall be paved with concrete or asphalt. (8/10/09)

Driveway grade shall not exceed *3%* over the first 20 feet from the front property line. Driveway side slopes shall not exceed a slope of three horizontal to one vertical (3:1) unless retaining walls or other stabilizing measures are provided. (8/10/09)

10.8.4 Width: Driveway width shall be a minimum of 12 feet. Driveways shall have sufficient radius at curves to accommodate emergency equipment. (8/10/09)

10.8.5 Vertical Clearance: To avoid damage to emergency equipment, a minimum vertical clearance of 14 feet shall be maintained by the property owner over the entire driveway. (8/10/09)

10.8.6 Sightline: Minimum sightline distances at the intersection of the driveway with the public road shall conform to the requirements of the Connecticut Department of Transportation. This distance may be increased where the Board of Selectmen or their designated agent has determined that the speed or volume of traffic requires a higher standard for safety. (8/10/09)

10.8.7 Angle of Intersection: Driveways shall intersect with the public road at an angle of approximately ninety degrees for at least the first 20 feet from the front property line adjacent to the public road as a measure to assure sightline and traffic visibility. (8/10/09)

10.9 Common and Loop Driveways

10.9.1 Intent. The intent of this section is to reduce the impact to native habitat, including wetlands and watercourses, to protect natural features including rare flora, large specimen trees, scenic points, ledge outcroppings, and stonewalls, and to allow a mechanism by which the cost of maintenance of separate long driveways can be reduced. The Commission may require that a common driveway be utilized to minimize curb cuts where traffic conditions are hazardous due to high speeds and heavy volume, to enhance scenic vistas and rural character, or to protect natural and historic features of special interest. (8/10/09)

10.9.2 Approval. Common and Loop driveways shall be constructed only following site plan approval. The final site plan shall be filed in the land records. (8/10/09)

10.9.3 Loop Driveway Design. A loop driveway shall typically be parallel to the road and no structures shall be located between the loop (common) driveway and the road. (8/10/09)

10.9.4 Limit on number of users. The Commission may approve utilization of a loop driveway for up to five dwelling units and common driveways for up to four dwelling units. Additional users are not permitted. (8/10/09)

10.9.5 Fire Marshal Review. Any common driveway or loop driveway proposal may be submitted to the Fire Marshal for review, comment, and approval. (8/10/09)

10.9.6 Driveway Maintenance Agreement. A driveway maintenance agreement shall be approved by the Commission and filed in the Land Records prior to filing of a final approved site plan. The following statement shall be included in the agreement document: "The common driveway is to be privately owned and is not to be maintained or constructed or improved as a public highway or road by the Town of Griswold either now or in the future. All obligations regarding its maintenance, construction, and improvement shall rest with the owners of the subject lots." (8/10/09)

10.9.7 Width and Vertical Clearance. The driveway width shall be a minimum of 14 feet, except that the width of the driveway may be adjusted by the Commission depending on environmental conditions such as wetlands or ledge. Vertical clearance shall be 14 feet for the entire width and length. (8/10/09)

10.9.8 Certification of Construction. Certification that the driveway was built according to the approved plan shall be provided by the installer. The Zoning Enforcement Officer may require that such certification is provided by a Professional Engineer in order to determine compliance with the approved plan and applicable regulations. (8/10/09)

10.9.9 Passing Areas. Pullouts to accommodate two-way traffic, measuring at least 8 by 50 feet, may be required where recommended by the Fire Marshal. Passing areas shall generally be provided at 500 foot intervals, depending on site conditions. (8/10/09)

10.9.10 Street Numbers. Street numbers shall be posted on the loop road or on the common driveways where each individual driveway intersects it; and also at the intersection of the State or Town road. (8/10/09)

SECTION 11: SUPPLEMENTARY REQUIREMENTS

11.1 **Definition.** These are requirements which apply to more than one zoning district or to specific uses, regardless of where they may occur.

11.2 **Multiple Uses and Buildings.** The Commission may permit more than one permitted building or use to be located and conducted on a lot under the same ownership for commercial, industrial, recreational, institutional, governmental, educational and farming purposes. Such buildings or uses shall be planned as a unit, with integrated parking, access, building design and landscaping and shall meet the requirements of these Regulations. Only one principal structure shall be permitted on a residential lot unless otherwise permitted by the Commission. (8/10/09)

11.3 **Proximity to Water.** No building, except a boathouse, shall be located within twenty-five (25) feet of any watercourse, as that term is defined in the Griswold Inland Wetlands and Watercourses Regulations. All subsurface sewage disposal systems shall be set back from streams, rivers, brooks, lakes and ponds according to the requirements of the State Health Code. (8/10/09)

11.4 **Special Flood Hazard Area (SFHA) Requirements.** The SFHA includes all areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated July 18, 2011, and accompanying Flood Insurance Rate Maps (FIRM), dated July 18, 2011, and other supporting data applicable to the Town of Griswold, and any subsequent revisions thereto, are adopted by reference and declared to be a part of these regulations. Since mapping is legally adopted by reference into this regulation, it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM such as Zones A and AE, including areas designated as a floodway on a FIRM. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFE's provided on a Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

The degree of flood protection required by this regulation is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This regulation does not imply or guarantee that land outside the Special Flood Hazard Area or uses permitted in such areas will be free from flooding and flood damages. This regulation shall not create liability on the part of the Town of Griswold or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made there under. The Town of Griswold, its officers, and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of Griswold.

For the purposes of this subsection of these Regulations, certain words or terms are defined as follows: (7/11/11)

Above-ground Storage Tanks: Above ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water. (7/11/11)

Base Flood: The flood having a one percent (1%) chance of being equaled or exceeded in any given year. (1/1/93)

Base Flood Elevation (BFE): The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. (7/11/11)

Basement: That portion of a building having its floor sub grade (below ground level) on all sides. (1/1/93)

Compensatory Storage: The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain, storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

Cost: As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grant total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds and gazebos. (7/11/11)

Development: Any man-made change to improved real estate including, but not limited to construction of buildings or structures: the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage deposition, or extraction of materials or permanent storage of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities (7/11/11)

Equal Conveyance: Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0 feet) increase in flood levels (base flood elevation). Work within the flood plan and the land adjacent to the flood plain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity. (7/11/11)

Existing Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, as a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed before April 1, 1978, the effective date of the flood plain management regulations adopted by the community. (7/11/11)

Expansion to an Existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads. (7/11/11)

Federal Emergency Management Agency (FEMA): The federal agency that administers the National Flood Insurance Program (NFIP). (7/11/11)

Finished Living Space: As related to fully enclosed areas blow the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors, tile, linoleum hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace. (7/11/11)

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters, or the unusual and rapid accumulation/runoff of surface waters from any source. (7/11/11)

Flood Insurance Rate Map (FIRM): The official map of a community on which the Federal Emergency management Agency (FEMA) has delineated both the special flood hazard areas (100-year floodplain) and the insurance risk premium zones applicable to a community. (7/11/11)

Flood Insurance Study (FIS): The official study of a community in which the Federal Emergency Management Agency (FEMA) has conducted an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations. (7/11/11)

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

Floor: The top surface of an enclosed area in a building (including the basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking of vehicles. (1/1/93)

Functionally Dependent Use or Facility: A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or services facilities. (7/11/11)

Historic Structure: Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs. (7/11/11)

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

Manufactured Home: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, recreation vehicles, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property. (1/1/93)

Manufactured Home Park or Subdivision: A parcel, or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.

Market Value: As related to substantial improvement and substantial damage, the market value of the structure shall be determined by the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring. (7/11/11)

Mean Sea Level: The North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on the Town of Griswold's Flood Insurance Rate Map are referenced. (7/11/11)

New Construction: Structures for which the "start of construction" commenced on or after April 1, 1978 and includes any subsequent improvement to such structures. (1/1/93)

New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or pouring of concrete pads) is completed on or after April 1, 1978, the effective date of the floodplain management regulation adopted by the community. (7/11/11)

No Structures Entirely or Partially Over Water: New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility. (7/11/11)

Portion of Structure in Flood Zone: If <u>any</u> portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone. (7/11/11)

Recreational Vehicle: A vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling put as a temporary living quarters for recreational, camping, travel, or seasonal use. (7/11/11)

Special Flood Hazard Area: The area within Griswold subject to one percent (1%) or greater chance of flooding in any given year, as identified on the Griswold FIRM. (1/1/93)

Start of Construction: Start of construction includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as pouring of slabs

or footings, installation of piles, construction of columns, or any work beyond the state of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units and not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. (7/11/11)

Structure: A walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures. (7/11/11)

Structures in Two Flood Zones: If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.) (7/11/11)

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. (1/1/93)

Substantial Improvement: Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during a one-year period, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure. The market value of the structure should be either the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the occurring damage. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Variance: A grant of relief by a community from the terms of the flood plain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship. (7/11/11)

Violation: Failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-roofing certifications or required floodway encroachment calculations is presumed to be a violation until such time as that documentation is provided. (7/11/11)

Water Surface Elevation: The height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the Floodplain of costal or riverine areas. (7/11/11)

The following requirements are intended to reduce the threat to public safety and loss of property values resulting from periodic flooding and to ensure eligibility for continued participation by the Town of Griswold in the National Flood Insurance Program. In cases where conflicts occur between the requirements of the underlying zoning district and these SFHA requirements, the requirements of this subsection shall control. The following regulations apply with the SFHA:

11.4.1 All applications for Zoning Permits or Special Exceptions for new development or subdivisions (including manufactured home parks and subdivisions) greater than fifty (50) lots or five (5) acres whichever is lesser, shall include with such applications base flood (a flood having a one percent (1%) chance of being equaled or exceeded in any given year) elevation data for that portion of development located within the SFHA. (7/11/11)

11.4.2 Within the SFHA, the following requirements shall be met:

a. All new construction and substantial improvement of residential structures shall have the lowest floor elevated to or above the base flood level.

b. All new construction and substantial improvement of nonresidential structures shall have the lowest floor elevated or flood-proofed to or above the base flood level.

Nonresidential structures may be flood-proofed in lieu of being elevated provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this section. Such certification shall be provided to the Building Inspector.

c. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of flood water to automatically equalize hydrostatic flood forces on exterior walls. Designs for complying with this requirement must either be certified by a professional engineer or architect to meet the following minimum criteria:

1) Provide a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;

2) The bottom of all openings shall be no higher than one (1) foot above grade;

3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of flood water in both directions;

4) Electrical, plumbing, and other utility connections are prohibited below the base flood level; and

5) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or for the limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

d. All manufactured homes, including “mobile” homes and recreational vehicles placed on a site for 180 consecutive days or longer or substantially improved, shall be elevated so that the lowest floor is above the base flood elevation. This includes a manufactured home located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing park which manufactured home has incurred substantial damage as a result of a flood.

The manufactured home shall be placed on a permanent foundation which is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include but not be limited to the use of over-the-top or frame ties to ground anchors.

The manufactured home shall be installed using methods and practices which minimize flood damage, providing adequate access and drainage, piling foundations (when used) no more than 10 feet apart, and reinforced of any piers more than six (6) feet above ground level. Recreational vehicles placed on sites within a SFHA shall either be on the site for fewer than 108 consecutive days, and be fully-licensed and ready for highway use, or meet all the general standards of Section 11.4.3 including the elevation and anchoring requirements of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by a quick disconnect type utilities and security devices, and has no permanently attached additions; (7/11/11)

e. When base flood elevation data or floodway data are not available, then the Commission shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source in order to administer the provisions of these Regulations.

11.4.3 Prior to issuing a Zoning Permit for proposed construction or development within the A or AE Zones, the Zoning Enforcement Officer or the Commission shall review plans for such construction or development and require that: (7/11/11)

a. All sites shall be reasonably free from flooding;

b. New construction or substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

c. New construction or substantial improvements shall be constructed with materials resistant to flood damage;

d. New construction or substantial improvements shall be constructed by methods and practices than minimize flood damage;

e. New or replacement water supply systems and/or sanitary sewer systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

f. On-site waste disposal systems are located to avoid impairment to them or contamination from them during flooding; and

g. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (1/1/93)

11.4.4 Within the floodway, as designated on the Flood Insurance Rate Map or any other source when no regulatory floodway has been designated, all encroachments including fill, new construction, substantial improvements to existing structures, and other development are prohibited unless certification, with supporting technical date, by a Connecticut registered engineer is provided by the applicant demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such

encroachment shall not result in any (00.0 feet) increase in flood levels during a 100-year flood. Fences in the floodway must be aligned with the flow and be of an open design. A permit may be given which allows encroachments resulting in increases in base flood elevations provided the community first obtains a conditional floodway revision by meeting the requirements of the Code of Federal Regulations 44, Chapter 1, Subsection 65.12, as amended. (1/1/93) (7/11/11)

When base flood elevations have been determined within Zone AE on the community's Flood Insurance Rate Map but a regulatory floodway has not been designated, the Commission must require that no new construction, substantial improvements, repair to structures which have sustained substantial damage or other development, including fill, shall be permitted which will increase the water surface elevation of the base flood more than one (1) foot at any point within the community when all existing and anticipated development is considered cumulatively with the proposed development. (7/11/11)

The Commission may request floodway data of an applicant for watercourses with FEMA-published floodways. When such data is provided by an applicant or whenever such data is available for any other source (in response to the municipality's request or not), the community shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1) foot at any point within the community. (7/11/11)

11.4.5 Applicants for development within the SFHA shall submit with their applications assurances that the flood carrying capacity is maintained within any altered or relocated portion of any watercourses.

11.4.6 The Commission shall notify, in riverine situations, adjacent communities and the Water Resources Unit of the Connecticut Department of Energy and Environmental Protection prior to approving any alteration or relocation of a watercourse, and shall submit copies of such notices to the Federal Emergency Management Agency.

11.4.7 For all applications for permits within the SFHA, the Commission shall: (a) record the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Section 11.4.2 above; (b) review permits to assure that the sites are reasonably free from flooding and require that all State and Federal permits are obtained; and (c) maintain all records pertaining to the special flood hazard area provisions of these Regulations. (1/1/93)

11.4.8 Upon completion of the applicable portion of construction, the applicant shall provide the Commission with verification of the as-built lowest floor elevation, defined as the top of the lowest floor (including basement) or, in the case of flood-proofed buildings, the elevation to which the flood proofing is effective. (1/1/93)

11.4.9 Variance Procedure. The Zoning Board of Appeals shall hear and decide appeals and requests for Variances from these SFHA requirements. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. Variances shall meet the following criteria: (1/1/93)

a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instances of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and result in the loss of historic designation of the building; (1/1/93)

b. Variances may only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances; (1/1/93)

c. Any applicant to whom a Variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as $25 for $100 of insurance coverage; and (1/1/93)

d. The Zoning Board of Appeals shall maintain the records of all appeal actions and report any Variances to the Federal Emergency Management Agency upon request. (1/1/93)

11.5 **Fences.** The yard requirements of this ordinance shall not be deemed to prohibit any wall or fence, provided that no wall or fence shall exceed six feet in height above the existing natural grade for any yard or the finished grade of the yard pursuant to an approved site plan by the Commission or unless otherwise permitted in these regulations subject to the limitations of Section 11.6, below. (8/10/09)

11.6 **Corner Visibility.** On a corner lot in any Residential, Commercial or Industrial district, no fence, wall, hedge or other structure or planting more than three (3) feet in height shall be erected, placed or maintained within the triangular area formed by the points which are fifty (50) feet distance from the point of intersection, measured along said street center lines. (8/10/09)

11.7 **Home Occupation.** A Home occupation, as defined in Section 21.16 of these Regulations, may be allowed as an accessory use in all Residential zones subject to the issuance of a Zoning Permit by the Planning and Zoning Commission and compliance with the following terms and conditions. Permits for Home occupations shall not be issued for periods exceeding three (3) years. A renewal application shall be filed a minimum of sixty (60) days prior to the Home occupation expiration date provided that the commission may, for good cause shown, accept an application filed after this deadline. (12/28/00) (8/10/09)

11.7.1 The Home occupation shall be clearly secondary, subordinate, and incidental to the residential use of the property, and it shall not impair the residential character of the premises and neighborhood. Accessory buildings may be used for Home occupations provided that the other requirements of this section are met. There shall be no visible evidence or indication of the operation from the outside of any building or structure used for the Home occupation: for example, there shall be no display windows, outside storage or display of goods, outside work areas, banners, lights, or other devices to attract public attention. (12/28/00)

11.7.2 Residential Occupant: No more than two (2) Home occupations shall be conducted on any premises. Each such Home occupation shall be conducted by the residents of the premises. (12/28/00)

11.7.3 Employee: No more than one (1) full-time or part-time person at one time shall be permitted for each Home occupation in addition to the principal resident person conducting the use. (12/28/00)

11.7.4 The gross floor area used for the conduct of the Home occupation, including accessory buildings and storage areas related to such use shall not exceed twenty percent (20%) of the gross floor area of the applicant's principal dwelling unit on the site, nor shall it exceed 600 square feet of gross floor area. (12/28/00) (8/10/09)

11.7.5 In addition to the two (2) residential parking spaces required for a dwelling, all Home occupations shall provide enough additional parking spaces to alleviate the need to use town roads for customer or employee parking. As a minimum, Home occupations shall provide one (1) additional parking space for each non-resident employee. (12/28/00)

11.7.6 It shall be the responsibility of the operator of the Home occupation to secure all appropriate local, State and Federal licenses and permits prior to the conduct of a Home occupation approved by the Commission. Failure to secure the necessary State and/or Federal permits shall be sufficient cause for the Commission to revoke the Home occupation permit, following notice to the permit holder and the opportunity to be heard. (12/28/00)

11.7.7 A detailed written narrative describing all pertinent aspects of the proposed activity and acknowledging the requirements of this section shall be submitted with the application for a Home occupation. (12/28/00)

11.7.8 The proposed shall not create any objectionable noise, odors, vibrations, or unsightly conditions noticeable off the lot. (12/28/00)

11.7.9 For Home occupations involving the use of chemicals, solvents and/or electrical equipment, the applicant shall, prior to submitting the Home occupation application, supply the Griswold Fire Marshal with Material Safety Data (MSD) Sheets. In addition, the applicant shall also provide the Fire Marshal with a site map that shows the location of the chemicals, solvents and/or electrical equipment referenced in the MSD record so that the Fire Marshal shall have information to comment by letter to the file suggesting revisions, if necessary, to the home occupation uses proposed. A copy of the MSD Sheet and site map shall be filed with the Home occupation application. (12/28/00) (8/10/09)

11.7.10 An accurately drawn plot plan (to scale) depicting property lines, structure locations, access drives, parking spaces, and any other pertinent features. (12/28/00)

11.7.11 An accurately-drawn floors plan (to scale) depicting the area to be utilized by the proposed Home occupation. (12/28/00)

11.8 Landscaping, Screening, Buffer and Architectural Design Requirements.

11.8.1 **Purpose.** The following landscaping, screening, buffer and architectural design standards are designed to improve and enhance the aesthetic appearance of proposed development and protect property values through the preservation of existing vegetation and the establishment of new landscaping materials and architectural standards. (8/26/99)

11.8.2 **Uses requiring Special Exceptions, Zoning Permits and/or Site Plan Approval.** The following landscaping, screening, buffer and architectural design standards shall apply to all uses requiring Special Exceptions, Zoning Permits, and/or site plan approval. (8/26/99)

11.8.2.1 **General.** All portions of a building lot or property which are not used for the location of buildings, structures, accessory uses, off-street parking and loading areas, sidewalks or similar purposes shall be landscaped and permanently maintained to improve the appearance of the development and the Town of Griswold as a whole. To the extent possible, existing specimen trees shall be retained and protected and incorporated into the landscape scheme for the proposed development. Where a site is cleared of mature vegetation prior to the filing of an application, the Commission may require their replacement with the largest comparable trees that are commercially available. (8/26/99)

a. **Official Plans.** All landscaping plans shall conform to the Town of Griswold Zoning Regulations, as amended. (8/26/99)

b. **Installation.** All plant materials shall be installed according to accepted horticultural standards and methods and planting areas and beds shall be mulched to a minimum depth of two (2) inches. Automatic water systems are encouraged. (8/26/99)

c. **Maintenance.** All plantings shown on an approved site plan shall be maintained in healthy growing condition and all fences and walks shall be maintained in good physical and aesthetic condition throughout the life of the use. Vegetation, fences and walls not so maintained shall be replaced with new materials no later than the beginning of the following growing season. (8/26/99)

11.8.2.2 **Front Landscaping Areas.** (Type A Species)

a. **Location.** The required front yard setback, as measured from the property line, except for sidewalks and perpendicular driveways, shall include a minimum thirty (30) foot front landscape area along all streets as shown on the attached "Landscape Design Standards". Such landscaped area shall be retained and is to be used for no other purpose. Signs, in accordance with Section 14 of the Griswold Zoning Regulations, may be located within the 30-foot setback area if approved by the Planning and Zoning Commission. (8/26/99)

1) In situations where the edge of pavement or curb within a street line right-of-way does not coincide with the front lot line, the applicant shall, in addition, landscape the area between the front lot line and the edge of the street pavement or sidewalk in such a manner as will not obstruct vehicular sight lines. (8/26/99)

2) Prior written approval from the Town of Griswold and/or the Connecticut Department of Transportation (CDOT) may be required in cases as referenced above in item (a)(1) above. (8/26/99)

b. **Standards.** All front landscape areas shall have at lease one (1) shade tree for each twenty-five (25) feet of front lot width or measured parallel to the street line and shall be set back at least ten (10) feet from the street line. Where property fronts on a state highway, the Commission will accept the CDOT written recommendation for the recommended front setback distance. (8/26/99)

c. **Front Landscape Area Plants.** The purpose of this type of planting is to provide partial visual screening and partial separation from the street line

of buildings for the use proposed. Plant materials shall consist of shade trees, flowering trees, and/or low, broad-leafed or needled evergreens planted with ground cover and may include evergreen trees as shown on the attached "Landscape Type Standard". Trees may be planted in groups; however, the spacing between trees and groups of trees shall not exceed fifty (50) feet. Shade trees shall not be planted under or within fifteen (15) feet of overhead utility lines. Each required shade tree shall be at least four (4) inch caliper, as measured six (6) inches above the root crown. Each flowering tree shall be ten (10) feet to twelve (12) feet in height at the time of planting. Street trees shall be high-branched with at least six (6) feet of clearance from the ground to the first branch. Low, broadleaf evergreens shall not exceed thirty-six (36) inches in height. Please refer to the "Landscape Varieties for Specific Location and Purposes List", Section 11.8.2.12.a. (8/26/99)

d. Plant materials may be augmented or partially substitute by earthen berms or constructed visual barriers as landscaping features as demonstrated to be appropriate for site conditions.

e. **Sidewalks.** Concrete sidewalks at least five (5) feet in width shall be installed within the front landscaped areas, as shown on the attached "Sidewalk Design Standard" unless deemed unnecessary by the Commission. Sidewalks shall provide disability ramps at all driveways and intersections, shall be aligned at the property line, and shall be relocated around poles and fire hydrants. (8/26/99)

11.8.2.3 **Parking Areas** (Type B Species)

a. **Location.** On-site parking areas shall be planted with shade trees that are located entirely within the parking field, as shown on the attached "Landscape Design Standards", except that no more than one required tree shall be located in each field corner. (8/26/99)

b. **Standards.** All parking areas shall have at least one (1) shade tree for each ten (10) required off-street parking spaces. Each tree shall be located in a porous island at least eight (8) feet in diameter. (8/26/99)

c. **Parking Landscape Area Plants.** The desired effects of this type of planting are to screen interiors of parking areas and to provide shade for the protection of pedestrians and vehicles. Plant materials shall consist of shade trees planted with ground cover, as shown on the attached "Landscape Type Standards". The trees shall be evenly distributed throughout the parking lot area and shall be protected from vehicle bumpers and doors. Each required shade tree shall be at least four (4) inch caliper, as measured six (6) inches above the root crown and shall be high-branched with at least six (6) feet of clearance from the ground to the first branch. Please refer to the "Landscape Varieties for Specific Location and Purposes List", Section ll.8.2.12.b. (8/26/99)

d. **Sidewalks.** Sidewalks at least three (3) feet in width shall be installed within the site to provide walkways between parking areas and other principal or accessory uses when deemed necessary for public safety. Sidewalks shall provide disability ramps at all driveway and intersection crossways. (8/26/99)

11.8.2.4 **Buffer Strips** (Type C Species)

a. **Location.** A buffer strip shall be required along and within all nonresidential district boundaries immediately adjacent to a Residential district or residence use and may be required along and within the rear and/or side lot lines on a Special Exception use. Such buffer strip shall comply with at least the following minimum provisions. (8/26/99)

1) The buffer strip shall be at least twenty-five (25) feet in width and shall be retained as an integral part of the development project and is to be used for no other purposes. (8/26/99)

2) A berm, hedge, mound, wall or fence of suitable location, height, design and materials as determined by the Planning and Zoning Commission or the Zoning Enforcement Officer, as the case may be, may be required in conjunction with any portion of the required planting and/or buffer strip. (8/26/99)

b. **Standards.** The buffer strip shall consist of a double staggered row and shall include evergreen plantings with at least two trees for each ten (10) feet of buffer length per row as measured parallel to the property line. (8/26/99)

c. **Buffer Strip Landscape Area Plants.** The purpose of this type of planting is to provide complete visual screening of the activity on the lot. The planting shall consist of a double row of evergreen trees at least eight (8) feet in height as shown on the attached "Landscape Type Standards". Non-evergreen plantings and/or a screening berm, hedge, fence or wall at least five (5) feet in height may be used in conjunction with evergreen trees. The evergreen trees shall be planted at five (5) feet on center. The evergreen trees may be grouped or staggered at intervals, provided that the spacing between groups is filled with a screening hedge, berm, fence or wall at least five (5) feet in height. Please refer to the "Landscape Varieties for Specific Location and Purposes List" Section 11.8.2.12.c. (8/26/99) (8/10/09)

11.8.2.5 **Protection from Vehicles.** When vehicles will be located adjacent to sidewalks, fences, walls, buffer strips, trees, landscaping or similar obstructions, a suitable barrier, curb, wheel stop or similar device shall be provided so that vehicle overhang does not damage said plantings or obstruction. (8/26/99)

11.8.2.6 **Site Lines.** The minimum required front, parking and buffer landscaped areas shall not obstruct vehicle sight lines and shall be planted with trees, shrubs and other materials of a type and height as required herein. (8/26/99)

11.8.2.7 **Quality and Methods.** All required plantings shall be of species and varieties as approved by the Commission and shall be installed in accordance with the standards of the American Nurserymen's Association. (8/26/99)

11.8.2.8 **Landscaping of Developed Sites.** To the greatest extent possible, the minimum landscape requirements contained in this section shall be adhered to for any site plan application involving the expansion or structural alteration of an existing building and/or a new use or change of use for a developed site. (8/26/99)

11.8.2.9 **Landscape Modifications.** Existing specimen trees may be used to satisfy the landscape requirements provided they are protected during construction and the area within five (5) feet of the tree trunk consists of porous materials to permit adequate drainage. (8/26/99)

a. The Planning and Zoning Commission or the Zoning Enforcement Officer, as the case may be, upon written request, may modify the location, number and/or type of plantings required for any front, parking or buffer landscape area where the existing natural topography, existing natural vegetation, and/or proposed alternative method such as a berm, mound, hedge, fence or wall at least five (5) feet in height can be reasonably shown to achieve the applicable landscape objectives as identified in this section. (8/26/99)

b. Prior to granting any modification or reduction of these landscaping requirements by the Commission, the applicant shall submit a preliminary standard or parking lot layout with all required landscaped areas in order to substantiate that the proposed project can, in fact, comply with these Regulations prior to any such landscape modification. (8/26/99)

11.8.2.10 **Other Landscape Plan Elements.** Any preliminary or final landscape plan required under these Regulations shall show all required landscape areas plus the following additional elements, as applicable. (8/26/99)

a. Exterior lighting fixtures, back lighted signs and security lighting, including location, height, fixture design, materials and illumination. Also provide schedule of hours when lighting types will be illuminated. (8/26/99)

b. Freestanding signs, including location, height, design, colors, material and illumination. (8/26/99)

c. Refuse collection areas, including dumpsters, screening and vehicle pick-up maneuvering areas. Any refuse collection area shall be located near or adjacent to the building's loading area and/or service entrance. (8/26/99)

d. Mailbox clusters, including location, height and design. (8/26/99)

e. Ground mounted mechanical units, including cooling towers, air-conditioning units, compressors, above ground and below ground storage tanks, etc., with their locations, heights, capacities and purpose. (8/26/99)

f. Other similar site improvements such as stone walls, fences, fire hydrants, utility poles, walkways, etc. (8/26/99)

11.8.2.11 **Architectural Design** The architectural design, scale and mass of buildings and other structures including, among other elements, the exterior building materials, color, roof-line, and building elevations shall be of such character as to harmonize and be compatible with the other buildings in the district so as to preserve and improve the appearance and beauty of the community. (8/26/99)

a. Buildings designed to achieve a small scale and residential appearance shall be encouraged. (8/26/99)

b. Pitched roof buildings shall be encouraged. (8/26/99)

c. Rooftop mechanical equipment, other than solar panels, shall be concealed from all sides. (8/26/99)

d. Buildings shall be designed and located on the site so as to retain the existing topography and natural features of the land to the greatest extent possible. (8/26/99)

e. Commercial buildings, office buildings, restaurant buildings (including fast food) shall be designed to reflect a New England Colonial, Early American or Traditional type of architecture, in keeping with the surrounding architecture. (8/26/99)

f. Existing stone walls shall be incorporated into the design and layout of the proposed development. Stonewalls shall be characterized, depicted and categorized on the site plan (both existing and proposed) in three types: Abandoned, Heritage, and Recent/Rebuilt Walls. See the definitions in Section 21 of these Regulations. If the stone walls are required to be removed due to curb cuts, sight line problems or building(s) placement or improvement(s) placement, said wall(s) shall be reconstructed on the property with their position noted on the final site plan and construction detail and cross-section included as a portion of the site plan detail sheets. Existing stone walls that do not require relocation shall be rebuilt if their current condition warrants it. (8/26/99) (8/10/09)

g. Building Color/Façade: Building color and materials are important to the aesthetics and character of the development and its impact on the surrounding community. The following standards have been incorporated to encourage the use of quality materials to complement surrounding residential neighborhoods: (8/26/99)

1) Predominant exterior building materials must be of high quality, including brick, wood, stone and tinted/textured concrete masonry units. Smooth-faced concrete blocks, tilt-up concrete panels, and prefabricated steel panels are prohibited unless the applicant can show that said materials conform to the architectural requirements of Section 11.8.2.11.e, g., g.2, and g.4. (8/31/01)

2) Façade colors must be low reflecting, subtle, and neutral or earth tone. The use of metallic colors and black or fluorescent colors are prohibited; and the excessive use of high-intensity colors or black is prohibited. (8/26/99)

3) Building trim may feature brighter colors, but neon tubing is not allowed as an accent material. (8/26/99)

4) All facades of a building that are visible from adjoining properties or public streets should contribute to the scale features of the building and encourage community integration by featuring characteristics similar to a front façade. (8/26/99)

11.8.2.12 The Planning and Zoning Commission may, at its discretion, provide waivers or modifications of specific landscaping, screening, and buffer requirements of this Section 11.8. (2/1/08)

11.8.2.12.1 Upon written request of the applicant accompanied by a written explanation of what portion(s) of Section 11.8 are desired to be waived or modified and an explanation of why existing or proposed site conditions pose special difficulty, over and above mere increases in cost, to achieve the goals of this Section 11.8 and are not necessary to the design of a reasonable, safe, and attractive project in context of both present or permitted future development nearby. Conditions of waiver or modification may include, but are not limited to: (2/1/08)

a. Situations where a site has been designed and submitted to the Commission as a single, unified planned development and its designated to be subdivided into phases or components and sold independently, subject to cross easements or other perpetual restrictions for shared parking, access, landscaped areas, amenities, and provisions for the maintenance thereof. (2/1/08)

b. Situations where the topography of a site is such that buffering is not required; such situations where adjoining properties are so far above or below the grade of the subject site that the adjoining property will not be subjected to noise, glare from parking lot lights, vehicles, signs, litter, or visual intrusion. (2/1/08)

c. Situations where the adjoining properties contain landscaping or buffering that would comply with this Section 11.8 and such property is owned in perpetuity by an entity which will preserve such property in its natural state, and has entered into a perpetual easement with the applicant to that effect. (2/1/08)

11.8.2.12.2 A vote of at least 2/3 of the total members of the Commission shall be required for waivers granted under this section. (2/1/08)

11.8.2.13 Landscape Varieties for Specific Locations and Purposes List. (8/26/99)

a. Type A Species – Front Area Landscape Requirements. (8/26/99)

These types of trees are tall shade variety and flowering deciduous variety: (8/26/99)

- Maple
- Oak
- Sycamore
- Dogwood
- Crab Apple
- Flowering Cherry
- White Ash
- Bradford Pear

Also permitted within the front yard landscape areas, parking areas and buffer areas are various types of flowering plants and spreading evergreens: (8/26/99)

- Rhododendron
- Juniper
- Yews
- Holly
- Azalea
- Arrowwood
- Mapleleaf Viburnum

b. Type B Species – Parking Area Landscape Requirements. (8/26/99)

These types of trees are tall shade variety: (8/26/99)

- Maple
- Oak
- Sycamore
- Gingko
- Sweet Gum
- American Holly

Parking lot drainage outlet structures that flow water onto grass swales or into wetland areas shall use one or more of the following salt tolerant plants within the receiving swale: (8/26/99)

- Flat Pea (Lathco)
- Switch Grass (Blackwell)
- Tall Fescue (Kentucky 31)
- Crown Vetch (Chemung, Penngift)

c. Type C Species – Buffer Area Landscape Requirements. (8/26/99)

These types of trees are tall evergreen variety. (8/26/99)

- Arborvitae
- Blue Spruce
- White Pine
- Hemlock
- American Holly
- Juniper
- Eastern Red Cedar
- Japanese Yew

LANDSCAPE DESIGN STANDARDS

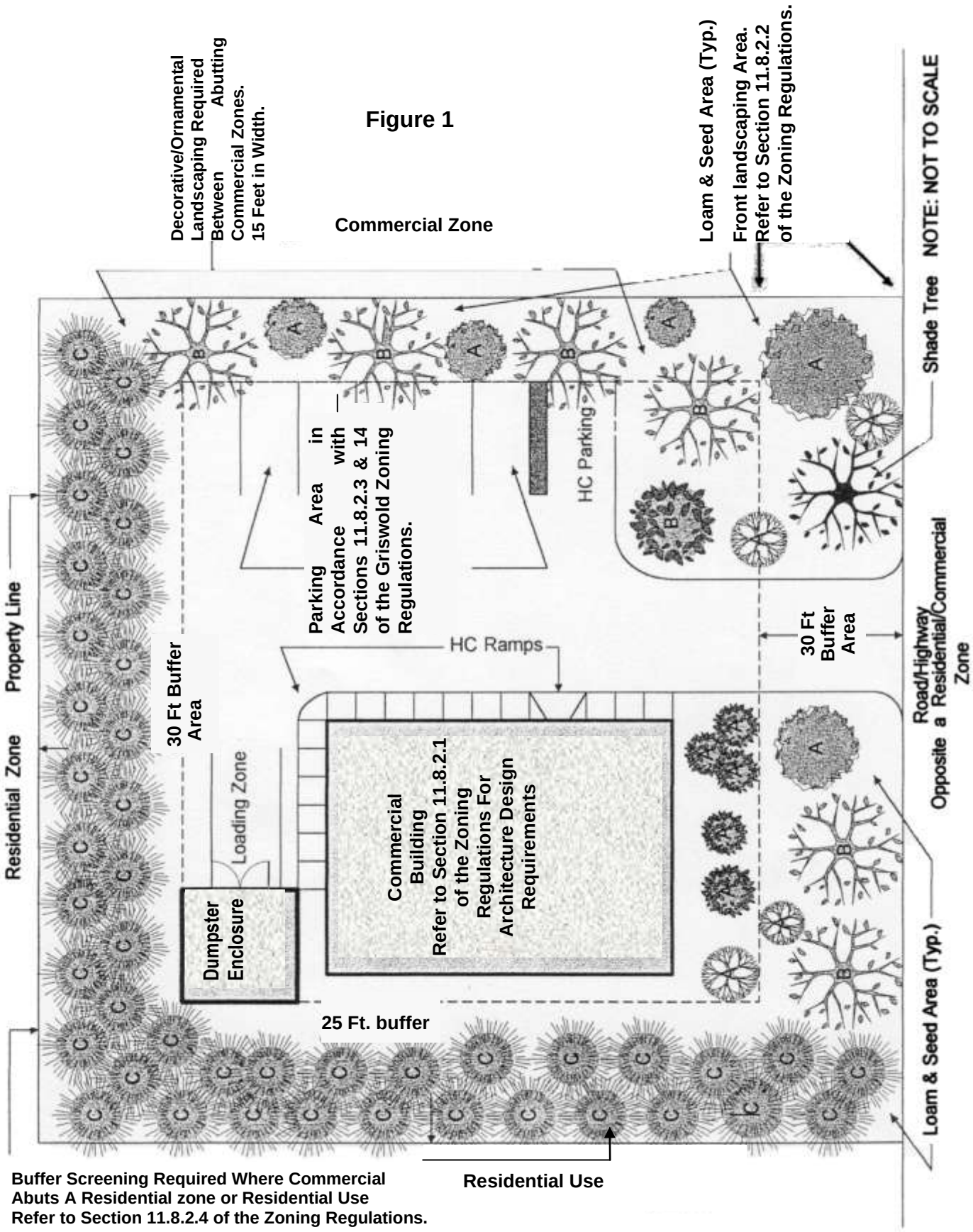


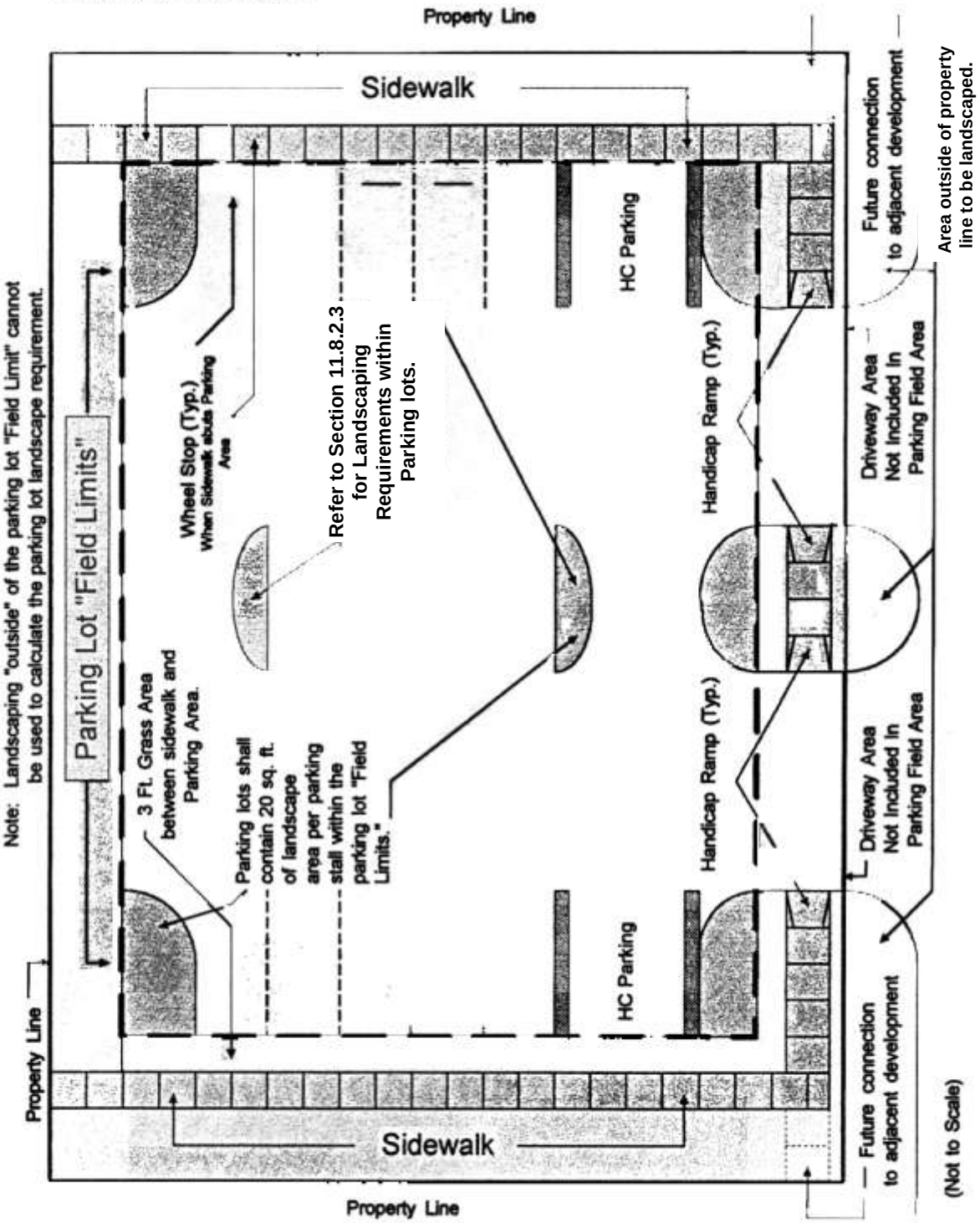
Figure 1

Buffer Screening Required Where Commercial Abuts A Residential zone or Residential Use Refer to Section 11.8.2.4 of the Zoning Regulations.

Figure 2

Note: Landscaping requirements adjacent to "Property Lines" to be determined based on the "Use" or Zoning of the adjacent property. Refer to Section 11.8.2.4 of the Zoning Regulations for details.

LANDSCAPE DESIGN STANDARDS FOR PARKING LOTS AND SIDEWALKS



Note: Landscaping requirements adjacent to "Property Lines" to be determined based on the "Use" or "Zoning" of the adjacent property. Refer to Section 11.8.2.4 of the Zoning Regulations for details.

11.9 **Mobile Homes.** No mobile home shall be parked or occupied for residence purposes off the public highways in the Town of Griswold for a period exceeding five (5) days without a permit issued by the Commission. (4/9/98)

11.9.1 No such permit shall be issued by the Commission until written approval of the Town Health Officer, certifying compliance with State sanitary regulations, and that the presence of such vehicle will not imperil the public health, has been filed with the Commission in respect to the proposed site to be occupied by such vehicle and in respect to the sanitary facilities of such vehicle. The Commission shall consult the First Selectman before issuing such permit to determine compliance with all municipal ordinances.

11.9.2 No such permit shall be issued for an initial period exceeding thirty (30) days and such permit shall be renewable for a period not exceeding an additional thirty (30) days. The permit shall state the location of the vehicle and the maximum number of persons occupying such vehicle.

11.9.3 No mobile home shall be parked or occupied within fifty (50) feet of a public highway unless concealed from view from such highway. (4/9/98)

11.9.4 Nothing in these Regulations shall apply to any mobile home parked and occupied for residence purposes off the public highway in the Town of Griswold prior to May 17, 1966, when the mobile parks and trailer ordinance was adopted, or to the replacement of such mobile home on the same lot.

11.9.5 No mobile home or trailer shall be used as a building or structure for any residential, commercial or industrial use or any commercial or industrial accessory use other than a mobile home or trailer used in connection with a bona fide construction job for which a valid Zoning Permit has been obtained. A construction mobile home-trailer permit shall be issued for an initial period of six (6) months and may be renewable for additional six (6) month period up to the date of the issuance of a Certificate of Zoning Compliance. The mobile home or trailer shall be removed within ten (10) days after the issuance of the Certificate of Zoning Compliance. (4/9/98)

11.9.6 In the event that a dwelling unit is destroyed by fire or other casualty, the Commission may, by Special Exception, permit a mobile home to be parked and occupied by one family on a lot or residence purposes for an initial period of six (6) months. Such permit may be renewed for one additional six-month period provided the applicant is able to demonstrate good cause for such extension. The Commission shall not grant approval until the mobile home's sanitary facilities have been approved by the Town Sanitarian and the mobile home's utility service hookups have been approved by the Town Building Official. (12/30/91)

11.10 **Corner Lot.** On any corner lot, there shall be on all streets, a building setback line equal in depth to the applicable front yard requirements.

11.11 **Animals.** Large animals such as cows, horses, and sheep may be kept solely for domestic purposes on non-farm property in R-40, R-60 and R-80 zones provided that (a) the lot contains at least three (3) acres of land; (b) no more than two (2) such animals over six months of age are kept on the lot; except that one additional animal may be kept for each additional half (1/2) acre up to the five (5) acre farm classification.

Poultry such as chickens, ducks, and guinea fowl may be kept for personal use in the R-40, R-60, and R-80 zones up to the five (5) acre farm classification provided that the number of poultry does not exceed 12. Proper coops and fenced enclosures must be provided at all times. (8/10/09) 08/01/10) (01/01/14)

11.12 **Refuse Disposal.** Except for an officially designated municipal refuse disposal operation for the Town of Griswold, no property shall be used for the outside storage, keeping or abandonment of worn out, cast off, or discarded articles, garbage, or materials ready for destruction.

11.13 **Package Stores.** A package store shall not be located within 1,500 feet of a library, public school, church or other place of worship.

11.14 **Antique Shops.** Goods for sale shall not be stored out-of-doors unless located to the rear of the building line.

11.15 **Wind Energy Conversion Systems (WECS).** A WECS is any mechanism designed for the purpose of converting wind into mechanical or electrical power intended for use on the premises. WECS will be approved by the Commission only if, after review of a site plan for the proposed WECS, the Commission is satisfied that it will not pose a threat to the health, safety and general welfare of people living and working in the vicinity. The following minimum requirements shall be met by all proposed WECS:

11.15.1 No WECS shall be permitted on a lot containing less than 40,000 square feet.

11.15.2 The maximum height of any support tower for a WECS shall be 100 feet. Any protruding rotor blades shall not extend closer than fifteen (15) feet to the ground surface.

11.15.3 The support tower for a WECS shall be set back from all property lines a distance equal to the sum of the tower height plus the rotor blade length.

11.15.4 The supporting structure for any WECS with a designed output of 250 watts or greater shall not be attached to any structure containing a dwelling unit.

11.15.5 Each WECS shall be equipped with a braking device or governor that will prevent the rotor blades from turning faster than a rate produced by a forty mile per hour wind or the design speed as specified by the manufacturer or design engineer.

11.15.6 A WECS shall not cause interference with radio or television reception. If such interference is detected and is proven to be caused by a WECS, the property owner shall be required to take whatever measures are necessary to end the interference, including relocation or removal of the WECS.

11.15.7 The maximum permitted noise level of a WECS shall be 60 decibels, as measured on the DBA scale, and as detected at any point on the property line. Measures for easy disconnect when when speeds go above 25 miles per hour to avoid acoustic noise caused by the turbine blade shall be incorporated into the design and construction of the WECS. (01/1512)

11.15.8 Climbing access to the WECS support tower shall not begin lower than twelve (12) feet above the ground.

11.15.9 The support tower for a WECS shall be designed and used solely for supporting the WECS and shall be removed when the tower ceases to be used for such purposes.

11.15.10 It is the responsibility of the applicant to have the plans reviewed and found to be satisfactory by the public utility responsible for providing conventional electrical power to the property. This utility review may take place concurrently with the zoning review.

11.16 **Earth Station-Dish Antennae.** Earth station-dish antennae are permitted in all zoning districts subject to the following conditions:

11.16.1 Any earth station-dish antenna large than two (2) feet in diameter shall be ground-mounted. A ground-mounted antenna shall be any antenna with its base mounted directly in the ground, even if such antenna is supported or attached to the wall of a building.

11.16.2 Any ground-mounted antenna shall be regarded as an accessory use, shall meet the requirements of Section 10, and shall be erected to the rear of the principal structure.

11.16.3 Not more than one (1) ground-mounted antenna shall be permitted on each lot.

11.16.4 A ground-mounted antenna shall not exceed forty-five (45) feet in height measured vertically from the highest point of the antenna or dish, when positioned for operation, to the bottom of the base which supports the antenna.

11.16.5 All antennae shall comply with Sections 426 and 427 of the State Building Code.

11.16.6 Any earth station-dish antenna shall not block solar access to adjoining properties.

11.17 **Unregistered Motor Vehicles.** In any R-20, R-40, R-60 or R-80 zones, no more than two (2) unregistered motor vehicles or part of no more than two vehicles may be stored outside a garage or building on a lot as a use accessory to a dwelling. Additional vehicles may be located on a lot provided that the vehicles or parts are stored in a garage or other fully enclosed accessory building with functional doors. Portable car shelters, car ports, tarpaulins or similar, temporary, portable or open structures shall not be considered acceptable accessory buildings for the purposes of this Section. If the two or less unregistered vehicles are located outside a building, such parking shall be restricted to the rear yard and vehicle(s) shall not be visible off the lot. This provision shall not apply to vehicles used for a bona fide farm. (8/26/99)

11.18 **Accessory Apartments.** The purpose of this section is to provide an arrangement within a single-family dwelling for a set of rooms to be used as a separate living facility where family members related by blood and/or marriage can reside in privacy and independence while still being close to relatives for assistance when needed. (6/26/92)

11.18.1 An accessory apartment may permitted by the Zoning Enforcement Officer when the following conditions are met: (6/26/92)

a. Only one accessory apartment shall be created within a single-family dwelling or an addition to a single-family dwelling.

b. The minimum floor area of an accessory apartment shall be 450 square feet and shall not exceed forty percent (40%) of the total floor area of the single-family dwelling.

c. The owner(s) of the single-family dwelling in which an accessory apartment is created shall occupy at least one of the dwelling units except for bona fide temporary absences.

d. The design of the accessory apartment shall conform to all applicable standards of the State of Connecticut health, building and fire codes.

e. Required off-street parking shall be 1-1/2 spaces for the single-family dwelling and 1-1/2 spaces for the accessory apartment.

11.18.2 Application for an accessory apartment shall be made in a form prescribed by the Zoning Enforcement Officer and shall be accompanied by the following: (6/26/92)

a. A letter signed by the applicant, confirming that he or she is the owner-occupant of the primary, single-family dwelling and indicating the name(s) and relationship(s) of the intended occupant(s) of the accessory apartment.

b. A floor plan of the building indicating the dimensions and areas of all rooms and clearly showing the locations, accesses and interconnections (if any) of the primary dwelling and the accessory apartment.

c. A report from the Griswold Sanitarian indicating that the existing and/or proposed water supply and sewage disposal systems will adequately serve the proposed use. Evaluation of the sewage disposal system shall be according to Section 19-13-B100, as well as any other appropriate sections of the Public Health Code of the Connecticut Department of Health Services.

11.18.3 The effective period of a permit shall be five years. At the end of this time period, renewal shall be granted by the Zoning Enforcement Officer upon certification from the owner that all of the conditions met at the time of the original application remain unchanged. It shall be the responsibility of the owner-occupant to renew the permit. (6/26/92)

11.18.4 Purchasers of homes that have had permits for accessory apartments who want to continue the use must obtain an approval from the Zoning Enforcement Officer by demonstrating that all conditions prerequisite to obtaining the original permit will continue to be met. (6/26/92)

11.19 Wireless Communications Facilities.

11.19.1 **Intent.** The purpose of this section is to provide for the establishment and expansion of wireless communications services in accordance with the 1996 Federal Communications Act while protecting neighborhoods and minimizing adverse visual and operational effects of wireless communications facilities through careful design, siting, and screening in order to accomplish the following: (1/15/99)

a. Preserve the character and appearance of the Town of Griswold while allowing adequate communications services to be developed. (1/15/99)

b. Protect the scenic, historic, and environmental resources of the Town of Griswold. (1/15/99)

c. Provide standards and requirements for the regulation, placement, design and construction of wireless communications facilities. (1/15/99)

d. Establish a review process that ensures action within a reasonable period of time for requests to place, construct, operate, or modify a wireless communications facility. (1/15/99)

e. Minimize the total number and height of towers throughout the Town of Griswold by requiring tower sharing and clustering of wireless communications facilities. (1/15/99)

f. Provide screening and landscaping to minimize the visual impact of ground facilities; and (1/15/99)

g. Prevent potential damage to adjacent properties from tower failure. (1/15/99)

These regulations are intended to be consistent with the Telecommunications Act of 1996 in that: (1/15/99)

a. They do not prohibit or have the effect of prohibiting the provision of wireless communications services. (1/15/99)

b. They are not intended to unreasonably discriminate among wireless providers; and (1/15/99)

c. They do not regulate wireless telecommunications services on the basis of the environmental effects of radio frequency emission to the extent that the regulated services and facilities comply with the FCC's regulations concerning such emissions. (1/15/99)

11.19.2 **Definitions:** (1/15/99)

a. **Antenna:** Device used to receive or transmit electromagnetic waves. Examples include, but are not limited to, whip, panel or dish antennas. (1/15/99)

b. **Co-Location:** Locating wireless communications equipment of more than one (1) provider on a single tower. (1/15/99)

c. **Monopole:** A circular, self-supporting vertical pole with no guy wire anchors. (1/15/99)

d. **Premises:** That area of land dedicated for the principle use of siting a WIRELESS COMMUNICATIONS FACILITY, whether dedicated for that purpose by lease, fee, simple ownership, easement, or otherwise. ANTENNAS accessory to and mounted upon an existing building shall not be deemed to be "PREMISES" as defined herein. PREMISES shall not exceed one quarter (1/4) of an acre. (1/15/99)

e. **Propagation Analysis:** An analytical technique used to determine and delineate the location of areas and strength in which electromagnetic communications can be conducted. (1/15/99)

f. **Tower:** A structure, whether freestanding or attached to another structure that is used to support equipment used to receive or transmit electromagnetic/radio waves. Examples include monopoles, self-supporting lattice, and guyed towers. (1/15/99)

g. **Wireless Communications:** Commercial wireless and telecommunication systems that include but are not limited to cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging and related systems. (1/15/99)

h. **Wireless Communications Facilities:** All ground and roof-mounted TOWERS or ANTENNAS, ancillary equipment and other structures associated with the transmission and reception of wireless communications. (1/15/99)

11.19.3 **General.** Wireless communications facilities shall be permitted in all zones, subject to the following requirements, in addition to any applicable provisions of these Regulations: (1/15/99)

a. All wireless communications sites shall comply with the rules and regulations as set forth by the Federal Communications Commission (FCC). Towers not requiring Federal Aviation Administration (FAA) paintings or markings shall be painted a non-contrasting blue, gray or other neutral color. (1/15/99)

b. **Co-Location Encouraged.** Co-location is encouraged and preferred to the construction of a new tower. The applicant shall commit to allow co-location in accordance with this section. Applicants shall provide a description of existing towers or other suitable antenna mounting locations in the service area and documentation indicating why their antennas cannot be mounted on these towers. Such documentation shall include demonstration that the shared use is not technically, legally, or environmentally feasible; or for towers constructed prior to the effective date of the section, that shared use is not economically feasible or that the owner of such facility/facilities has refused permission for the shared use. The owner of any tower approved under this section shall be required to make space available for at least four (4) additional antennas, including competitors. Such availability shall be made under commercially reasonable terms and conditions. Failure of an owner to share use of a tower approved hereunder shall constitute a violation of any permit issued to such owner and shall be grounds for the Commission, upon public hearing and notice to the owner, to revoke such permit. (1/15/99)

In the event that co-location is found to be infeasible by the applicant, the Commission may retain a technical expert to verify if co-location at the site is feasible or not feasible. The cost for such a technical expert will be at the expense of the applicant and such cost shall be reimbursed prior to the decision on any pending application. Failure to reimburse the Commission for such costs shall be grounds for denial of the application without prejudice. (1/15/99)

c. All towers shall be a monopole design unless otherwise approved by the Commission. (1/15/99)

d. The maximum height of a tower proposed under these Regulations shall be 190 feet. (1/15/99)

e. No lights shall be mounted on proposed towers unless otherwise approved by the Federal Aviation Administration (FAA). (1/15/99)

f. The design of the wireless communications facility shall comply with the standards promulgated by the FCC for non-ionizing electromagnetic emissions. (1/15/99)

g. The minimum lot area of the lot on which the wireless communications facility premises is located shall be that of the zone in which it is located, and the lot shall meet both the buildable land requirements of the lot and the requirements of item h below. (1/15/99)

h. No portion of a wireless communications facility premises shall be located within 200 feet of a residence, residential accessory building, or property line, whichever is closer. (1/15/99)

i. Generators, air conditioners, compressors, or any other machinery installed shall comply with state and local noise regulations. (1/15/99)

j. A chain link fence with a height of eight (8) feet shall be required around the wireless communications facility premises. A minimum setback distance of ten (10) feet shall be maintained between equipment cabinets, equipment buildings, and the fence enclosure. (1/15/99)

k. Landscaping shall be required around the fence. At a minimum, the landscaping shall consist of a row of evergreen trees planted not more than five (5) feet on center. The evergreen trees shall be a minimum of six (6) feet in height at planting. All landscaping shall be properly maintained to ensure screening effectiveness. (1/15/99)

l. Antennas or accessory buildings or equipment mounted to or on an existing structure or building shall, to the greatest extent possible, blend with the color and design of the underlying structure.

m. Roof mounted antennas shall not exceed more that fifteen (15) feet above the highest part of the building or structure and shall be set back from the roof edge a minimum of ten (10) feet. (1/15/99)

n. Buildings shall be designed to be in harmony with the surrounding neighborhood properties, i.e., buildings must have characteristics such as roof lines, siding, etc., which are compatible with residential structures in the immediate area such as determined by the Commission. Buildings shall be limited to one (1) story, not exceeding fourteen (14) feet in height.

Building dimensions shall not exceed ten feet by twenty feet (10 ft. x 20 ft.). Flat roof structures are prohibited unless an exception is granted by the Commission. (1/5/99)

o. Commercial advertising shall not be allowed on any antenna, tower, or accessory building or equipment. (1/15/99)

p. No wireless communications facility shall be designed, located or operated as to interfere with existing public safety communications. (1/15/99)

q. Plans for the wireless communications facility shall be prepared and signed and sealed by a professional engineer licensed in the State of Connecticut. (1/15/99)

r. All applications shall comply with any applicable requirements of the Floodplain Management Ordinance and the Inland Wetlands & Watercourse Conservation Commission Regulations. (1/15/99)

s. All equipment cabinets and equipment buildings shall be maintained in good appearance. The Planning and Zoning Commission shall determine whether or not the facilities are maintained in good appearance. (1/15/99)

t. Antennas shall be permitted on existing sign pylons, telephone poles and other freestanding structures. (1/15/99)

u. Unpaved driveways leading to the wireless communications facility premises shall not exceed ten percent (10%) in grade. Grades exceeding ten percent (10%) shall be paved with bituminous concrete. No driveway, whether paved or unpaved, shall exceed fifteen percent (15%) in grade. (1/15/99)

v. Appropriate safety signage shall be affixed to the perimeter chain link fence equipment cabinets and equipment buildings. 1/15/99)

11.19.4 **Application Requirements:** New Towers under Subsection A shall be by Special Exception under Section 12 of these Regulations. New Antennas on existing structures shall require site plan review under Section 13 of these Regulations. In addition to the requirements under Section 12 and 13 of these Regulations, applications pursuant to this section shall be accompanied by the following: (1/15/99)

a. New Towers:

1) A survey meeting A-2 standards of the wireless communications premises sit at a scale of 1 inch to 40 feet with topography drawn at a minimum of five (5) feet contour intervals. The survey shall show existing utilities, property lines, existing buildings or structures, stone wall or fence lines, and wooded areas within 200 feet of the site area and shall show the boundary of any wetlands, floodplains or watercourses within 200 feet of the site area. (1/15/99)

2) A description of the slopes, wetlands, watercourses, other environmental characteristics of the site, and any historically designated areas of the site, and the impact that the tower will have on these resources. (1/15/99)

3) A design drawing, including a cross section and elevation of the proposed tower. A description of the tower's capacity as well as the proposed location of all mounting positions for co-located antennas and the minimum separating distances between antennas. The design shall also illustrate how the tower will collapse upon itself without encroaching upon any adjoining property. (1/15/99)

4) A propagation analysis that illustrates the predicted propagation for the location of the proposed wireless communications site. (1/15/99)

5) A map depicting the extent of the service area of the proposed wireless communications site, along with a map indicating the search radius for the proposed site. (1/15/99)

6) The applicant must certify that existing towers within 1,500 feet of the proposed new tower do not meet the applicant's technical requirements or lack the structural capacity to accept additional antennas. Furthermore, the applicant must demonstrate that it has examined all wireless telecommunications sites or existing structures over fifty (50) feet in height within a two-mile radius to determine whether existing facilities can be used to provide adequate coverage and/or capacity as part of the applicant's system. The Commission may require the investigation of alternative sites by the applicant and demonstration of a good faith effort to co-locate with other carriers. Such good faith effort shall include contact with all other licensed carriers licensed to operate a wireless communications facility in the Town of Griswold. In the event the applicant finds alternate sites to be infeasible, the Commission may retain a technical expert to verify if the alternate site is feasible or not. The cost for such technical expert shall be at the expense of the applicant, and such cost shall be reimbursed prior to the decision on any pending application. Failure to reimburse the Commission for such costs shall be grounds for denial of the application without prejudice. (1/15/99)

7) An elevation drawing to scale of all proposed equipment buildings or ancillary equipment. (1/15/99)

8) Details including dimensions and appearance of all proposed antennas and associated equipment. (1/15/99)

9) Proposed utilities, including distance from source of power, size of service available and required, and locations of proposed utility lines, whether underground or above ground. (1/15/99)

10) Plans indicating locations and specifics of proposed screening, landscaping, fencing and lighting. (1/15/99)

11) Erosion and sedimentation plan for construction phase and as a permanent measure. (1/15/99)

12) A graphic representation of the proposed installation in relation to the site and its vicinity in order to ascertain the visual impacts associated with the proposal. Examples of such representation include photo simulations or architectural drawings or renderings. (1/15/99)

13) Show longitude and latitude values of the tower location. (1/15/99)

b. New Antennas:

1) Detail design plan including dimensions and appearance of all proposed antennas and associated equipment. (1/15/99)

2) An elevation drawing of all proposed equipment, buildings or ancillary equipment, and host structure. (1/15/99)

3) Proposed utilities, including distance from source of power, sizes of service available, required locations of proposed utility lines, and whether underground or above ground. (1/15/99)

4) A graphic representation of the proposed installation in relation to the site and its vicinity in order to ascertain the visual impacts associated with the proposal. Examples of such representation include photo simulations or architectural drawings or renderings. (1/15/99)

5) An A-2 survey of the property may be required, at the discretion of the Commission. (1/15/99

6) Earth Station Dish type antennae, for uses other than commercial wireless and telecommunications systems that include, but are not limited to, cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging and related systems are governed by Section 11.16 of the Griswold Zoning Regulations. (1/15/99)

11.19.5 **Review and Decision.** In its review and decision on the application for a wireless communications tower, antennas, and/or facilities, the Commission shall: (1/15/99)

a. Act on the application in accordance with the schedule set forth in Sections 8-3c and 8-7d of the Connecticut General Statutes, (1/15/99)

b. Find conformance with all applicable criteria of these Regulations, including Sections 12 and 13, as the case may be, (1/15/99)

c. Find that the planned equipment cannot be accommodated on an existing tower as documented by a licensed professional engineer registered in the State of Connecticut, (1/15/99)

d. Find that the equipment would not cause unacceptable interference with the operation of the other existing or planned equipment of an existing structure, and (1/15/99)

e. Find that the existing or planned equipment would not cause unacceptable interference with the equipment proposed by the applicant and that interference cannot be prevented or eliminated at a reasonable cost. (1/15/99)

11.19.6 **Abandonment.** Upon abandonment of use, the carrier shall physically remove the wireless communications facility within 90 days from the date of abandonment. "Abandonment" shall be evidence by loss of any necessary license from the Federal Communications Commission, voluntary abandonment by the operator, or other evidence indicating intent to permanently discontinue the use. A finding of abandonment shall not be made except following a public hearing with notice to the property owner and operator of record. "Physically remove" shall include, but not be limited to removal of antennas, base equipment, and security barriers from the subject property, and restoring the location of the wireless communications facility to its natural condition, except that any landscaping and grading shall remain in the after-condition. (1/15/99)

If an owner or operator fails to remove a wireless telecommunications facility in accordance with this section, the Town of Griswold shall have the authority to enter the subject property and physically remove the facility. Costs for the removal of the wireless communications facility shall be charged to the landowner in the event the Town of Griswold must remove the facility, and the cost thereof may be deducted from any bond posted by the carrier. (1/15/99)

11.19.7 **Site Bond.** The owner of the telecommunications tower shall post a cash bond with the Treasurer of the Town of Griswold in an amount satisfactory to remove all physical improvements to the telecommunications facility premises. The amount of the cash bond shall be based on five percent (5%) of the total cost of the construction of the site, including the cost of the tower or the cost of dismantling the tower, whichever is greater. The applicant shall submit, with the application to construct a telecommunications tower, an itemized cost estimate, prepared by a Connecticut registered engineer to erect the proposed tower and all associated site improvements. In addition, the engineer shall also submit an itemized estimate for the dismantling of the tower and all associated site improvements necessary to return the premises to its original state. The cash bond shall remain with the Treasurer of the Town of Griswold and shall be in full force and effect for the life of the wireless telecommunications facility. Failure to maintain any bond shall result in an immediate Cease and Desist Order by the Commission's Enforcement Officer. (1/15/99)

11.20 **Storage Containers.** The location and use of a storage container(s) for the temporary storage of products or building materials as an accessory use to the principal use on the property located within Commercial and Industrial zones, or associated with a residential or multi-family construction project, shall be subject to approval by the Griswold Planning and Zoning Commission. The intent of this section to limit the

number of and the use of storage containers to a fixed time period based on the specific needs of the applicant. (12/28/00)

11.20.1 Storage container(s) shall be located to the rear or side of the principal building, and shall not occupy or obstruct required parking spaces or loading areas. Storage containers shall satisfy all applicable Zoning Regulations as deemed applicable by the Zoning Enforcement Officer. Each container shall contain a lockable door. Commercial advertising of any kind shall not be permitted on any storage container. Storage containers containing hazardous materials/dangerous goods shall satisfy the signage requirements of the local Fire Marshal.

11.20.2 Storage container(s) shall be maintained in a neat and orderly condition.

11.20.3 The maximum time period for any individual permit issued by the Zoning Enforcement Officer shall not exceed three (3) months: however, the Zoning Enforcement Officer may allow the continued use of a storage container(s) for bona fide construction projects for an additional three (3) month period upon the receipt of a new permit application and fee. However, the Zoning Enforcement Officer may reissue permits every three (3) months for a period of twelve (12) months. Any request beyond the twelve (12) month period shall be submitted as a new application to the Planning and Zoning Commission.

11.20.4 The application fee for a storage container permit shall be $100.00 per storage container for a three (3) month period.

11.20.5 Violations of these Regulations shall be grounds for the revocation of an existing storage container permit and/or denial of an application renewal.

SECTION 12: SPECIAL EXCEPTIONS

12.1 **Definition.** A Special Exception is a use which may be permitted in a specified district provided it meets the special conditions of this section, and any other requirements for such use set forth in these Regulations.

12.2 **Hearing and Amendments.** A public hearing shall be held on the application in accordance with the provisions of Section 8-3c of the General Statutes, as amended. No public hearing shall be required for amendments to the site plan filed in support of a Special Exception where such amendments conform to the requirements of Section 13.8 and where such amendment does not entail a substantial change to the current Special Exception approval, as determined by the Commission. (9/26/02) (8/10/09)

12.3 **General Evaluation Criteria.** In evaluating an application for a Special Exception, the Commission shall determine that the proposed use shall be in harmony with the appropriate and orderly development of the neighborhood and will not hinder or discourage the development of adjacent property nor impair the value thereof. The site plan submitted with a Special Exception application shall be reviewed against the standards listed in Section 13 of these Regulations.

The Commission shall also determine the following, where appropriate:

12.3.1 The proximity of the same or similar uses which would unduly concentrate types of uses in a particular zone or vicinity in a zone or district.

12.3.2 The proximity of dwellings, emergency facilities, churches, schools, public buildings and other places of public gathering to the proposed site.

12.3.3 Water supply, sewage disposal facilities, drainage and erosion controls.

12.3.4 The effect of the proposed use and its appurtenances on sources of public water supply, including reservoirs and aquifers.

12.3.5 The effect of the proposed use on the purpose and intent of these Regulations and the Comprehensive Plan.

12.3.6 The size and intensity of the proposed use.

12.3.7 The location, height, arrangement, design and nature of any existing and/or proposed building and appurtenance.

12.4 **Excavation.** Excavations, as defined in Section 21—of these Regulations, may be permitted by the Commission by Special Exception provided the detrimental effects of the proposed activity are minimized and provided the future usefulness of the property is assured when the excavation activity is completed. Permits for excavations shall not be issued for periods exceeding two (2) years. Excavation beyond the exterior limits of the existing or previously approved operation shall be considered a new operation requiring a permit subject to the conditions contained herein. The Commission may renew permits for excavations only if it can be shown that the activity is being conducted in conformance with the conditions of the previously issued permit and in accordance with the approved site plan.

12.4.1 The site plan shall be prepared in accordance with Section 13 of these Regulations and shall show the exterior limits of excavation, the sequence of excavation, existing and proposed contours at two-foot intervals, the interior access roads, equipment parking areas, and temporary stockpiling areas for topsoil and other excavated materials.

12.4.2 The application shall be accompanied by a written narrative of the proposed operation, including an estimate of the number of cubic yards of material to be excavated, the proposed vehicular access to and from the site to the nearest major state highway, and an estimate of the number, types, and hours of operation of trucks and other machinery to be used on site.

12.4.3 The minimum lot size shall be 120,000 square feet.

12.4.4 The exterior limits of the proposed activity shall not exceed a total of eight (8) acres open to excavation at any one time (8/10/09)

12.4.5 All excavations shall be limited to the hours of 7:00 am to 7:00 p.m., Monday through Saturday. No work shall be permitted on legal holidays recognized by the State of Connecticut. The Commission may allow additional hours and days of operation under extraordinary circumstances or in special cases.

12.4.6 No excavation, access or equipment shall be located within twenty (20) feet of a property line or within 100 feet of a residence on an adjoining property under separate ownership. All site plans for excavations shall include a soil erosion and sedimentation control plan which shall be reviewed and endorsed by the District Conservationist of the New London County Soil and Water Conservation District.

12.4.7 The excavation shall not result in sharp declivities, pits or depressions, soil erosion, improper drainage or other conditions which would impair reasonable reuse and development of the property or which would impair or damage the use of adjacent or neighboring properties or which would cause public health or safety hazards.

12.4.8 Where any disturbed area shall have a depth of ten (10) feet or more or creates a temporary slope in excess of one (1) foot of vertical rise to two (2) feet of horizontal distance, there shall be a fence of at least six (6) feet in height with suitable gates or an earthen berm at least three (3) feet in height. Such fence or berm shall be located at least fifteen (15) feet from the edge of the disturbed area.

12.4.9 No excavation shall be conducted below the water table unless otherwise permitted by the Commission. If so permitted, no excavation below the water table shall result in ponding or stagnant water on site. Excavation below the water table shall be consistent with the proposed and final drainage of the site.

12.4.10 No excavation or related filling and regrading shall result in excessive flying of rock or dust. Proper measures, including the watering of disturbed areas, shall be taken to control the flying rock and dust along access roads and within disturbed areas.

12.4.11 Dry screening of on-site material is allowed in Commercial and Industrial districts. Washing, crushing or other forms of processing of excavated material is allowed only in industrial districts.

12.4.12 At the conclusion of the work authorized, the area of the excavation shall be restored as follows: no bank shall exceed a slope of one (1) foot vertical rise to two (2) feet horizontal distance; the disturbed area shall be evenly graded and covered with not less than four (4) inches of topsoil or loam and seeded with suitable cover crop; and all debris and loose boulders not incorporated into the improvement of the lot shall be buried at a depth of three (3) feet below the finished grade or removed from the lot.

12.4.13 The applicant shall post a bond with the Treasurer of the Town of Griswold in an amount sufficient to guarantee conformity with the provisions of these Regulations.

12.5 Multi-family Dwellings. Removed In Its Entirety and Intentionally Left Blank

12.6 Recreational Campground. Such facilities are permitted in R-80, R-60, and R-40 Districts provided they meet the requirements of the Connecticut Public Health Code and the Connecticut Basic Building Code and the following conditions.

12.6.1 Where an area abuts any use except a state forest or a lake, the Commission may require that a treed buffer strip be provided at least fifty (50) feet wide. Notwithstanding the above, no campsite shall be situated closer than 100 feet to any dwelling on adjoining property. Where a landscaped buffer strip is required, such a strip shall consist of an inter-planting of evergreen and deciduous trees and shrubs suitable, in the judgment of the Commission, to provide in a reasonable time a visual barrier between different land uses.

12.6.2 No more than fifteen (15) campsites shall be provided for each gross acre of overall site area. The gross acreage shall include buffer areas, recreational facilities, rental sites, community areas, and emergency overflow areas, and supporting facilities.

12.6.3 Campsites may be occupied by a tent or camper unit, but not by any permanent type of building or mobile manufactured home.

12.6.4 The owner of the campground may operate a supply store on the premises as an accessory use. Items for sale shall be limited to groceries, beer, and camping supplies and shall not include the sale of camper units, tents, or other major items of camping equipment. Such store shall be intended to serve only the patrons of the campground.

12.6.5 No campsite shall be occupied for more than thirty (30) days between October 1 and the next following May 1 except each recreation campground of ten (10) or more developed sites may have a year-round caretaker(s) according to the following schedule:

Number of Developed Sites	Number of Caretaker Sites Allowed.
10 to 50	1
51 to 100	2
101 to 200	3
201 and over	4

Such caretaker site(s) shall be permitted only after the adequacy of the proposed water supply and sewage disposal system is reviewed and approved by the Griswold Sanitarian. (6/26/92)

12.6.6 The registration records required by the Connecticut Public Health Code and the Basic Building Code shall be made available to the Zoning Enforcement Officer to assist in the enforcement of these Regulations.

12.7 **Alcoholic Beverages.** The purpose of this section is to permit, by Special Exception, the on-premises consumption of alcoholic beverages as an accessory use to a restaurant, where said uses are incidental and subordinate to the principal use. (4/30/98)

12.7.1 The sale of alcoholic beverages for consumption on the premises shall be a permitted accessory use for restaurants in the C Zone, including restaurants which are themselves accessory to hotels, motels, recreational uses, and other uses to which restaurants are customarily accessory. (4/30/98)

12.7.2 The sale of alcoholic beverages for consumption on the premises shall be a permitted accessory use for restaurants in all zones only where such restaurants are themselves accessory to permitted recreational uses or such other uses permitted in the subject zone to which restaurants are customarily accessory, such a golf courses and clubs. (4/30/98)

12.7.3 The sale of alcoholic beverages for consumption on the premises shall be a permitted principal use in the C Zone provided no such use shall be established on a lot, any part of which is within 1,000 feet of a building housing a library, school, church, or other place of worship. Said 1,000 foot distance shall be measured along the street lines between the closest portions of the lot upon which alcohol is served and any lot containing any library, school or place of worship buildings. (4/30/98)

12.8 **Kennels.** Special Exception approval for kennels shall require that all dogs or cats be kept in buildings or enclosures, and such buildings and enclosures shall be located no closer than 200 feet from the nearest property line, except that the distance may be reduced to 100 feet where the adjacent property is not likely to be used for residential purposes because of state ownership or some other condition.

12.8.1 Lots containing kennels shall contain at least 120,000 square feet.

12.9 **Hotels and Motels.** Minimum lot size shall be 120,000 square feet.

12.10 **Commercial Recreation Facilities.** Minimum lot size shall be 200,000 square feet.

12.11 **Convalescent facilities and/or nursing homes, rehabilitation facilities, assisted living facilities and continuing care facilities.** In R-40, R-60 and R-80 Districts, lots used for such purpose shall contain a minimum of ten (10) acres. (8/10/09)

12.12 **Private Aircraft Landing Facilities.** Only private restricted landing areas, as defined by state and federal aeronautical regulations, are permitted, provided they meet the appropriate state and federal regulations and the following conditions:

12.12.1 A level area at least 2,000 feet long and 200 feet wide shall be available for use as a runway.

12.12.2 No part of the runway or aircraft parking space shall be closer than 100 feet from any property line.

12.12.3 No runway shall be established that would result in an existing church, school, library or other place of public assembly being located within an area 500 feet wide and extending 1,000 feet beyond the ends of the runway.

12.12.4 Medical evacuation helicopters may be stationed in locations approved by the Commission provided the activity is deemed consistent with Section 12.3 of these Regulations, and need not comply with Section 12.12.1 and 12.12.3, above.

12.13 Amusement Game Arcades. Amusement game arcades shall be permitted by Special Exception under the following conditions:

12.13.1 Adequate space shall be provided for each machine so as to allow its use without overcrowding. A minimum width of two (2) feet shall be provided per machine where the machine is designed for use by one player and three and one-half (3-1/2) feet where the machine is designed for use by two players. The depth of the space in front of the machine shall be at least five (5) feet, and there shall be a minimum aisle width beyond this five (5) feet of an additional three (3) feet.

12.13.2 An arcade shall not be located closer than 1,000 feet from the property boundary lines of a church, school or public building.

12.13.3 The Commission may permit an arcade as an accessory use to an existing commercial use, provided that safeguards are taken to assure that the use will be compatible with the existing neighborhood.

12.13.4 Off-street parking shall be adequate to assure that no patron or employee vehicles park on a public or private street.

12.13.5 Except where permitted under subsection 12.7 above, no consumption of alcoholic beverages shall be permitted on the premises. (8/10/09)

12.13.6 Readily visible signs shall be installed, with their location, size and text shown in the plans submitted to the Commission, indicating that the use of machines by persons under sixteen years of age shall not be permitted during normal school hours.

12.13.7 The amusement game arcade shall be located in a separate room separated from other uses on the premises and from pedestrian circulation to and from other uses. The room shall be arranged so that there is a management attendant at all times within the room, or such that management attendants outside the room can, at all times, easily see and supervise the interior of the room.

12.14 Banquet Halls and Banquet Facilities. The Commission may permit by Special Exception banquet halls and banquet facilities in Commercial and Industrial districts and Business Park district subject to the following conditions: (12/30/91) (8/10/09)

12.14.1 If the food is to be prepared on site or catered, such facility shall meet all of the applicable requirements of the Public Health Code. (12/30/91)

12.14.2 The applicant shall demonstrate to the Commission's satisfaction that the facility has adequate on-site parking for employees and patrons. (12/30/91)

12.14.3 Such facility is designed to accommodate more than one event at a time, parking areas shall be designed and maintained so that the majority of the parking is not generally visible from the street. (12/30/91) (8/10/09)

12.14.4 Such facility shall have a minimum of one hundred (100) feet of frontage on one of the following highways: CT Route 12, CT Route 138, CT Route 164, CT Route 165, and CT Route 201. The Commission may approve frontage to the facility on a Town Road if the applicant is able to demonstrate that such frontage will provide safe and adequate access to the site. Access to the site shall be restricted and limited to the approved frontage. (12/30/91)

Such use shall be permitted in C - Commercial and I zones subject to obtaining a Special Exception from the Planning and Zoning Commission. (12/30/91)

12.15 **Bed & Breakfast Facilities.** The Commission may permit by Special Exception bed and breakfast facilities in all Residential and Commercial zones subject to the following conditions: (2/28/92)

12.15.1 The facility shall be located on a lot having a land area of at least 40,000 square feet and shall be owner occupied. (2/28/92)

12.15.2 The facility shall meet all of the applicable Building, Fire, and Public Health Code requirements. (2/28/92)

12.15.3 No accessory building shall be used for the letting of rooms or the furnishing of board to patrons or employees. (2/28/92)

12.15.4 If the facility is located in a Residential zone, patron and employee parking shall be suitably screened so as not to be generally visible from the street or any adjoining residence. (2/28/92)

Such use shall be permitted in R-20, R-40, R-60, R-80, C – Commercial zone subject to obtaining a Special Exception from the Planning and Zoning Commission. (2/28/92)

12.16 **Gasoline Stations with or without Convenience Stores.** The Commission may permit by Special Exception gasoline stations with or without convenience stores and/or with or without food service drive through windows in Commercial districts subject to the following conditions: (12/30/91) (8/10/09)

12.16.1 The facility shall be on a lot having a land area of at least 60,000 square feet. (12/30/91)

12.16.2 All gasoline pump islands and gasoline pump canopies shall be located at least twenty-five (25) feet from all lot lines. (12/30/91)

12.16.3 All curb cuts shall be clearly defined with a permanent marking of concrete, bituminous concrete, or granite curbing. (12/30/91)

12.16.4 Only one-side of the gasoline pump canopy shall display a sign or logo, the size of which shall not exceed five percent (5%) of the area of that side of the canopy. (12/30/91)

12.16.5 Parking, in accordance with Section 14 of these Regulations, shall be provided and clearly marked for the patrons of the convenience store. (12/30/91)

12.16.6 There shall be not more than two curb cuts for any such facility. No curb cut shall be greater than thirty (30) feet in width. Such curb cuts shall be at least forty (40) feet apart. (12/30/91)

Such use shall be permitted in C -Commercial zone subject to obtaining a Special Exception from the Planning and Zoning Commission. (12/30/91)

12.17 **Hotels and Conference Centers.** The Commission may permit by Special Exception hotel and conference centers in Commercial or Business Park districts are subject to the following conditions: (12/30/91) (8/10/09)

12.16.1 Thirty percent (30%) of the lot or lots on which the facility is located shall be developed as landscaped areas. (12/30/91)

12.16.2 Such facility may include restaurants, retail stores, and recreational facilities. (12/30/91)

12.16.3 Such facility shall have a minimum of one hundred (100) feet of frontage on one of the following State highways: CT Route 12, CT Route 138, CT Route 164, CT Route 165, and CT Route 201. The Commission may approve frontage to the facility on a Town Road if the applicant is able to demonstrate that such frontage will provide safe and adequate access to the site. Access to the site shall be restricted and limited to the approved frontage. (12/30/91)

Such use shall be permitted in Business Park, C - Commercial zone subject to obtaining a Special Exception from the Planning and Zoning Commission. (8/10/09)

12.18 Warehousing, Wholesaling, and Wholesale Distribution Centers. Warehouses, wholesaling and wholesale distribution centers may be permitted by the Commission by Special Exception subject to the following conditions: (12/30/91)

12.18.1 Such facility shall be on a lot having a land area of at least 120,000 square feet. (12/30/91)

12.18.2 A maximum of twenty-five percent (25%) of the finished floor area may be used for the retail sale of goods and products that are stored on site in connection with the principal use. (12/30/91)

12.18.3 Parking requirements for the combination of wholesale and retail sales shall be met in connection with such facility. (12/30/91)

Such use shall be permitted in Business Park, C - Commercial zone subject to obtaining a Special Exception from the Planning and Zoning Commission. (12/30/91) (8/10/09)

12.19 Country Inn and Banquet Facilities. Country Inns shall be permitted in all Commercial, and Residential zones subject to obtaining a Special Exception from the Planning and Zoning Commission. The Commission may permit Country Inns with or without banquet facilities in all Residential zones and all Commercial zones subject to the following conditions: (4/13/98)

12.19.1 The facility shall have, if located in a Residential Zone, a minimum lot area of five (5) acres. The facility shall have, if located in a Commercial zone, a minimum of 60,000 square feet.

12.19.2 The facility shall meet all of the applicable Building, Fire, and Public Health Code requirements.

12.19.3 The facility shall have a minimum of seventy-five (75) feet of frontage on one of the following State highways: CT Route 138, CT Route 164, CT Route 12, CT Route 165, and CT Route 201. The Commission may approve frontage to the facility on a town road if the applicant is able to demonstrate that such frontage will provide safe and adequate access to the site. Access to the site shall be restricted and limited to the approved frontage. Country Inns shall be located a minimum of 1,000 feet from a highway, road or street serving the facility.

12.19.4 If the facility is located in a Residential zone, patron and employee parking shall be suitably screened so as not to be generally visible from the street or any adjoining residence.

12.19.5 Facilities located in Residential zones shall be limited to thirty (30) lodging rooms. Facilities located in Commercial zones shall be regulated as to total lodging rooms in the same manner as hotels and motels, which are referenced in these Regulations.

12.19.6 Such facility may include a restaurant, banquet and recreational facilities. Restaurants, as accessory uses to a Country Inn located in a Residential zone, shall be limited to four (4) seats per lodging room. Banquet facilities are allowed as part of a Country Inn in both Residential and Commercial zones and must meet Sections 12.14.1, 12.14.2, 12.14.3 and 12.14.4 of these Regulations.

12.19.7 Thirty-five percent (35%) of the developed lot area on which the facility is located shall be improved as landscaped areas.

12.19.8 Retail stores are allowed as an accessory use to a Country Inn only in a Commercial zone.

12.19.9 Alcoholic beverages are allowed as an accessory use to a Country Inn provided they meet Sections 12.7 of these Regulations. If alcoholic beverages are served in a Residential zone, the hours of operation shall be limited to between 12:00 pm. (Noon) and 10:00 p.m. Following notice to the permit holder and property owner of record and the opportunity to be heard, the Commission may revoke the ability to sell alcoholic beverages in a Residential zone at any time that said Commission has reason to believe that alcoholic beverages have caused a nuisance or a threat to surrounding property owners by a vote of two-thirds (2/3) majority of the Commission.

12.19.10 Country Inns shall not be located on a parcel of land that is part of an approved plotted and developed subdivision as approved by the Town of Griswold since March 1971 (date of Subdivision Regulations taking effect in Griswold).

12.19.11 A Country Inn facility, located in a Residential zone, shall maintain a 500-foot separating distance from any adjoining residential property line.

12.20 Non-Profit Small Domestic Animal Shelters. (2/1/08)

12.20.1 The Commission may, by Special Exception, permit Non-Profit Small Domestic Animal Shelters only for smaller domestic animals such as dogs, cats, and exotic pet birds and on residential lots over 80,000 square feet in R-60 and R-80 Districts only; farm animals or animals raised for food or fur such as goats, llamas, horses as well as snakes and reptiles are not permitted under this section, but shall be governed by the provisions of the Regulations for farms.

12.20.2 All Shelter animals shall be contained within heated, weather-protected permanent buildings each of which is no larger than 4,000 square feet gross floor area; there shall be no more than two buildings having a total aggregate of 4,000 square feet of gross floor area used by the non-Profit Small Domestic Animal Shelter.

12.20.3 Appropriately fenced or covered outside exercise or run areas shall be the minimum size necessary referring to Connecticut Humane Society guidelines.

12.20.4 All small domestic sheltered animals capable of creating nuisance noise shall be contained within the building to minimize off-site noise between the hours of 8 p.m. and 8 a.m.

12.20.5 Sufficient sound barrier or reduction features shall be installed within the building to minimize the noise disturbance to residential neighbors;

12.20.6 The applicant shall submit an Operational Plan which covers aspects of day-to-day operation and presents specific management plans for proper sanitation and odor control; and shall specify the types of animals to be housed on the property; the maximum number of each type of animal at any given time; and the space, both indoor and outdoor, allocated for each type of animal to be housed on the property.

12.21 Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities (8/10/09)

12.21.1 Intent: The intent of this section is to provide for housing suited to the unique needs of elderly persons that is consistent with the overall intent of these Regulations; namely to preserve the essentially rural, low–density residential character or the village commercial areas of the Town of Griswold, while permitting variations in bulk, density and residential use types which would not otherwise be possible in order to meet the special needs of elderly persons; to permit flexible site design so that the development may be constructed in harmony with, and to preserve, natural, scenic and historic site design features, and to provide incentives and opportunities for the creation of affordable housing and the reservation of open space lands in many diverse zoning districts.

12.21.2 Required Approvals: A Special Exception shall be required for any proposed Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities. The Special Exception may be issued only by the Griswold Planning and Zoning Commission only after a public hearing and shall be issued only in conformity to the provisions of Sections 2, 12, and 13 of these regulations.

12.21.3 Definitions (8/10/09)

1. Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities: A building or group of buildings that are located on a single parcel of land or adjacent neighborhood retirement lots, that share common management, with in–unit and yard area uses and owner agreements included in a common interest ownership document and enforced primarily through the common interest ownership association and wherein each single family unit is occupied by:

a. A person 55 years of age or older as occupant

b. A cohabitant of an occupant pursuant to (a) above.

c. A cohabitant pursuant to (b) above who survives the occupant who is 55 years of age or older.

d. A cohabitant pursuant to (b) above where the occupant who is 55 years of age or older and has entered into a long–term continuing care facility. In (c) and (d) above, cohabitants under 55 years of age who are continuing residents or survivors of the occupant must meet all occupancy requirements as described in the common interest ownership documentation of the Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities or vacate the housing unit within one year.

e. One (1) child 21 years of age or older may reside with his or her parent(s) or one (1) caregiver 21 years of age or older may reside with the occupant.

f. In no event may a dwelling unit be occupied by more than three residents.

2. Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities: All buildings and structures located on the neighborhood retirement housing lot or multiple adjacent neighborhood retirement lots and including dedicated open space land and improvements owned and managed by an association in accordance with the Connecticut Common Interest Ownership Act.

3. Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities Lot: A lot created within a Neighborhood Retirement Complex complying with Section 12.21.13 of these regulations and meeting the standards for size and bulk in accordance with Section 12.21.13 that may have its sole access and frontage on a private road managed by an association in accordance with the Connecticut Common Interest Ownership Act. Individual lots may be created only when providing water or septic presents unusual difficulties due to soil conditions and subject to approval in accordance with Griswold Subdivision Regulations.

4. Dedicated Open Space: Land, the future use of which is legally restricted to conservation, recreation or agriculture in perpetuity utilizing restrictions approved by the Town Attorney.

5. Impervious Surface: The area(s) of an Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities lot that have been improved in such a way as to be impenetrable by surface water. Such surfaces include, but are not limited to roofs, paved areas (roads, driveways, parking lots, sidewalks, patios, etc.) and swimming pools**.**

6. Single–Family Dwelling Unit: A single unit providing complete, independent living facilities for qualified occupants including permanent provisions for living, sleeping, eating, cooking and sanitation.

7. Unbuildable area: The area, expressed in square feet, within a tract that is comprised of wetlands and watercourses as defined in the Griswold Inland Wetlands and Watercourses Regulations; exposed ledge; shallow depth–to–bedrock soils; Flood Hazard Area A per FEMA maps; ledge (either exposed or within three feet of the existing surface of the ground); slopes greater than 20 percent; easements for above–ground public utility transmission lines; and lands with existing legal restrictions precluding use for building.

12.21.4 Application for Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities:

1. Approvals: A special exception is required under the provisions of Section 12.21.

2. Information Required:

a. Letter of application signed by the owner and agent, if any, stating the ownership of the property to be developed and summarizing the development proposal.

b. An approval of the septic system design by the Connecticut Department of Health Services and the local Health Director and/or the Department of Energy and Environmental Protection, as applicable.

c. A Phase 1A Certificate of Public Convenience and Necessity ("Certificate") from the Department of Public Utility Commission and/or an approval from the State Health Department for a water supply system for the Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities if such certificate and/or approval is required. See Section 12.21.5.9.

d. Key map of the neighborhood on a scale of 1" = 400' showing the relation of the proposed development to abutting properties and to existing and proposed streets.

e. Certified A–2 base map on a scale of 1" = 40' showing the following:

1) Location of benchmarks

2) parcel size

3) Two–foot contours extending fifty (50 feet beyond site boundaries. Contour information shall be collected by an actual field survey or by means of photogrammetry (aerial topography).

4) Location of separate subsurface sewage disposal area for each parcel, and site testing locations for the same.

5) Location of separate water supply for each parcel; or location of any buried fuel tanks.

6) Location, dimension and basement floor elevation of all buildings.

7) Location of driveways, parking areas, and parking spaces.

8) Location of accessory buildings, structures and facilities.

9) Foundation drains and gutter drains, drainage plan of entire site including all disturbed areas, sidewalks, parking and driveway areas.

10) Location of any ponds, brooks, or inland wetland areas as certified by a soil scientist.

11) Location of unbuildable area including wetland soils, areas of exposed ledge or shallow depth to bedrock and slopes over 20 percent from the horizontal. Notes should reflect total area (in square feet) of buildable and unbuildable areas on the lt.

12) Location of proposed dedicated open space.

f. Appropriate and accurate elevations, to scale, depicting height, bulk, construction materials and other massing, architectural, and design features of the buildings and structures in proposed development.

g. Landscaping plan, incorporated as part of the Site Plan referenced in Section 13 showing:

1) Planting schedules – type, number, minimum size of trees and/or shrubs and other plans.

2) Treatment of seeding and sodding.

3) Pavement types of vehicular and pedestrian movement.

4) Type, height and density of any proposed screening or fencing.

h. An erosion and sedimentation control plan prepared in accordance with Section 13.4 of the Town of Griswold Zoning Regulations.

i. A legal document suitable to the Commission and the Commission's legal counsel to ensure the proposed use or limitations in the use of the dedicated open space is preserved and maintained in perpetuity.

12.21.5 **Standards:** Any application for a special exception under the provisions of Section 12.21 shall meet the following requirements**.**

12.21.5.1 Tract Size and Location: No tract of land shall be approved for Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities that is less than ten (10) acres if located in a R–40, R–60, or R–80 district and shall have a minimum lot width at the frontage of fifty (50) feet. Minimum lot area for C–1 district shall be six (6) acres and shall have a minimum lot width at the front boundary of fifty (50) feet.

12.21.5.2 Density of Dwelling Units: For one–family or attached dwelling units per acre, no Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities shall exceed two (2) dwelling units per 40,000 square feet on the average, excluding "unbuildable area" as designed in Section 12.21.3.7 if no public water or sewer are available. No more than three (3) dwelling unit per 40,000 square feet on the average, excluding "unbuildable area" as defined in Section 12.21.3.7 shall be approved for a parcel with only public water or pubic sewer, not both. No more than four (4) dwelling units per 40,000 square feet shall be approved for a parcel served by both public water and public sewer.

For no more than fifty percent (50%) of the total units on a parcel, multiple attached dwelling units may be permitted consisting of as many as four dwelling units in a single multi-family building with common walls, provided that the equivalent front of each dwelling unit is visually isolated from other attached dwelling units, and that the dwelling units are each two bedroom and no larger than 1200 square feet of Attached dwelling units shall be no closer than 100 feet and one–family units shall be no closer than 50 feet from the limits of the Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities.

12.21.5.3 Each single-family dwelling unit shall contain a minimum of 900 square feet and not more than 2200 square feet of livable area. No dwelling unit shall contain more than three (3) bedrooms and no more than one–third of the total number of single-family dwelling units on the tract shall contain three (3) bedrooms.

12.21.5.4 Community buildings, recreational facilities and open spaces designed for and used principally by the residents of the Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities are permitted as accessory uses.

12.21.5.5 Building Height: Maximum height of twenty–eight (28) feet, if one–story and thirty–five (35) feet if two–story.

12.21.5.6 Separating distance between buildings and between buildings and streets: Minimum separating distances shall be not less than thirty–five (35) feet for one–story buildings and fifty (50) feet for two–story buildings.

12.21.5.7 Distance from dwelling units from side and rear limits of the Neighborhood Retirement Complex: side and rear yards shall be a minimum of fifty (50) feet.

12.21.5.8 Sewage Disposal: Each single–family dwelling shall be connected to an approved sewage disposal system. An approval of the permit for the subsurface sewage disposal system must be obtained from the Department of Health Services and/or the Department of Energy and Environmental Protection prior to final approval of the Special Exception by the Commission. If the applicant proposed to utilize a community sewage system, as defined in Connecticut General Statutes Section 7–245, a report from the said Water Pollution Control Authority indicating that all requirements of Connecticut General Statutes Section 7–246f have been satisfied shall be provided.

12.21.5.9 Water Supply:

12.5.5.9.1 Water Supply facilities must meet the requirements of the State Health Code. In accordance with Section 8–25a of the Connecticut General Statutes as amended by Public Act 84–330, any development providing water by means of a "water company" as that term is defined in Connecticut General Statutes Section 16–262m (a), shall provide to the Commission a certified copy of a Phase 1A Certificate of Public Convenience and necessity issued for the development by the Connecticut Department of Public Utility Control. No application for special exception involving such water company in the event that the company is at any time unable or unwilling to provide adequate service to its consumers.

12.21.5.9.2 Individual water supply wells, if proposed, must be drilled and tested at the expense of the owner and/or developer and found to meet the required standards for potability and yield prior to the issuance of a building permit on any Neighborhood Retirement Housing lot. The Director of Health or his representatives shall issue a notice to the Zoning Enforcement Official following the receipt of the well completion report, the results of the yield testing and the potability analysis by a certified laboratory indicating that the well meets the minimum standards for yield and potability as set forth by the State of Connecticut.

12.21.5.10 Parking, driveways and streets: The following standards shall apply to parking, driveways and streets.

a) Parking and driveway surfaces shall be bituminous concrete. Internal private streets shall be held in common interest by the Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities homeowners association and shall be at least 22 feet in width. All internal private streets shall be constructed in accordance with the Standards for a Local Street specified in the Town of Griswold Subdivision Regulations and Ordinance 202.

b) Driveways for each unit shall be constructed in conformance with Section 10.8 of these regulations.

c) There shall be at least two parking spaces provided for each one-family dwelling unit. For attached dwelling units, at least two parking spaces for each two bedrooms shall be provided. At least one of these parking spaces shall be provided within an attached garage. All unit driveways shall be a minimum of 40 feet in length.

d) Driveways, parking areas, utilities, water, sewage, streets, landscaped areas, open spaces, accessory buildings, structures and facilities under common ownership by the Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities shall be owned and maintained by a common interest ownership association pursuant to the Connecticut Common Interest Ownership Act of the Connecticut.

The Association Constituent Documents shall be reviewed and approved in draft before Commission approval and prior to the formation of the Common Interest Association for content by the Commissions legal counsel. No Special Exception Permit shall be effective until after such review and approval has been granted and the constituent documents have been filed in the Town Clerk's office.

12.21.5.11 All utility transmission and service lines shall be underground, except when waived by the Commission due to circumstances such as severe soil limitations.

12.21.5.12 All garages shall have automatic door openers.

12.21.5.13 Height, Area and Yard requirements for a Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities lot:

Minimum Lot Area:	20,000 square feet
Minimum Front yard Setback:	30 feet
Minimum Side yard Setback:	15 feet
Minimum Rear yard Setback:	50 feet
Minimum Lot Width:	100 feet
Maximum Building Height:	28 feet – one–story
	35 feet – two–story
Maximum Impervious Surface	30 percent of lot.

12.21.6 **Architectural considerations:** All one–family dwellings or attached units shall share a common exterior architectural theme and compatibility. Architecture shall also be compatible with architecture in the surrounding neighborhood. Proposed rendering shall be reviewed by a consultant licensed Architect to the Commission. Each unit shall contain a basement, attic or other designated area within the individual Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities for storage.

12.21.6.1 Home office uses shall be allowed in conformance with Section 11.7 of these Regulations.

12.21.6.2 Adequate street lighting using full cut–off fixtures and poles of such height that stray light towards the buildings or off-site is minimized.

12.21.6.3 Appropriate signage shall identify the entrance to the complex, intersections, directions, and patterns of vehicular movement. One sign identifying the Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities complex may be placed on each such complex. The sign shall be subject to approval by the Planning and Zoning Commission so that it will fit the character of R–40, R–60, R–80, C–1 districts. The sign shall not exceed sixteen (16) square feet in area. The location and height of the sign shall conform to the requirements of Section 15.

12.21.6.4 A minimum of 40% of the parcel area in the R–40, R–60 and R–80 districts shall be preserved in perpetuity as dedicated open space. A minimum of 25% of the parcel area shall be preserved in perpetuity as dedicated open space for parcels in the C–1 districts. Such open space shall be located so that it is an integral part of the residential area, readily accessible to residents of the parcel and to necessary maintenance equipment except where such accessibility would interfere with a stated conservation purpose or agricultural use.

12.21.7 **Evaluation Criteria:** In considering the proposed application, the Planning and Zoning Commission shall be guided by the following in addition to the Standards of Section 12 of these Regulations.

12.21.7.1 The existing and future character of the neighborhood in which the use is to be located.

12.21.7.2 The location of principal and accessory buildings in relation to one another.

12.21.7.3 The height, bulk, and density of buildings in relation to one another, and their architectural character.

12.21.7.4 Traffic circulation within the site; amount, location, and access to parking; traffic load or possible circulation problems on existing streets; pedestrian safety throughout the site and in the immediate neighborhood; and the quality of the landscaping in terms of its buffering values, quantity, and enhancement of the visual beauty of the development.

12.21.8 The Commission may provide for bonding of all required common improvements and for soil and erosion control to conform to the specifications set forth in Section 13.4 of these Regulations. The responsibility for the maintenance of common improvements and for maintaining the provisions of the approved special exception within the Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities shall be vested in the Homeowners Association pursuant to the Common Interest Ownership Act.

12.22 Convalescent and/or Nursing Homes, Rehabilitation Facilities, Assisted Living Facilities, Continuing Care Facilities, Elder Care Facilities, Adult Day Care Facilities. (7/27/12)

12.22.1 Minimum lot size for this use shall be 2.0 acres.

12.22.2 Parking requirements in addition loading area shall be one space for each three (3) units, one space for each employee in the largest shift of the day.

12.22.3 Additional holiday parking spaces are encouraged that are designed as Low Impact Development features such as pervious concrete and structural grass overflow parking and does not contribute to the impervious area of the lot.

12.23 **Child Day Care Centers** may be permitted by Special Exception in C - Commercial and BP districts as long as: (7/27/12)

12.23.1 Minimum lot size shall be 1.5 acres.

12.23.2 Parking requirement in addition to loading area shall be one space for each employee in the larges shift of the day and one visitor parking space for each five (5) children in the day care facility.

12.24 Permanent Year-Round Commercial Farm Stores

12.24.1 The farm store shall be located a minimum of 50 feet from any street intersection. Front yard, side yard, and rear yard setback requirements shall be maintained for the zoning district in which it is located in accordance with section 10 of these regulations.

12.24.2 To ensure public safety, farm stores are required to provide off street parking with adequate ingress and egress in accordance with section 14 of these regulations.

12.24.3 A minimum of 75 percent (75%) of gross sales shall be from farm agricultural products grown, raised or produced on the owner's farm. Farm related products grown or raised from other farms may be sold

12.24.4 Seasonal limited events that are incidental to agricultural uses including events such as corn mazes, harvest festivals, educational demonstrations, hay rides, petting zoos or other similar uses are allowed as long as provisions are made to facilitate public safety including but not limited to off-street temporary parking, temporary signage and temporary portable bathroom facilities

12.24.5 A site plan shall be prepared in accordance with section 13 of these regulations

SECTION 13: SITE PLAN REQUIREMENTS

13.1 **Purpose.** A site plan is intended to provide the Commission with information that will enable it to determine that the proposed buildings and uses shall be arranged in a manner that enhances the health, safety and welfare of the citizens of Griswold and shall be of such character as to harmonize with the neighborhood, to accomplish a transition in character between areas of unlike character, to protect property values in the neighborhood, to preserve and protect natural resources and the appearance and beauty of the community and to avoid undue traffic congestion.

13.2 **Procedure.** A site plan shall be submitted with any application for a Zoning Permit involving uses other than single-family and two-family dwellings and accessory buildings or expansions of or additions to such buildings. Such plan shall conform to Class A-2 standards for accuracy in accordance with the Regulations of Connecticut State Agencies, Connecticut General Statutes Section 20-300b-1 through 20-300b-20 or as amended. (8/10/09)

13.2.1 Approval of a site plan shall be presumed unless a decision to deny or modify it is rendered by the Commission within 65 days after the date of receipt, except that such time period may be extended for not more than one (1) additional period of 65 days, with the consent of the applicant.

13.2.2 A copy of any decision by the Commission on a site plan shall be sent by certified mail to the applicant within fifteen (15) days after such decision is rendered.

13.3 **Site Plan Requirements.** Site plans shall be drawn at a scale of at least one inch equals fifty feet (1" = 50') and shall be on sheets either 36 x 24 inches or 18 x 12 inches and shall clearly show, to the satisfaction of the Commission, the following information: 8/10/09

13.3.1 Name and address of applicant,

13.3.2 Address of property and name of owner of record,

13.3.3 Scale, north arrow, date of drawing or its revision, and name of person preparing the site plan,

13.3.4 Property boundaries, dimensions and area,

13.3.5 Locations of all existing and proposed buildings and uses including but not limited to signs, sidewalks, driveways, parking and loading areas, and abutting streets; poles, hydrants, and other utility appurtenances; areas to be used for exterior storage and the type of screening to be provided.

13.3.6 Dimensions of all yards, as required by these Regulations.

13.3.7 Locations and descriptions of water supply and sewage disposal facilities.

13.3.8 Contour lines at intervals determined by the Commission to be sufficient to clearly show natural drainage; if grading is proposed, the existing and proposed contours will be shown.

13.3.9 Existing and proposed drainage structures on the property and those off the property that may be affected by the proposed building or use, and

13.3.10 Proposed landscaping, including the type, size and location of proposed plantings.

13.3.11 Location and Configuration of all Driveways, Common or Loop Driveways. See Section 10.9 of these Regulations. (8/10/09)

13.3.12 Location and stonewall type for boundary stonewalls and stonewalls on the road frontage including the proposed existing/new location, construction details, and typical cross-sectional dimensions of any stonewalls that are to be rebuilt or relocated. (8/10/09)

13.4 **Erosion and Sediment Control Plan.** A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half (1/2) acre. The soil erosion and sediment control plan shall contain proper provisions to adequately control storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the "Connecticut Guidelines for Soil Erosion and Sediment Control" (1985) as amended, available from the Natural Resources Center of the Connecticut Department of Energy and Environmental Protection. Alternative principles, methods, and practices may be used with prior approval of the Commission.

13.4.1 The Soil Erosion and Sediment Control Plan shall include the following:

A. A narrative describing:

1) The development,

2) The schedule for grading and construction activities including:

a) Start and completion dates,

b) Sequence of grading and construction activities,

c) Sequence for installation and/or application of soil erosion and sediment control measures, and

d) Sequence for final stabilization of project site.

3) The design criteria for proposed soil erosion and sediment control measures and storm water management facilities.

4) The construction details and the installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities, and

5) The operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities;

B. A map of at least one inch equals fifty feet (1"= 50') showing:

1) The location of the proposed development and adjacent properties,

2) The existing and proposed topography including soil types, wetlands, watercourses and water bodies,

3) The existing structures on the project site, if any,

4) The proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines,

5) The location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities,

6) The sequence of grading and construction activities,

7) The sequence for installation and/or application of soil erosion and sediment control measures,

8) The sequence for final stabilization of the development site, and

9) The words "Certified by the Griswold Planning and Zoning Commission" with designated space for the date and signature of the Chairman or Secretary of the Commission;

C. The narrative required in Section 13.4.1 a) may be included on the map of Section 13.4.1. b) if room allows it without affecting the readability of the map. The items required to be mapped in Section 13.4.1 b) may be depicted on the site plan map required in Section 13.3 if the readability of the site plan is not affected.

13.4.2 After review of the Erosion and Sediment Control Plan by the Commission or its designated agent, the Commission shall vote to certify, modify and certify, or deny that the soil erosion and sediment control plan complies with these Regulations A vote of the Commission to approve a site plan shall mean certification of the erosion and sediment control plan as well. Prior to certification, any plan submitted to the Commission may be reviewed by the New London County Soil and Water Conservation District which may make recommendations concerning such plan, provided such review shall be completed within thirty (30) days of the receipt of such plan by the New London County Soil and Water Conservation District.

13.4.3 The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, may be covered in the performance bond or other assurance acceptable to the Commission in accordance with the provisions specified under Section 13.7 of these Regulations.

13.4.4 The Commission or its designated agent shall periodically conduct inspections to verify compliance with the certified plan and that control measures are properly performed or installed and maintained. The Commission may require the applicant to submit progress reports which show that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being correctly operated and maintained.

13.5 **Waivers.** The Commission may, upon written request by the applicant, waive one or more of the site plan ingredient requirements if the applicant can show to the satisfaction of the Commission that the information is not needed to reach a decision on the application.

13.6 **Site Plan Evaluation.** The Commission shall determine the following in its review of a site plan.

13.6.1 Any proposed building or structure shall be so designed, and located on the site so that there will be adequate access for emergency vehicles.

13.6.2 The streets serving the proposed use shall be adequate to safely carry the vehicular traffic generated by the proposed activity, and there will be provision for entrance and exit points which will not create a traffic hazard or undue traffic congestion.

13.6.3 All proposed traffic access ways are adequate but not excessive in number; adequate in width, grade, alignment and visibility; not located too near street corners or other places of public assembly; and other similar safety considerations.

13.6.4 Adequate off-street parking and loading spaces are provided to prevent parking in public streets of vehicles of any persons connected with or visiting the use and the interior circulation system is adequate to provide safe accessibility to all required off-street parking.

13.6.5 All playground, parking and service areas are reasonably screened at all seasons of the year from the view of adjacent residential lots and streets and the general landscaping of the site is in character with that generally prevailing in the neighborhood. Preservation of existing trees over twelve (12) inches in diameter to the maximum extent possible shall be encouraged.

13.6.6 Lighting from the installation of outdoor flood or spot lighting and illuminated signs will be properly shielded so that such lighting will not adversely affect any abutting property or public street.

13.6.7 The character and appearance of the proposed use, buildings, and/or outdoor signs will be in general harmony with the character and appearance of the surrounding neighborhood and that of the Town of Griswold and will not adversely affect the general welfare of the inhabitants of the Town.

13.7 **Performance Guarantee. Timing of Filing.** Before site plan approval is granted, the applicant shall file a cash bond or irrevocable letter of credit in a form reviewed and approved by the Town Attorney with the Commission and in an amount approved by the Commission to assure the installation and maintenance of any erosion and sedimentation control plan approved in accordance with Section 2.12 of these Regulations and any measures to be taken to control soil erosion and sedimentation likely to occur from the proposed_site plan; and, prior to the commencement of construction, a cash bond or irrevocable letter of credit in a form reviewed and approved by the Town Attorney with the Commission and in an amount approved by the Commission as sufficient to guarantee the timely and adequate_completion of those items to be conveyed to or controlled by the Town and in conformity with the provisions of these Regulations or any amendments thereto in force at the time of filing. A copy of the site plan shall be part of the performance guarantee. Such performance guarantee shall not be released by the Commission until written certification has been received from the Zoning Enforcement Officer that all of the requirements of these Regulations have been fully satisfied. To facilitate this certification, the Zoning Enforcement Officer may require an as-built site plan be submitted which reflects the actual field location of all items as required by Section 13.3. (6/2009) (3/21/2013)

13.7.1 **Performance Guarantee Requirement at Time of Occupancy.** In the event that certain improvements may not be installed to the reasonable satisfaction of the Commission or the Zoning Enforcement Officer, as the case may be,_at the time of occupancy of a site or building due to weather conditions or other factors beyond the control of the applicant, the Zoning Enforcement Officer shall not issue a Certificate of Zoning Compliance; provided, however, that, upon request of the property owner, the Zoning Enforcement Officer may issue a temporary Certificate of Zoning Compliance at the time of the application for a Certificate of Occupancy, provided that the applicant shall post a performance guarantee in the form of cash bond**,** or an irrevocable letter of credit from a Connecticut banking institution in an amount necessary to cover one hundred ten–percent (110%) of the anticipated actual construction cost, as estimated at the time of projected completion, to insure the completion of such improvements not more than six (6) months following such occupancy. Said construction estimate shall be reviewed and approved by the Consulting Town Engineer prior to the issuance of a temporary Certificate of Occupancy. All public

health and safety-related components of a project must be completed prior to occupancy or use of any parcel of land, building, or structure and shall be bonded. (12/28/00) (6/2009) (3/21/2013)

13.7.1.1 Performance guarantees may be required by the Commission to insure that landscaping material which has been improperly planted or cared for will be replaced; that public improvements have been properly installed; and that other defects which do not appear immediately after completion of construction will be repaired or utilized, as the case may be, not more than one (1) year following completion of all improvements, as evidenced by the issuance of a Certificate of Zoning Compliance, or the release of the bond as described above. (12/28/00) (8/10/09)

13.7.1.2 Where the Commission or the Zoning Enforcement Officer, as the case may be, have reason to believe at the time of occupancy that landscaping may not survive to the end of the next full calendar year, performance guarantees may be required by the Commission or the Zoning Enforcement Officer to insure that landscaping material which has been improperly planted or cared for will be replaced; that public improvements have been properly installed; and that other defects which do not appear immediately after completion of construction will be repaired or utilized, as the case may be, not more than one (1) year following completion of all improvements, as evidenced by the issuance of a Certificate of Zoning Compliance, or the release of the bond as described above. (12/28/00) (6/2009) (3/21/2013)

13.7.1.3 All performance guarantees posted in accordance with these Regulations shall be effective at least until the completion of the activity or development which they serve to guarantee. No such bond shall require the Town or any agency thereof to incur any expense or enter into any contract prior to payment of the obligation which such bonds secure. All bonds shall be in such form as the Town Attorney shall require. (12/28/00) (8/10/09) (3/21/13)

13.7.1.4 The Commission shall, upon written request from the developer and after consultation with the Board of Selectmen, approve the release of portions of a performance guarantee in the form of a cash bond or irrevocable letter of credit after clearly definable portions of the improvements have been completed in accordance with the approved subdivision plan. Such written request shall be accompanied by a certification of completion of these items in a statement signed by a professional engineer licensed to practice in Connecticut and by the Board of Selectmen. Not later than sixty-five days after receiving such written request, the Commission shall (A) release or authorize the release of any such performance guarantee or portion thereof, provided the commission or its agent is reasonably satisfied that the improvements for which such performance guarantee or portion thereof was posted have been completed, or (B) provide the person posting such performance guarantee with a written explanation as to the additional improvements that must be completed before such performance guarantee or portion thereof may be released. (3/21/2013)

13.8 Amendments to Approved Site Plan filed or Approved Special Exception Site Plan pursuant to Sections 12 or 13. The Town Planner, Zoning Enforcement Officer or other agent designated by resolution of the Commission may approve a one (1) time administrative approval of the original Special Exception or Site Plan previously approved by the Commission, without public hearing, any proposed expansion, reduction of or enlargement of an existing building or the addition of a building or buildings that is/are necessary to the principal building and use provided: (9/26/02) (8/10/09)

13.8.1 Such reduction of or enlargement of accessory building or buildings, individually or cumulatively, do not exceed twenty percent (20%) of the area of the principal building's approved footprint, or 5,000 square feet, whichever is less. (9/26/02) (8/10/09)

13.8.2 Any proposed reduction of or expansion or enlargement of an existing building or the addition of an accessory building or buildings shall conform to all of the requirements of the zoning district in which the property is located. (9/26/02) (8/10/09)

13.8.3 No site work is required. "Site work" shall include additional parking spaces, storm drainage, or site disturbance of more than one quarter (1/4) of an acre, but shall not include the excavation or grading necessary and incidental to the construction of the new or expanded building or structure itself. (9/26/02)

13.8.4 Whether filed as a single application or as multiple applications, the reduction of or expansion or enlargement of an existing building or the addition of an accessory building or buildings which exceed, individually or cumulatively, the limitations of this administrative permit procedure shall require Special Exception or site plan review by the Commission in accordance with Section 12 or 13 of these Regulations, as the case may be. (9/26/02) (8/10/09)

13.8.5 The applicant shall file a detailed site plan and narrative explaining the proposed building reduction or expansion or proposed accessory building addition with the Commission's designated agent for review. The agent shall determine whether or not the proposed reduction or expansion satisfies the criteria to be permitted administratively or whether the expansion requires formal Special Exception or site plan review by the Commission. No such amendment shall be approved that substantially alters the uses, density, building coverage, or other elements of an approved Special Exception. (9/26/02) (8/10/09)

13.9 Minor Site Plan Amendments to Previously Approved Zoning Permits or Special Exceptions. An applicant may submit an application for a minor site plan amendment of an existing approved site plan as a Zoning Permit Application subject to land use review fees (Ordinances Section 144 as Appendix A) before the Commission. The Commission will review the proposed changes compared to the original approval and determine whether the scope of these changes would require a new permitting procedure including but not limited to application fees, new site plan documents and new public hearing. If the proposed changes in site plan are deemed by the Commission to be minor or allowable within the original scope of the permit, then the modifications may be made by administrative letter to file, reviewed by the Town Planner and signed by the Chairman on behalf of the entire Commission. (8/10/09)

SECTION 14: PARKING REQUIREMENTS

14.1 **General.** A parking space shall have a minimum rectangular dimension sufficient to provide 171 square feet of parking area exclusive of driveways. The length of any parking space shall be at least 18 feet and the width at least 9.5 feet as measured on an axis parallel with the vehicle after it is parked. The dimensions of the parking spaces shall be consistent for all contiguous spaces and shall provide for the most efficient design for vehicular and pedestrian circulation. Interior drives shall be adequate width to serve a particular design arrangement of parking spaces, the following being the minimum width permitted. Ninety degree (90°) parking shall be used unless there is a positive control of traffic directions.

90° parking	–	Twenty-six (26) feet
45° parking	–	Thirteen (13) feet
60° parking	–	Eighteen (18) feet
30° parking	–	Eleven (11) feet

Entrance and exit drives to parking facilities shall consist of a minimum fifteen (15) foot wide lanes one way and thirty (30) foot wide lanes for two way movement and said entrance or exit to any off-street parking area shall be located a safe distance (minimum 50 feet) away from any street intersection unless otherwise authorized by the Commission. No such entrance or exit may exceed a grade in excess of six percent (6%) with 25 feet of any street line or ten percent (10%) at any other point. All points of ingress or egress shall be appropriately signed unless such signage is considered unnecessary. (2/1/08)

The applicant may provide a limited number of small car spaces in accordance with the following standards:

Up to twenty-five percent (25%) of the minimum number of required parking spaces may be allocated for small cars and correspondingly reduced in size subject to the approval of a small car parking layout plan. A small car space (stall) shall not be less than eight (8) feet in width and sixteen (16) feet in stall length.

The small car spaces shall be laid out in groups and marked with “Small Car Only” freestanding or wall signs not to exceed one (1) square foot each.

Further, the State of Connecticut Building Code shall determine the number of spaces which shall be set aside for disabled drivers. All spaces shall be clearly marked.

Off-street parking areas shall be adequately illuminated for convenience and safety, but no lighting for parking areas shall cause glare on adjoining property.

All off-street parking areas shall be paved with bituminous concrete except for one and two-family dwellings and farm buildings. The Commission may allow an acceptable, alternative parking surface if the use is a low volume traffic generator and the Commission is satisfied with its maintenance provisions.

The parking required herein is in addition to space which is required for the storage of trucks or other vehicles used in connection with a business, commercial or industrial use.
Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.

The parking space requirements for a use not specifically listed in this section shall be the same as for a listed use of similar characteristics of parking demand generation, as determined by the Commission.

In the case of mixed uses, uses with different parking requirements occupying the same building or premises, the parking spaces required shall equal the sum of the requirements of the various uses computed separately, except in the case of public, parochial or private schools.

Parking lots in C districts shall be designed so that adjoining lots may be interconnected and made continuous to promote internal traffic flow, provide access management, and limit the number of required road access cuts. It is the intent of the C – Commercial district to encourage "common use" or shared parking and common shared curb cuts as long as it has been demonstrated to provide adequate parking at all times or operation at the site and has been documented in a reciprocal agreement binding the owners and/or operators at the site. In the case of gasoline stations, car washes, or travel centers, parking spaces at the pumps or under the gas canopy, or within the washing stall(s), or the like shall not be counted as parking spaces to meet minimum parking requirements. (2/1/08)

14.1.1 Parking lots in Commercial and Industrial districts shall have at least twenty (20) square feet of green space, seeded to grass and planted with trees and shrubs, within the parking lot for each parking space in addition to required landscaped buffer strips in accordance with Section 11.8 of these Regulations. (8/26/99)

14.2 **Requirements.** The following parking space requirements shall be met:

14.2.1 Dwelling – 1-1/2 spaces per family unit. For a single-family residence, the area of a driveway may be counted toward meeting parking space requirements.

14.2.2 Tourist home, hotel, motel – one (1) space per guest sleeping room.

14.2.3 Boarding house and rooming house – one space for every two (2) guest accommodations.

14.2.4 Restaurant, eating establishment or tavern – one space per each fifty (50) square feet or portion thereof, of public floor space. For a drive-in eating establishment, a minimum of ten (10) parking spaces shall be required.

14.2.5 Personal patron service shops, e.g., barber shops, beauty salons – Three (3) spaces per station.

14.2.6 Retail Stores – one (1) space per 150 square feet of floor space used for sale or display of merchandise.

14.2.7 Theater, auditorium, church or place of public assembly – one space per each seven (7) seats.

14.2.8 Finance, insurance or real estate establishment – one space per each 200 square feet of office space.

14.2.9 Wholesale establishment – one space for every three (3) employees.

14.2.10 Hospital, convalescent homes, nursing homes – one space per three (3) beds and one space per three (3) employees.

14.2.11 Industrial use – one space for each two (2) employees on the largest shift.

14.2.12 Shopping center – one space per 350 square feet of floor area.

14.2.13 Off-street loading – every commercial, industrial, wholesale and hospital use, or addition thereto, must maintain at least one (1) paved off-street loading space of not less than ten (10) feet in width, thirty (30) feet in length, and fourteen (14) feet vertical clearance. For wholesale and industrial buildings, there shall be one such off-street loading space for every 40,000 square feet of floor area or portion thereof, excluding basements. For other uses not specifically listed, the same requirement as for the most similar use shall apply.

14.2.14 Non-Profit Small Domestic Animal Shelters- One space per 500 square feet of shelter area over and above any residential requirements. (8/10/09)

14.2.15 Multifamily Housing Units Two outside spaces for each unit up to three bedrooms. Spaces internal to a garage, accessory structure, or carport shall not count toward this parking requirement.

14.2.16 Gasoline Stations/Convenience Stores One outside parking space for each 150 square feet of inside display area. Spaces under a gasoline canopy, carport or other accessory structure shall not count toward this parking requirement. (8/10/09)

SECTION 15: SIGNS

15.1 **General Requirements.** The following general sign requirements shall apply throughout the Town of Griswold with the provision that any site plan which includes reference to a sign but does not provide specific details regarding the type of sign, size of sign, type of technology, with day and night brightness for lighting of the sign, graphics in sign design, hours of operation and specifics regarding the static versus cycling nature of sign message shall not include any sign approvals as part of the site plan approval regardless of whether that exclusion is stated at the time of that approval. (02/11)

15.1.1 No sign shall be designed or located in a manner that confuses or obstructs the view of official traffic signs or signals nor shall an illuminated sign or lighting device be so directed to permit the beams and illumination to be directed or beamed upon a public street, highway, sidewalk, or adjacent lot such that it causes glare or reflection constituting a traffic hazard or nuisance.

15.1.2 No sign or advertising device shall be erected or maintained at the intersection of streets in such a manner as to obstruct free and clear vision of the intersection.

15.1.3 All signs shall be constructed of sound materials, firmly supported and maintained in good condition and repair. It is the responsibility of the applicant to check with the building inspector to determine if a building permit is required.

15.1.4 Except for a thirty day time limit, no sign or part thereof shall contain or consist of banners, posters, pennants, ribbon streamers, spinners, or other similar parts. No sign shall be equipped with flashing lights or movable parts in all zoning districts; except that time and temperature signs, message boards, and community and/or school activity signs, which may include moving messages, shall not be prohibited by this section as long as the sign meets 15.1.5 herein**.** (8/10/09)

15.1.5 Ground signs, including supports, shall not exceed a height of twelve (12) feet in a Residential district or twenty-four (24) feet in a Commercial or Industrial district above the surface of the ground on which it is located.

15.1.6 A religious, governmental or institutional use shall have not more than one sign, not exceeding twenty (20) square feet. Business directory/welcoming signs erected by or on behalf of a governmental body serving a public information purpose may exceed this number and size, but shall be professionally designed and reviewed by the Commission. (7/5/94)

15.1.7 Temporary signs, not over six (6) square feet in area, and advertising the sale, rental, building contractor or special features of the building or lot on which they are located, may be erected in Residential districts. In non-residential districts, temporary signs, not over thirty-two (32) square feet in area, advertising the sale, rental, or special features of the building or lot on which they are located, may be erected. Temporary sign(s) shall be removed in accordance with the following: (12/1/95)

a. Temporary sign(s) relating to the construction of a residence shall be removed immediately upon the issuance of a Certificate of Occupancy by the Building Official.

b. Temporary sign(s) relating to the sale of a residence or residential property shall be removed within five (5) working days of the transfer of title of the property.

c. Temporary sign(s) relating to the repair or remodeling of a residence shall be removed immediately upon completion of the work as permitted by the permit issued. (Permit shall include any permit issued by the Town of Griswold, i.e., Building, Health, Planning and Zoning, Conservation Commission, Board of Selectmen.)

d. Signs for temporary public or non-profit events, such as blood drives, fundraising events, elections, or other political purposes shall be allowed provided that such signs, banners, or posters shall be displayed not more than thirty (30) days before the event and removed not more than seven (7) days following the event.

e. Temporary sign(s) shall not be placed in the right-of-way line of any public or private street. The sign(s) shall be placed within the property line of the property.

15.1.8 No sign shall advertise a product, service, or activity or other than that which is produced, provided or conducted on the premises except that a maximum of two (2) directional signs each not more than four (4) square feet in area and conforming to the other provisions of these Regulations shall be permitted off the premises; and governmental business directory/welcoming signs shall be permitted according to Section 4.1.7 above. (7/5/94)

15.2 Signs in Residential Districts. The following signs are permitted in Residential districts.

15.2.1 One sign giving the name and address of the property and/or the occupant. Such signs shall not exceed four (4) square feet.

15.2.2 One sign identifying a permitted profession or home occupation, not exceeding four (4) square feet.

15.2.3 One sign identifying an approved Special Exception use, not exceeding thirty-two (32) square feet.

15.2.4 One sign offering more than one vacant lot for sale in an approved subdivision, such sign not to exceed thirty-two (32) square feet. Two such signs are permitted where the number of lots for sale is ten (10) or more. The sign(s) may be displayed for the duration of the approval of the subdivision and shall be removed immediately when all lots have been sold or conveyed. Said sign(s) shall be maintained in good appearance. Said sign(s) shall be located in the right of way of the street line and placed so that it does not create a sight-line problem and shall conform to Section 11.6 of these Regulations. (12/1/95)

15.2.5 No sign, other than one identifying the occupant of a residence, shall be located closer than twenty (20) feet from any property line in a Residential district, except that signs permitted in accordance with Sections 15.1.7 and 15.2.6 may be permitted within the 20-foot setback area. (12/1/95)

15.2.6 A Zoning Permit shall be obtained for a permanent sign that identifies a development or subdivision. The sign face shall not exceed six (6) square feet in area or four (4) feet in height above the existing grade of the sign location. The sign shall be constructed of permanent materials and shall be placed in the right-of-way of the street line and shall be placed so that it does not create a sight line problem. The placement of the sign shall conform to Section 11.6 of these Regulations. (12/1/95)

15.3 **Signs in Commercial and Industrial Districts.** Every place of business may erect plain or illuminated signs upon the property on which the business is conducted which indicate the name of the owner or proprietor, the character of the business, the name of the business, and/or the products made or sold on the site, subject to the following regulations:

15.3.1 Each individual commercial building located on a separate lot and in a separate building from other uses may have a non-movable, freestanding sign not exceeding thirty-two (32) square feet in area.

15.3.1.1 Each individual commercial building located on a separate lot and in a separate building from other uses may have a maximum of two (2) portable, movable signs, each not more than eight (8) square feet in area. Such signs shall not be located within or on a street, right-of-way, sidewalk, or driveway.

15.3.2 Where two or more commercial uses are grouped in a single building or in one or more buildings on a single lot, as in a shopping center, one sign not exceeding 100 square feet shall be permitted. For a commercial building with frontage on two streets, two such signs are permitted.

15.3.3 Each commercial or professional use may be permitted one sign, not exceeding four (4) square feet in size, attached to the building on which it is located, unless such use is located in a separate building on a separate lot and has no freestanding sign, in which case the sign may be increased to eight (8) square feet.

15.3.4 The total area of all signs for each unit of occupancy of a building shall not exceed two (2) square feet for each front foot of building occupied by such use and shall be located at least ten (10) feet back of the street line, except that for each five (5) feet of additional setback beyond the required setback line, an additional five percent (5%) of sign area shall be permitted, but in no case shall the square footage of such sign exceed Thirty (30) percent of ~~the~~ *each* building wall area from ground level to fifteen (15) feet.

15.3.5 A Zoning Permit shall be obtained for any sign exceeding thirty-two (32) square feet in size, unless the design and location of such sign is shown on a site development plan approved by the Commission.

15.3.6 For a Special Exception with a Hotel of over 70 rooms or a commercial use with one shopping center of more than 200,000 square feet of floor space and more than 1200 parking spaces, one identification sign for the entire development of up to 40 feet in height and 400 square feet in size may be permitted at the discretion of the Commission at the time of site plan review, and said sign shall be located, and shown in detail on the project plan sheet; and it shall be a fixed non-moving sign, and with no flashing lights or graphics. In addition, up to one sign of 100 feet in height above grade and 500 square feet in size, which can be increased at the time of application review, may be granted remote to the use but located on the same parcel specifically for visibility and advance warning of interstate highway exits.

15.3.7 A Message Board Sign Panel for Banks and/or Financial Institutions in Commercial and Industrial Zones may be added as one component of the single permitted free-standing sign permitted under Section 15.3.1 or 15.3.5 provided there shall be no increase in the total sign area; that no more than 25% of the total sign area is devoted to recurring lighted advertising or public service messages, provided that the message signs advertises goods or services available from the bank or financial institution or for public service/municipal related messages only, and provided that the duration of each message, transition time between

messages, and brightness has been demonstrated to follow Federal Highway Administration Guidelines on Changeable Message Signs in Memorandum HEPR-20 dated September 25, 2007 and as subsequently revised. Additionally, the message board shall not be active between 10:00 P.M. and 6:00 A.M. local time with the exception of time and temperature or an emergency alert. (11/09/2010)

15.4 Signs on Town-owned Property for all Zoning Districts. Special purpose identification and sponsor advertising signs may be permitted on certain properties owned by the Town of Griswold subject to the following regulations. (11/09/2010)

15.4.1 Identification and Public Service Signs or Message Boards: (11/09/2010)

15.4.1.1 One free-standing identification sign or lighted message board at the Pachaug Town Hall or Municipal School Campus is permitted with as many as two-faces, each face up to a maximum of 32 square feet in area and up to six feet high overall may be located after review by the Zoning Enforcement Officer. (11/09/2010)

15.4.1.2 Signs shall be located no closer than ten (10) feet from the front boundary line of the parcel or any internal access way on the lot. Sign should be readable from the road or access way curb. (11/09/2010)

15.4.1.3 Sign or message boards (if at Pachaug Town Hall or Municipal School Campus) may be lighted by external fixtures on the ground or within a valance. Alternatively the sign may be internally lighted. Message boards may be lighted with LEDs whose intensity is programmed and monitored by sensors so brightness is not excessive for prevailing ambient conditions and whose message may be changed with time frequency designed not to distract motorists following Federal Highway Administration Guidelines on Changeable Message Signs in Memorandum HEPR-20 dated September 25, 2007 and subsequently revised. (11/09/2010)

15.4.1.4 Message boards at Pachaug Town Hall or Municipal School Campus shall be set to function only from 6:00 A.M. to 10:00 P.M. local time. (11/09/2010)

15.4.2 Sponsor Signs attached to existing structures or fences located on Town-owned public recreational areas, ball fields, or parks are permitted as long as any one sponsor sign is thirty-two (32) square feet or less. (11/09/2010)

SECTION 16: NON-CONFORMING BUILDINGS AND USES

16.1 **General.** Any building or use which does not conform to the use, dimensional or supplemental requirements of these Regulations shall be considered a non-conforming building or use.

16.1.1 Any non-conforming use of a building or lot lawfully existing at the effective date of these Regulations may be continued.

16.1.2 Nothing in these Regulations shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.

16.1.3 Nothing herein contained shall require any change in plans, construction or designated use of a building for which a building permit has been issued, except as provided for in Section 2.8 of these Regulations.

16.2 **Change of Use.** A non-conforming use may, by permission of the Commission, be changed to another non-conforming use when the proposed use is equally appropriate or more appropriate to the district than the existing use. A non-conforming use, once changed to a conforming use, shall not be changed back again into a non-conforming use.

16.3 **Enlargements.** No building which does not conform to the requirements of these Regulations regarding area and width of lot, percentage of lot coverage and required yards shall be enlarged unless such enlarged portion conforms to the regulations applying to the applicable district.

16.4 **Alterations.** Structural alterations of any non-conforming building may be permitted, provided they do not materially alter the exterior appearance of the building and the total costs of such alterations do not exceed fifty percent (50%) of the currently-assessed valuation of such building.

16.5 **Reconstruction.** When a building which, prior thereto had been a non-conforming building is damaged by fire, collapse, explosion, neglect, casualty, act of nature or is demolished, it may be reconstructed, repaired or rebuilt only to, or in substantial conformity to its previous floor area and cubical content. (6/01/90) (8/10/09)

16.6 **Abandonment.** When a non-conforming use is abandoned, it shall thereafter be used in conformity with the regulations for the district in which it is located; or at the sole discretion of the Commission, for a less non–conforming use, in the judgment of the commission through a site plan review. If an abandoned, non-conforming use is changed to a conforming use, it shall thereafter be used in conformity with the regulations for the district in which it is located. (8/10/09)

SECTION 17: APPEALS AND VARIANCES

17.1 **Appeals.** Any person may appeal to the Zoning Board of Appeals when it is alleged that there is an error in any order, requirement, or decision made by the Zoning Enforcement Officer related to the enforcement of these Regulations. The board may reverse or affirm, wholly or partly, or may modify the order, requirement or decision appealed from, and shall make such order, requirement or decision as in its opinion ought to be made in the premises, and shall have the powers of the officer from whose order, requirement or decision the appeal was taken. The concurring votes of four (4) members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, or decision of the Zoning Enforcement Officer. (5/2/94)

17.2 **Variances.** Any person seeking a Variance from the literal enforcement of these Regulations may apply to the Zoning Board of Appeals for a Variance. Said Board may, after consideration of a Variance application in accordance with Sections 8-6 and 8-7 of the General Statutes, approve or deny a Variance, except that no Variance may be approved for uses in districts in which such uses are not otherwise permitted by these Regulations.

17.3 **Variance Notification.** The applicant shall, no later than ten (10) days prior to the hearing for the Variance; send notices to all abutting property owners by First Class Mail, and proof of such mailing shall be evidenced by a certificate of mailing. Such ownership shall be as indicated on the most recent Grand List. Said notices shall contain the following information: (8/10/09)

1. The zoning regulation(s) that is(are) the subject of the Variance application. Detailed, written narrative explanation of the proposed Variance application.

2. Copy of any plan or sketch that shows the location of the variance(s) as described in the Variance application.

3. The date, time and place of the Zoning Board of Appeals hearing.

The applicant shall present evidence of mailing to the Zoning Board of Appeals at the scheduled hearing. (8/10/09)

SECTION 18: AMENDMENTS

18.1 **Amendments.** Amendment of these Regulations, including the Zoning Map, may be petitioned by any resident of Griswold or person having a vested interest in property that would be affected by such amendment, or may be made by the Griswold Planning and Zoning Commission or the Griswold Economic Development Commission. Amendments may be adopted by a majority vote of all the members of the Commission after public notice and hearing in accordance with Section 8-3 of the General Statutes. If a protest against a proposed change is filed at or before the hearing with the Commission, signed by the owners of twenty percent (20%) or more of the area of lots included in such proposed change or of the lots within 500 feet in all directions of the property included in the proposed change, such change shall not be adopted except by vote of two-thirds of all the members of the Commission. The Commission is not required to hear any petition or petitions relating to the same changes or substantially the same changes more than once in a period of twelve (12) months. (12/28/00) (8/10/09)

18.1.1 If the amendment request is for a change in the Zoning Map boundaries, the applicant shall prepare and submit, along with his application, a map drawn to scale showing the boundaries and owners of all properties located within the area to be re-zoned and within five hundred (500) feet from the boundaries of the area to be re-zoned. The applicant shall also prepare and submit a list of the names and addresses of the owners of all properties located within the area to be re-zoned as shown on the records of the Griswold Tax Assessor. The applicant shall mail a copy of the public hearing notice to the owners of record of such properties at least ten (10) days before the date set for the public hearing. The applicant shall present written proof in the form of U.S. Post Office certificates of mailing to the Zoning Enforcement Officer at least five (5) days before the public hearing that this notification requirement has been met. Failure to comply with the requirements of this section shall invalidate the zoning map change procedure.

The requirements of this section 18.1.1 shall not apply to amendments initiated by the Griswold Planning and Zoning Commission or the Griswold Economic Development Commission. (12/28/00) (8/10/09)

SECTION 19: SEPARABILITY

19.1 **Separability.** Should any section or provision of these Regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of these Regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 20: EFFECTIVE DATE

20.1 **Effective Date.** These Regulations amend and supersede Regulations adopted by the Commission in July 1973, and subsequently amended. These amended Regulations shall take effect on August 10, 2009.

SECTION 21: DEFINITIONS

21.1 General. Certain words and terms used in these Regulations shall have the meanings presented in this section. All words used in the present tense include the future tense. Words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory: a "building" includes a "structure"; a "building" or "structure:" includes any part thereof; "used" or "occupied" shall be deemed to include "designed, intended, or arranged to be used or occupied". Words and phrases undefined shall be determined to have commonly accepted definitions. **See other definitions in Section 12.21.3** (8/10/09)

Abutting: Separated by no intervening private property; properties separated by a public or private street shall be deemed to be abutting. (3/9/94)

Accessory Use or Building: A subordinate use or building or structure customarily incidental to the principal use of land or buildings and on the same lot.

Amusement Game Arcade: Three or more amusement game machines in the same place, location or premises.

Amusement Game Machine: A coin-operated machine or device which, whether mechanical, electrical or electronic, shall be ready for play by the insertion of a coin, and may be operated by the public for use as a game, entertainment or amusement, the object of which is to achieve either a high or low score, which by comparison to the score of other players, whether playing concurrently or not, demonstrates relative skill or competence, or indicates in any other way competitive advantage of one player or team over another, regardless of skill or competence. It shall include devices such as pinball machines or any device which utilizes a video tube to reproduce symbolic figures and lines intended to be representative or real games or activities.

Buildings: Any combination of materials forming any construction which requires location on the ground or attachment to something having location on the ground. The term "building" shall include the term "structure" as well as signs, swimming pools, patios, porches, wind energy conversion systems, ground-mounted antennae, and similar structures, but excluding utility poles, flag poles, and antennae attached to and extending not more than twenty (20) feet above the highest point of the building.

Camper Unit: A self-propelled or portable unit, such as a camper bus, travel trailer, truck-mounted camper or other similar unit, originally designed and constructed or redesigned and reconstructed for recreation or other shelter for one or more persons.

Commercial Farm Store Any permanent building located on a farm used for the year round sale of products grown or raised on the premises, <u>or from other farms,</u> and not necessarily processed on said premises. (2/15/2014)

Commuter Parking Lots, Motor Vehicle Storage Lots or Similar Uses: Parking lots designed for the temporary storage of registered motor vehicles. (12/8/97)

County Soil and Water Conservation District: The New London County Soil and Water Conservation District established under subsection (a) of Section 22a-315 of the General Statutes.

Disturbed Area: An area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

Driveway: A Any access from a public highway used, designed, or intended to be used for vehicular ingress and egress to any building, structure, use or lot. See Section 10.9.

Driveway, Common: A driveway serving more than one (1) residential lot. See Section 10.9.

Driveway, Loop A driveway intersecting the street at two (2) or more points and serving more than one (1) residential lot. See Section 10.9.

Dwelling Unit: One room or rooms connected together, constituting a separate, independent housekeeping establishment for owner or renter occupancy, and containing independent cooking and sleeping facilities, and toilet facilities.

Dwelling, Single-Family: A residential dwelling unit other than a mobile home, designed for occupancy by one family only.

Dwelling, Two-Family: A residential building containing two dwelling units, designed for occupancy by not more than two families.

Dwelling, Multiple-Family: A residential building designed for occupancy by three or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Earth Station-Dish Antenna: Earth station-dish antenna shall mean a combination of (1) Antenna or dish antenna whose purpose is to receive communication or other signals from orbiting satellites and other sources; (2) A low noise amplifier which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals; and (3) A coaxial cable whose purpose is to carry signals to a receiver.

Erosion: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Excavation: The removal from any land premises within the Town of Griswold of earth, sand, gravel, clay, quarry stone or other natural earth products in excess of 300 cubic yards in a single twelve (12) month period, except as surplus material resulting from:

a. A bona fide construction project for which a Building Permit, Zoning Permit, or Special Exception has been issued, provided that no more than a total of 5,000 cubic yards of material are removed. (8/28/03)

b. A subdivision or re-subdivision approved by the Commission, provided that no more than a total of 5,000 cubic yards of material are removed, (8/28/03)

c. A septic system installation and/or repair approved by the Town Sanitarian provided that no more than a total of 5,000 cubic yards of material are removed, (8/28/03) or

d. Farming conducted on the same property or property under the same ownership as a bona fide farm, provided that no more than a total of 5,000 cubic yards of material are removed. 8/28/03

Family: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, civil union, or marriage, no such family shall contain over five (5) persons; therefore more than five (5) unrelated persons in one dwelling shall not be considered a family under these regulations. (8/10/09)

Farm: A tract of land containing five (5) acres or more, used in whole or in part for agricultural purposes, which may include the raising and keeping of domestic and other animals.

Floor Area, Gross: The sum of the gross area (horizontal) of every floor of a building, as measured by the exterior faces of the walls or from the centerline of party or common walls separating two buildings, dwellings, or distinct and separate non-residential uses having no common exterior access. "Floor Area, Gross" shall include: (a) basement space; (b) attic space whether or not a floor has been laid, over which there is structural headroom of 7 1/2 feet or more; (c) floor space used for mechanical equipment with structural headroom of 7 1/2 feet or more; (d) roofed porches, breezeways, interior balconies and mezzanines; (e) any roofed-over space not located in a basement such as a garage or carport for off-street parking accessory to a dwelling. "Floor Area, Gross" shall not include: (a) cellar space; except that any such space used for a non-residential use shall be included for the purpose of calculating the required off-street parking spaces for such use; (b) elevator shafts and stairwells, accessory water tanks and cooling towers; and (c) patios, terraces, unroofed open porches/decks, and outside uncovered steps. (8/10/09)

Floor Area, Livable: That portion of the Gross Floor Area on a Dwelling which is adequately provided with heat, light and ventilation so as to be suitable for residential use and occupancy. "Floor Area, Livable" shall include: Finished basement or attic spaces and enclosed porches; but shall exclude: Garage space; cellar space; terraces/patios, unroofed open porches, steps, and similar unenclosed or unfinished spaces; and stairways and halls serving more than one (1) dwelling unit. (8/10/09)

Home Occupation: Accessory uses conducted for compensation by the occupant(s) of a residential building or lot, which complies with the provisions of Section 11.7 of these Regulations. Home Occupations shall not include restaurants, tea rooms or other eating or drinking places; dog kennels, animal hospitals; barber shops or beauty salons having more than one (1) sink with one (1) chair; doctors, dentists or lawyers; or automotive service, supply, sales or repairs except for vehicles registered in the name of family members residing in the dwelling.

Crafts actually prepared on the subject premises, such as sewing, painting, wood carving, cabinet making, ceramics, writing, sculpture, ornamental glass and metal working; the workshops of skilled craftsmen such as watchmakers, plumbers, electricians, carpenters, house painters, paperhangers, and radio and television repairmen; and the offices of architects, accountants, engineers, psychotherapists, real estate and insurance agents, and other recognized professional groups. (12/28/00)

Impervious Surfaces: Constructed surfaces that are impenetrable by water or stormwater including but not limited to roofs of structures, decks and accessory buildings, paved driveways, parking lots, internal access roads, paved sidewalks, concrete or stone patios or slabs, and other such constructed or landscaped features. (8/10/09)

Junk Yard: An area of land, with or without buildings, used either as a principal or accessory use or occupied by the outdoor storage of used or discarded materials such as wastepaper, rags, scrap metal, building materials, house furnishings, machinery, vehicles or parts thereof, with or without dismantling, processing salvage, sale or other use of disposition of the same. A deposit or the outdoor storage on a lot of more than two (2) unregistered vehicles, or vehicles otherwise not in a condition for legal use on public highways, or parts of more than two (2) such vehicles shall be deemed a junk yard. (1/15/99) (7/20/99)

Kennel: Any lot on which six (6) or more dogs or cats, six months old or older, are kept for commercial purposes.

Lot: One or more adjacent parcels of land under single ownership or control to be used, developed, or built upon as a unit.

Lot Frontage: The continuous lineal measurement of the lot boundary that abuts the street.

Lot Coverage, Maximum: The maximum percent of the total parcel covered by impervious surface to include but not be limited to buildings, structures, parking areas, decks, landscaped patios, and other features which significantly restrict stormwater infiltration into the soil on a specific site. (8/10/09)

Mobile Food Vending Vehicle Mobile Food Vending Vehicle shall mean any portable device including but not limited to pushcarts, trailers, trucks, knockdown concessions, frozen food carts, catering type trucks, mobile cookers, Barbeque trailers, and any similar device from which food products are prepared for sale to the general public.

Mobile Home: A structure originally designed and constructed or redesigned and reconstructed for year-round occupancy for one or more persons and equipped with or designed to be equipped with wheels for movement of the structure from place-to-place.

Mobile Home Park: A tract or parcel of land on which one or more mobile homes are placed, whether occupied or not, and regardless of whether or not a change is made for such placement.

Multi-family Dwelling: A single building which includes more than two family dwelling units.

Non-Profit Small Domestic Animal Shelter: Any building existing or proposed as an accessory use to a residential property used by individuals and or groups that are recognized by Federal authorities as non-profit (IRS Section 501 c 3) and are dedicated to rescuing abandoned, abused and unwanted small domestic animals such as dogs cats or exotic birds. These small animals are temporarily sheltered until they can be brought back to health, spayed or neutered and permanent homes found for them. (2/1/08)

Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities A building or group of buildings that are located on a single parcel of land or adjacent neighborhood retirement lots that share common management, with in–unit and yard area uses and owner agreements included in a common interest ownership document and enforced primarily through the common interest ownership association. (8/10/09)

Parking Lots Commuter parking lots, motor vehicle storage lots or similar uses are parking lots designed for the temporary storage of registered motor vehicles. (12/8/97)

Poultry Domesticated fowl collectively, especially those valued for their meat and eggs, as, chickens, turkeys, ducks, geese, and guinea fowl.

Principal Use: The primary purpose or function for which a premises is used, designed, or intended to be used.

Rear Lot: A lot without the minimum required road frontage for the zoning district. Also known as an interior lot. (8/10/09)

Recreation Campground: A parcel of land used for the parking of camper units or the establishment of overnight living quarters, such as tents or other temporary shelters, and primarily occupied by family groups engaged in travel, recreation or vacation. Such recreation campgrounds shall meet all applicable building and health code requirements before it is open to public use. See Section 12.6.

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

Shopping Center: A group of five or more commercial establishments, under one roof or interconnected by walls, roofs, enclosed malls, parking lots, or walkways located on one lot, or on a group of contiguous lots under unified ownership or control, having an area of not less than four (4) acres, providing adjoining off-street parking facilities for at least 100 cars, and designed and developed as a coherent group.

Signs: Any material, structure, device or part thereof for visual communication which is used for the purpose of bringing the subject thereof to the attention of the public. Furthermore, the word "sign" shall include any billboard, model, banner, lettering, insignia, or representation used as, or which in the nature of announcement, declaration, display, illustration, advertisement or attraction but does not include flags or insignias of any governmental, educational, charitable, or religious or historical units.

OR

Any structure, or part thereof, or any device attached to a building or structure or painted or represented thereon which displays or includes letters, words, symbols, trademarks or any other graphic representation which is in the nature of an announcement, direction, advertisement or other device used to attract the attention of the public for commercial purposes or otherwise; similarly, any natural object, such as a tree, stone, or the earth itself, which is painted or arranged so as to represent or display any of the aforesaid graphic representations; any building feature, including roof or other special illumination, special colors or effects, or building or roof lines which serve to identify the use or occupancy of any building or site through a recognized motif or symbol. The term "sign" shall include sculptures and similar works of art designed or intended to attract the attention of the general public to commercial or industrial premises. See, Section 15.

Sign Area: The area of a sign shall be considered to be that of the smallest rectangle or triangle which encompasses all lettering, wording, design or symbols. If attached to or located on a wall, the area of the sign shall include any background different from the balance of the wall if such background is designed as an integral part of and is obviously related to the sign. The supports which affix a sign to the ground or to a building shall not be included in the area of the sign unless such supports are obviously designed to be part of the sign.

Soil: Any unconsolidated mineral or organic material of any origin.

Soil Erosion and Sediment Control Plan: A scheme that minimizes soil erosion and sedimentation and includes, but is not limited to, a map and narrative.

Stonewall Types: For the purposes of these Regulations, there are three general types of stonewalls. First, abandoned stonewalls are old farmstead or woodland walls that have since tumbled and become unkempt. Second, heritage or historic stonewalls which are moderately well built, are maintained, and may surround known buildings or land tracts. Third, recent and rebuilt stonewalls are those that have been rebuilt fairly recently by landowners from old, tumbled down walls or rebuilt as relocated stonewalls using residues from earlier walls with source on site or off-site. (8/10/09)

Storage Container: Any portable structure which has been or can be mounted on wheels, or any shipping type container, regardless of the material of which it is constructed. (12/28/00)

Story: For the purposes of these regulations, a story shall be ten (10) feet in vertical height. (8/10/09)

Street: An improved right-of-way accepted for public use by lawful procedure and suitable for vehicular travel; or a proposed street shown on a subdivision plan approved by the Commission.

Street Line: The line separating a street from the abutting non-public property.

Swimming Pool: A structure designed or intended to hold water for swimming purposes with a surface area of 100 square feet or more and a depth in excess of two (2) feet.

Telecommunications Facilities: See Section 11.19 of these Regulations.

Towers, Communications: See Section 11.19 of these Regulations.

Use: Purpose for which land or a building is arranged, or intended, or for which either land or building is or may be occupied or maintained.

Warehouse: A building or structure and/or storage area primarily utilized for the interim storage or sorting of retail goods and materials for reshipment. The term warehouse as used in these Regulations shall not include a rail, truck terminal, or freight transfer depot owned, leased or operated by a common carrier or other carrier for hire, and shall not include on-site sales at retail or wholesale. "Warehouse" does not include "Wholesale or Wholesale Distribution Center". (8/18/05)

Wholesale or Wholesale Distribution Center. A building or structure primarily utilized for the interim storage or sorting of wholesale goods and materials for reshipment, and may include on-site wholesale sales, but not retail sales. The terms Wholesale or Wholesale Distribution Center shall not include a rail, truck terminal, or freight transfer depot owned, leased or operated by a common carrier or other carrier for hire, nor shall it include the term "Warehouse". (8/18/05)

Yard: A required ground area of a lot, unoccupied and unobstructed by any buildings, extending between the property line and any building for the distance specified in these Regulations.

Yard, front: Required unoccupied space between the building line of the principal building and the street line, extending the full width of the lot. The street line shall be considered to be no closer than twenty–five (25) feet from the center line of the roadway.

Yard, rear: Required open space between the building line and the rear line of the lot, extending the full width of the lot.

Yard, side: Required unoccupied space situated between the building line and the side line of the lot and extending from the front yard to the rear yard or to a side yard.

APPENDIX A

APPLICATION FEES

TOWN ORDINANCE OF FEES FOR LAND USE APPLICATION PROCESSING AND REVIEW

Land Use Ordinance 144 of the Town of Griswold pertaining to Land Use Application Processing and Review Fees, adopted 9/23/08 and made effective on 10/11/08. 144.030 Fee Schedule (02/15/14)

§144.010 Fees Established.

Pursuant to Section 8-1c of the Connecticut General Statutes there is established a schedule of fees for the processing of land use applications received by the Planning and Zoning Commission, Zoning Board of Appeals and Inland Wetlands and Watercourses Conservation Commission. The schedule of fees established shall supersede those fees presently charged by the land use commissions and boards as previously established in Section 143 and pursuant to any provision of the General Statutes or any Special Act. These fees are intended to cover a portion of the Town's costs for processing and administrative handling of land use applications, including, but not limited to: legal advertisements regarding public hearings, decisions of a commission, and other matters requiring publication in a newspaper; other notifications or referrals required or authorized by applicable law; recording and transcribing, where necessary, of public hearings and meetings, the preparation of minutes and other documentation applicable to the application, and other clerical expenses; staff salaries and overhead expenses for staff to the commission, including officials of the Town for whom land use application review is only a part of his/her duties, such as the sanitarian, fire chief, etc.; Town Attorney fees in direct connection with legal advice, review of documents, and attendance at meeting, where deemed desirable, in connection with the application; inspection of construction and other work to insure compliance with approved permits and applicable regulations; keeping and updating of files and other documentation relative to the application; such other expenses as may be incidental to the processing of land use applications or subsequent research or review relating to land status requested by outside parties but involving documents or procedures within the Town of Griswold.

§144.020 Definitions.

For the purpose of this chapter the following definitions shall apply:

"Commission(s)" means one or all of the land use regulatory agencies of the Town of Griswold known as the Planning and Zoning Commission, Zoning Board of Appeals and Inland Wetlands and Watercourses Conservation Commission.

"Processing of land use application(s)" means the actions of a commission, supported by staff employed by the Town of Griswold, independent contractors, or consultants, in receiving, reviewing and acting upon an application to conduct an activity regulated by said commission and including both pre-action reviews and post-approval supervision of work and inspection of activities permitted.

"Improved land area" means any portion(s) of a development site not covered by buildings, but covered by parking, driveways, outdoor storage or loading areas, lawns, formal landscaped areas, or any other area not in its natural state.

"Fixed Application Fees" shall mean those set forth in Section 144.030, subsection A of this Chapter.

"Additional Expenses" shall mean those reimbursements set forth in Section 144.030, subsection C of this Chapter.

Any other term not defined in this Ordinance shall have the meaning set forth in the "definitions" section of any applicable regulations (e.g., the zoning regulations for zoning applications, the subdivision regulations for subdivision or resubdivision applications, etc.).

§144.030 Fee schedule.

A. Fixed Application Fees. Commissions shall charge Fixed Application Fees for the processing of land use applications in accordance with the following schedule:

Planning & Zoning Commission Completed application forms along with the required fee are to be submitted to the Planning and Community Development Department no later than ten (10) Business days prior to the meeting. Meetings are held on the second Monday of each month.

	Application Fee		State Fee		Total
Zone Changes					
Text Amendment Flat Fee	$375	+	$60.00	=	$435.00
Map Amendment Flat Fee	$400 1 to 14 acres	+	$60.00	=	Variable
Map Amendment*	$600 15 acres or more	+	$60.00	=	Variable

*PZC Commission may reduce the map amendment fee to the Flat Fee if the requested zone change is for a less intensive zone usage.

Zoning Permits					
Residential	$150 / unit	+	$60.00	=	Variable
Basic Review of Site Plan	$250	+	$60.00	=	$310.00
Minor Change in Use or Site Plan for Existing Commercial /Industrial	$300	+	$60.00	=	$360.00
New Commercial/Industrial or Site Plan Amendment of Existing Commercial /Industrial	$400 + $25 / 1,000 sq. ft.**	+	$60.00	=	Variable
Home Occupation	$250	+	$60.00	=	$310.00
Food Vending Permits					
Weekend – Maximum of 3 days	$25		N/A	=	$25.00
Seasonal – Maximum of 6 weeks	$75		N/A	=	$75.00
Annual	$250		N/A	=	$250.00
Seasonal Tent Zoning Permit	$200				$200.00
Special Exceptions					
Residential (multifamily)	$200 / unit	+	$60.00	=	Variable
New Commercial or Industrial	$600 + $25 / 1,000 sq. ft.**	+	$60.00	=	Variable
Existing Buildings/Modifications	$350 + $25 / 1,000 sq. ft. **	+	$60.00	=	Variable

** Charge per 1000 sq. ft. of buildings and outside active area proposed

CGS Section 8-30 Zoning Appeals	$500 + $50.00/unit	+	$60.00	=	Variable
Subdivisions	$300 / lot Minimum $350	+	$60.00	=	Variable
Re-Subdivisions	$350 / lot Minimum $400	+	$60.00	=	Variable

Zoning Board of Appeals Completed application forms along with the required fee are to be submitted to the Planning and Community Development Department no later than three Thursdays prior to the meeting. Meetings are held on the first Wednesday of each month.

	Application Fee		State Fee		Total
Variance	$150.00	+	$60.00	=	$210.00
Appeal of Zoning Enforcement Officer Order	$150.00	+	$60.00	=	$210.00
Automotive Location	$150.00	+	$60.00	=	$210.00

Inland Wetlands & Watercourses Conservation Commission Completed application forms along with the required fee shall be submitted to the Planning & Community Development Department no later than 15 days prior to the meeting. Meetings are held on the third Thursday of each month.

Basic Fee	Application Fee		State Fee		Total
1-family & 2-family residences or Administrative Approval	**$100.00**	**+**	**$60.00**	**=**	**$160.00**
Commercial multi-family residence per dwelling unit	$ 50.00	+	**Basic Fee & State Fee**	=	Variable
If Applicable add:					
Public Hearing	$175.00	+	**Basic Fee & State Fee**	=	Variable
Wetlands Jurisdiction Review	$ 75.00	+	**Basic Fee & State Fee**	=	Variable
Regulation Amendment	$175.00	+	**Basic Fee & State Fee**	=	Variable
Subdivision: For each lot with wetlands or watercourses and/or in which activity is proposed in a wetland/ regulated area	$ 50.00/lot	+	**Basic Fee & State Fee**	=	Variable
Commercial Activity	$300.00	+	**Basic Fee & State Fee**	=	Variable
			Total		Variable

B. **Maximum Fee; Calculation of Fee.** Except as provided in Paragraph C below, no application fee calculated in accordance with the preceding formulae shall exceed $20,000.00. Each applicant for any permit shall provide, at the time of application, the necessary data to permit the calculation of the application fee (such as square footage of buildings or outside storage or active display area requested, the proposed number of lots, or acreage involved in a zone change), and such information shall, where appropriate, be certified by a licensed land surveyor, professional engineer, or registered architect. Failure to file any application fee set forth in this ordinance shall be grounds for denial, without prejudice, of such application.

C. Additional Reimbursable Costs.

1. In addition to the fixed fees set forth in subsection A of this section, the commissions may collect payment for direct costs of materials and review services performed by other than town employees, including but not limited to:

a. specialized inspections;

b. third party reviews with professional certifications;

c. reviews by consultant Town Attorneys;

d. reviews by consultant Town Professional Engineers;

e. reviews by licensed Landscape Architects;

f. reviews by licensed Architects;

g. reviews by archeologist/cultural resource consultants;

h. reviews by certified soil scientists, wildlife biologists, or ecologists;

i. reviews by Licensed Environmental Professionals;

j. reviews by certified professional in stormwater quality;

k. legal, stenographic and transcription services associated with any type of land use application.

The Commission may require an applicant to provide certifications, inspections or professional consultant reports at the applicant's expense. It is intended that the fixed fees set forth in subsection A do not cover such costs for additional expenses resulting from non-town staff reviews necessitated by land use applications. These additional expenses will be required where applicable for any permit application before any land use Board or Commission, regardless of whether a public hearing is required. This section is also applicable to all expenses incurred after an approval is issued in the event that action is needed to enforce compliance with specific conditions of approval or violation of regulations.

D. <u>Fees Not in Lieu of Bonds.</u> The payment of fees shall not prohibit commissions from requiring performance or forfeiture bonds to ensure the successful completion of all work as may be prescribed in the respective land use regulations.

§144.040 Exemptions

All boards and agencies of the Town of Griswold, including the use of fire company properties for fire protection purposes, shall be exempt from the payment of fees established pursuant to this chapter. Each board may in whole or in part exempt an application from the payment of any or all fees if said application is for low and moderate income housing or special needs housing. In addition, each commission shall be authorized, by majority vote, to reduce or waive application fees where (1) the application does not appear, upon initial examination, to require intensive staff review and (2) the applicant is a non-profit entity which qualifies for tax deductible charitable contributions under Regulations of the U.S. Internal Revenue Service. The commission may also credit all or a portion of application fees from previous application(s) which were denied or withdrawn, where the review work performed on the previous application(s) may be of benefit in reviewing the new application. Any commission exempting an application from payment of a fee, in whole or in part, shall state in the minutes of the meeting at which the plan was received the fee type exempted, the percentage exempt and reasons for granting the exemption. This exemption shall not prohibit a commission from requiring consultant reports, professional certification or conducting inspection to ensure conformance with land-use regulations.

§144.050 Payment of fees

A. Other Fees. The payment of a fee established in accordance with the provision of this chapter shall not relieve the applicant, owner or their agent from the payment of other fees that may be prescribed for a different type of land use application, or by another ordinance of the Town of Griswold.

B. Fees Nonrefundable. All fees received by a commission as part of a land use application submission shall be nonrefundable.

C. Method and Timing of Payment, Failure to Pay. All Fixed Application Fees shall be paid by cash, check or money order made payable to the Town of Griswold. Fees shall be paid at the time of application submission. The applicant shall be provided with invoices or other evidence of any Additional Expense(s), and reimbursement to the Town shall be made within thirty (30) days after presentation of such invoices or other

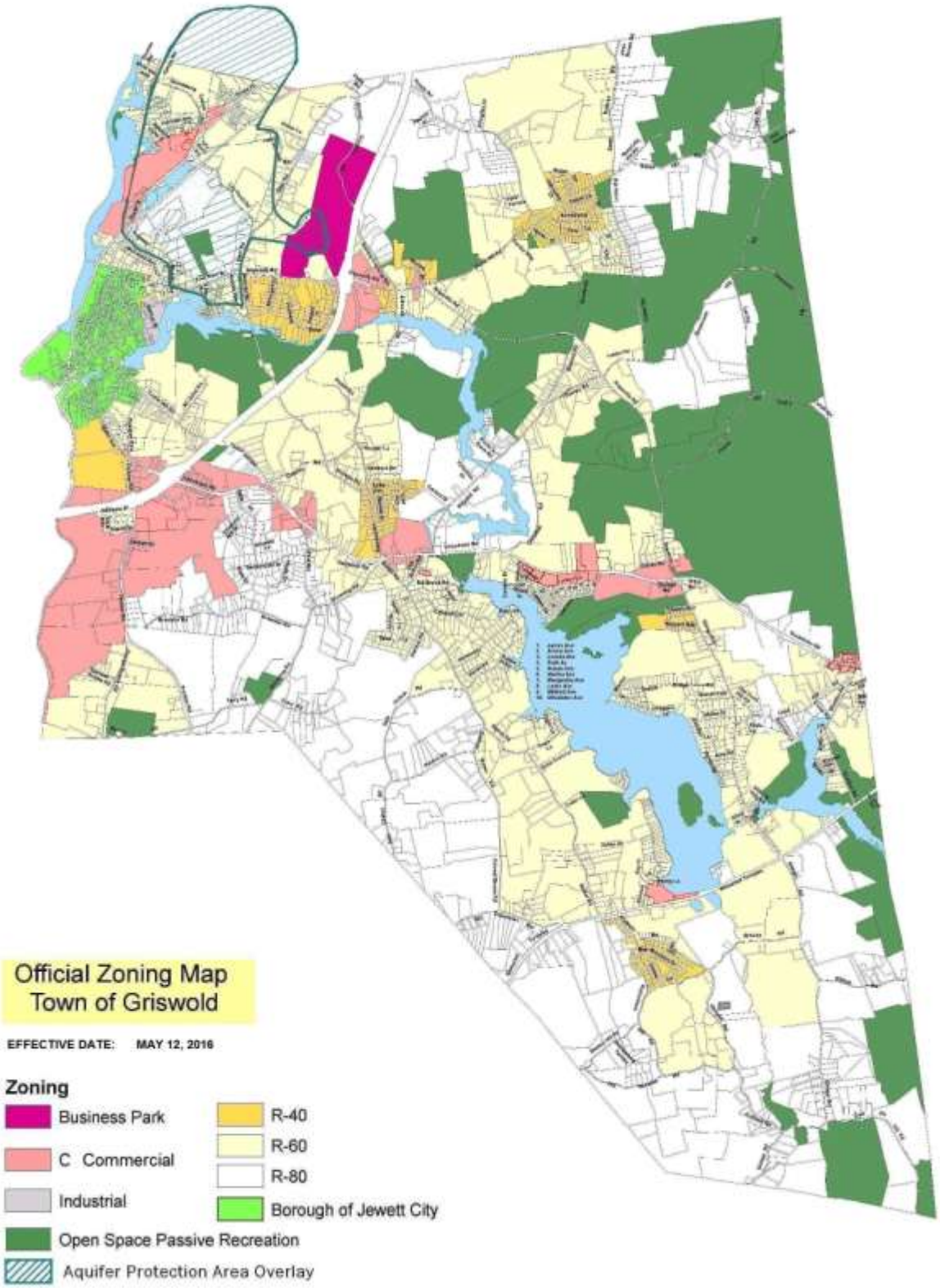
evidence. Failure to comply with this subsection shall be grounds for denial of any application without prejudice, or revocation of any permit previously issued. Reimbursement of the Town under this subsection shall be a condition for the endorsement of any plan, the issuance of any final permit, or the issuance of any certificate of zoning compliance for an approved application, or the renewal of any periodic or temporary approval, as the case may be.

D. Post Approval Notices and Fees. The Town is authorized to place a notice of non-payment of review fees on the land records if any fees from pre-approval or post-approval non-staff reviews are not paid for a period of 90 days.

§144.060 Periodic Updates of Fee Schedule

The foregoing fees schedules are based upon an analysis of the expenses incurred, on average, in the processing of land use applications as of the date of passage of this Chapter. The First Selectman shall periodically examine the expenses incurred by the Town in the processing of land use applications, and shall make recommendations based on input from land use boards and commissions to the Board of Selectmen for adjustments to the foregoing fee schedules based upon current staffing, regulatory requirements, and other relevant factors.

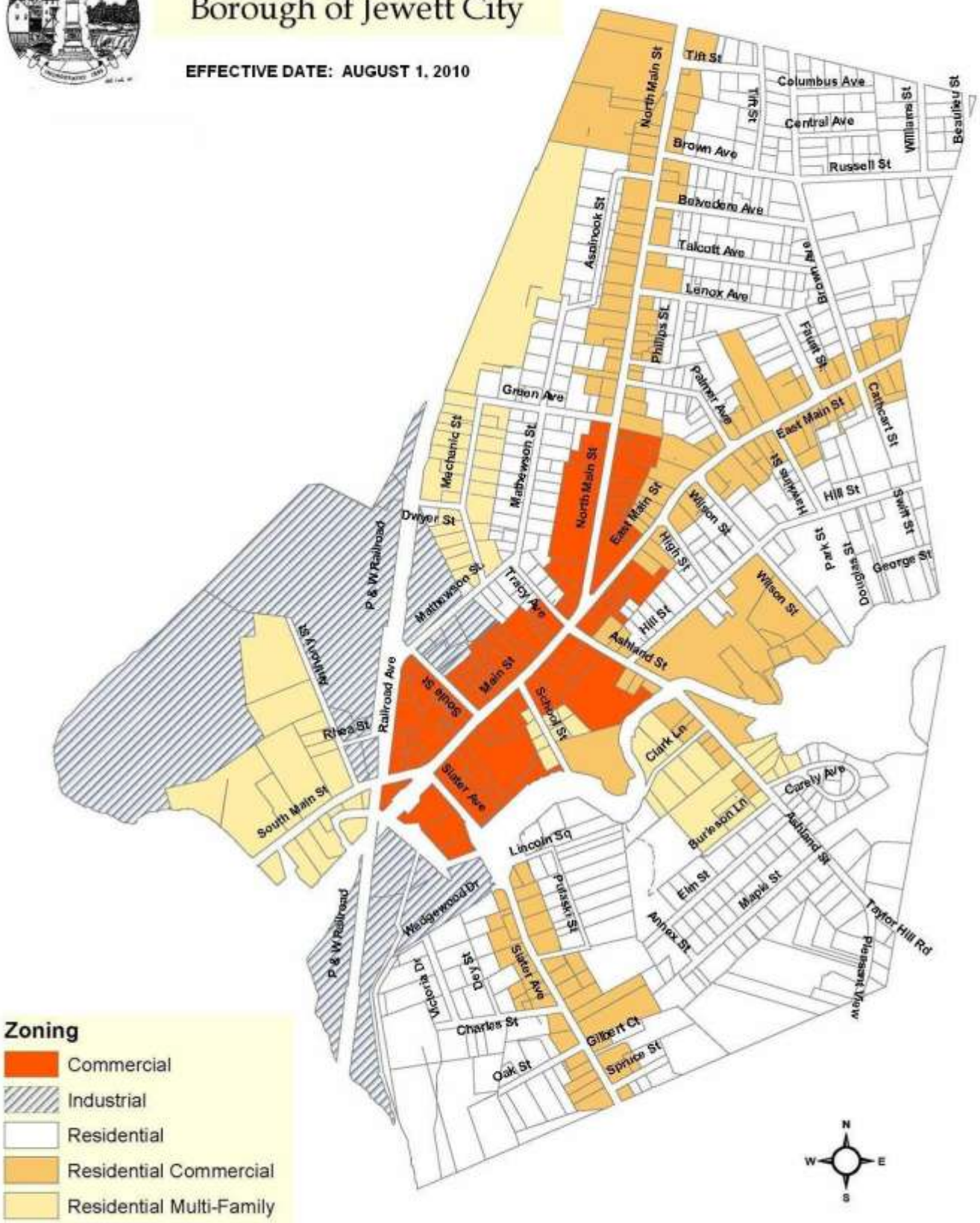
GRISWOLD ZONING MAP



Appendix C

Offical Zoning Map of the Borough of Jewett City

EFFECTIVE DATE: AUGUST 1, 2010



Zoning

- Commercial
- Industrial
- Residential
- Residential Commercial
- Residential Multi-Family