

SECTION 3. LAND USE REGULATIONS

3.0 Purpose

3.1 Zoning Permit, Site Plan & Special Permit Uses

The following uses are permitted in zone(s) as indicated in **Table 3.1 Allowed Uses by Zone**, subject to all provisions of the applicable zone, and as specifically provided for in this section.

Every application for the use of property subject to conditions set forth below shall be filed in accordance with the provisions of these regulations and shall be subject to any approval stipulated in this section.

3.2 Uses Permitted. Uses of land and buildings permitted in a zoning district in Woodbridge shall only be those indicated by *P (Zoning Permit)*, *S (Site Plan)*, or *SP (Special Permit)* in the column under the zoning district name. All other uses are hereby prohibited unless specifically permitted elsewhere in these Regulations.

Table 3.1 Allowed Uses by Zone¹									
SECTION of Regs.	USES	ZONING DISTRICTS							
		A	B	<i>Open Space</i>	P	BB+C+D	GB+B1+DE V1	DEV 2	
<i>Proposed</i>	<i>Names for Zone</i>	<i>A</i>	<i>B</i>	<i>T1</i>	<i>T2</i>	<i>T3</i>	<i>T4²</i>	<i>SD1</i>	
	Agriculture								
	Commercial Farm								
	Community Garden								
	Farmers Markets + Road Side Stands								
	Animals								
	Animal Day Care								
	Animal Training Facility								
	Grooming								
	Keeping of Animals (other than hens)								

¹ Buildings and equipment of corporations regulated by the Public Utilities Commission are subject to the approval of the Town Planning and Zoning Commission. Service yards or outside storage of supplies shall not be permitted and all buildings shall conform to the general style of architecture of the neighborhood.

² Parcels in T4 Zones may be subject to additional regulations per the Woodbridge Village District found in **Section _____**.

	Keeping of Hens								
	Kennel								
	Stable								
	Veterinary Hospital								
Adult Establishments									
Business + Personal Service									
	≤ 1,500 sf gross leasable space								
	> 1,500 sf to ≤ 10,000 sf gross leasable space								
	> 10,000 sf gross leasable space								
	Cemetery								
	Civic Club, Lodge or Community House <i>except where the principal activity is one customarily carried on as a business</i>								
	Conference Center Development								
Day Care									
	Adult Day Care								
	Child Day Care, Nursery School + Group Day Care in Home								
	Family Day Care Home for Children								
Drive-Through									
Excavation + Fill (Natural Resources Removal, and Regrading + Fill as Accessory Use)									
Food Service									
	Catering Facility + Food Processing Establishment								
	Seasonal Outdoor Dining								
	Seasonal Outdoor Seating								
	Restaurant								
	Take-out Food Service								
	Funeral Home								
	Golf Course + Club								
Health Care Facility									
	Hospital								
	Nursing Home								

	Medical Office (See Office Building)								
	Rehabilitation Facility - Out Patient (See Office Building)								
	Heliport								
	Residence Office/Home Occupation								
	Library/Museum								
Lodging									
	Bed + Breakfast (no more than 5 sleeping rooms/acre)								
	Inn / Motel (6-20 sleeping rooms/acre)								
	Hotel (more than 20 sleeping rooms/acre)								
	Roomers + Boarders								
	Rooming + Boarding House								
Manufacturing									
	As Accessory Use								
	As Primary Use								
	Light Manufacturing								
	Heavy Manufacturing								
Motor Vehicle Uses									
	Gas Station, Service + Repair, Rental								
	Car Sales								
	Vehicle Storage								
	As Accessory Use								
Natural Resource Removal (See Excavation + Fill)									
Office Building (including Medical)									
	≤ 1,500 sf gross leasable space								
	> 1,500 sf to ≤ 10,000 sf gross leasable space								
	> 10,000 sf to < 20,000 sf gross leasable space								
	> 20,000 sf gross leasable space								
Place of Public Assembly (Gallery, religious uses, dormitories not including correctional facilities)									
Places of Worship									
Preservation of Historic Structures									
Public Use + Public Utility (including sub-station, parks + playgrounds)									

	Parks + Playgrounds			SP	SP				
	Public Use Sub-stations			S	SP				
	Structured Parking Garage								
	Public Parking Lot								
Recreation + Fitness, Commercial									
	≤ 10,000 sf gross leasable space								
	> 10,000 sf gross leasable space								
Residential									
	Low Density								
	Single-Family						P		
	Two-Family								
	Three-Family								
	Accessory Dwelling Units in Single-Family Home								
	Adaptive Re-use to 1-3 Dwelling Units								
	Medium Density								
	Accessory Dwelling Unit as part of Mixed Use (Max. 4 dwelling units),								
	High Density >4 du's						SP		
	Multi-Family Dwellings						SP		
	Adaptive Re-use to Multi-family						SP		
	Congregate Community						SP		
	Active Adult Community (55+)						SP		
	Swimming Pools, Tennis Courts, and other personal recreation								
Refuse Disposal									
	Resource Recovery, Transfer Station, Volume Reduction Facility								
Research, Development + Medical Lab									
Retail									
	≤ 1,500 sf gross leasable space								

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	> 1,500 sf to ≤ 5,000 sf gross leasable space								
	> 5,000 sf to ≤ 10,000 sf gross leasable space								
	> 10,000 sf to ≤ 20,000 sf gross leasable space								
	> 20,000 sf to 200,000 sf gross leasable space								
	Farmers Market (See Agriculture)								
	Sale of Fire Arms						S	S	
	Liquor Establishment								
Schools									
	Business School ≤ 50 students at peak								
	Business School > 50 students at peak								
	College +/-or University								
	Dormitories								
	Elementary + Secondary School								
	Regional Educational Service Center								
Storage									
	Warehouse storage+ Wholesale sales w/ indoor storage								
	Outdoor Storage								
	Accessory Use								
	Primary Use								
Wind Energy Conservation System									
Wireless + Telecommunications Facility									
P - Zoning Permit Only S-Site Plan Application SP-Special Permit Application Blank Space - Not Allowed									
A - Residential A B - Residential B T - Transect District SD - Special District									

With respect to sewerage, each applicant shall present to the Commission either a permit duly issued by the Sewerage Enforcement Officer for the applicant's proposed sewerage facilities or the written opinion of such officer whether and in what manner acceptable sewerage facilities can be designed and constructed at the proposed locations. **(DOES THIS HAPPEN NOW?)**

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Section 3.X Agriculture

3.x Commercial Farm

Commercial farms, including plant nurseries and greenhouses, are permitted subject to the following conditions:

- a. Any structure housing animals shall be located at least **100** feet from any lot line.
- b. No livestock or farm animals shall be permitted to graze or feed within any required yard.
- c. Any run, paddock or barnyard shall be a minimum of **100** feet from any lot line.
- d. A fence of sufficient height to assure containment of the animals shall properly enclose any run, paddock, or barnyard.
- e. Buildings or stands for the sale of produce are permitted subject to the following conditions:
 - i. The building or produce stand is accessory to the primary use of the property.
 - ii. The produce stand does not exceed a gross floor area of **500** square feet.
 - iii. The building or produce stand meets the required-yard requirements of the applicable zone for a principal building.

3.x Community Garden

Community Gardens are permitted subject to the following conditions:

- a. Property shall be clear of rubble and contamination;
- b. Access to water shall be provided;
- c. Area for compost shall be provided;
- d. Storage area for tools and secured trash receptacles shall be provided;
- e. Trash removal on no less than a weekly basis shall be provided;
- f. Outdoor lighting, if provided, shall not exceed 1.5 footcandles on the site and shall comply with all provisions of **Section X.x (Outdoor Lighting Requirements)**.

Farmer's Market + Road Side Stands

See **Section X.x** Temporary Permits

Section 3.X Animals

3.x Animal Day Care

Animal Day Care facilities are permitted subject to the following conditions:

- a. Each lot shall have a minimum area of **80,000** square feet.
- b. Outdoor exercise areas for animals shall be a minimum of **100** feet from any lot line.
- c. Open exercise areas shall be properly enclosed by a fence of sufficient height to assure containment of the animals and such areas shall be maintained in a sanitary and odor-free condition at all times.
- d. All stalls, pens and similar enclosures for animals shall have a floor made of concrete or other impervious material, which shall contain adequate drainage facilities connected to a sanitary system for proper washing and maintenance.
- e. Overnight boarding is prohibited.

3.x Animal Training Facility

Animal Training facilities are permitted subject to the following conditions:

- a. Each lot shall have a minimum area of **80,000** square feet.
- b. Outdoor exercise areas for animals shall be a minimum of **100** feet from any lot line.
- c. Open exercise areas shall be properly enclosed by a fence of sufficient height to assure containment of the animals and such areas shall be maintained in a sanitary and odor-free condition at all times.
- d. All stalls, pens and similar enclosures for animals shall have a floor made of concrete or other impervious material, which shall contain adequate drainage facilities connected to a sanitary system for proper washing and maintenance.
- e. Overnight boarding is prohibited.

3.x Grooming

Animal grooming facilities are permitted subject to the following conditions:

- a. Each lot shall have a minimum area of **10,000** square feet.
- b. Buildings containing animals shall be a minimum of **20** feet from any lot line.
- c. All stalls, pens and similar enclosures for animals shall have a floor made of concrete or other impervious material, which shall contain adequate drainage facilities connected to a sanitary system for proper washing and maintenance.

d. Overnight boarding is prohibited.

3.x Keeping of Animals (not including chickens)

The keeping and raising of domestic farm animals other than pigs, fur-bearing animals and fowl is permitted as an accessory use subject to the following conditions:

- a. Each lot shall have minimum area of **120,000** square feet.
- b. Not more than three domestic farm animals shall be permitted on any lot.
- c. Any building used for the keeping of animals shall be located at least **50** feet from any lot line.
- d. No domestic farm animal shall be permitted to graze or feed within any required yard.
- e. Any open area used for exercising or feeding of animals shall be properly enclosed by a fence of sufficient height to assure containment of the animals and shall not be within any required yard or **25** feet from any lot line, whichever is greater.
- f. All areas used by such animals shall be kept in a sanitary condition that is satisfactory to the local health district.

3.x Keeping of Chickens

(Do you want to do this?)

3.x Kennels & Stables

Boarding kennels, riding stables and boarding stables are permitted subject to the following conditions:

- a. Each lot shall have a minimum area of **200,000** square feet.
- b. Buildings and open exercise areas containing animals shall be a minimum of **100** feet from any lot line.
- c. Open exercise areas shall be properly enclosed by a fence of sufficient height to assure containment of the animals and such areas shall be maintained in a sanitary and odor-free condition at all times.
- d. All stalls, pens and similar enclosures for animals shall have a floor made of concrete or other impervious material, which shall contain adequate drainage facilities connected to a sanitary system for proper washing and maintenance.

3.x Veterinary Hospitals

Veterinary Hospitals are permitted subject to the following conditions:

- a. In any **Residential Zone, T-4 and SD-1 Zone**, the minimum lot size shall be **20,000** square feet.
- b. Sanitary sewers shall serve the lot. Depending on the size of the facility, the Commission may require adequate public water service.
- c. A veterinary hospital shall not include a crematorium or any outside enclosure for animals.

Section 3.X Adult Establishments

Purpose. Adult-oriented establishments can cause negative effects on their surrounding areas, and require special supervision from the town's public safety agencies in order to protect and preserve the health, safety and welfare of the town's citizens. The purpose of this regulation is to reduce the attendant negative effects caused by such adult-oriented establishments by locating such uses in areas less sensitive to such negative effects, as well as requiring reasonable protections against those effects.

Definitions.

ADULT BOOKSTORE is a store that has as a substantial portion of its stock-in-trade any one or more of the following:

- (a) books, magazines, periodicals, or other printed matter which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
- (b) photographs, films, motion pictures, videocassettes, slides or other visual representations which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
- (c) sexual aids or paraphernalia which are characterized by an emphasis upon specified sexual activities or specified anatomical areas.

ADULT CABARET means a nightclub, bar, restaurant or similar establishment that regularly features live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities, or films, motion pictures, video cassettes, slides or other photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by any emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

ADULT ESTABLISHMENT means adult bookstore, adult cabaret, adult theater, or any combination thereof.

ADULT THEATER means a building used for presenting material distinguished or characterized by an emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

SPECIFIED SEXUAL ACTIVITIES are: (1) human genitals in a state of sexual stimulation or arousal; (2) actual or simulated acts of human masturbation, sexual intercourse or sodomy; or (3) fondling or other erotic touching of human genitals, pubic region, buttock, anus or female breast.

SPECIFIED ANATOMICAL AREAS are: (1) less than completely and opaquely concealed: (i) human genitals, pubic region, (ii) human buttock, anus, or (iii) female breast below a point immediately above the top of the areola.

ESTABLISHMENT OF AN ADULT-ORIENTED ESTABLISHMENT includes any of the following:

- (a) The opening or commencement of any such establishment as a new establishment;
- (b) The conversion of an existing establishment, whether or not an adult-oriented establishment, to any of the adult-oriented establishments defined herein;
- (c) The addition of any of the adult-oriented establishments defined herein to any other business or operation; or
- (d) The relocation of any adult-oriented establishment.

Adult Establishments.

Adult establishments may not be established, operated, constructed or maintained in the Town of Woodbridge, without a special exception. Existing commercial or residential uses may not be modified or converted to use as an adult establishment without a special exception.

Adult establishments are permitted by special exception in the **GB District** subject to the standards for granting special permits in **Section 3.x** and subject to the distance requirements in **Section 3.x**.

Distance requirement.

No building or premises shall be used, and no building shall be erected or altered, for use as an adult establishment if any part of such building or premises is situated on any part of a lot within a five-hundred-foot radius in any direction of any lot used for, or upon which is located any building used for:

- (e) Any single-family or multiple-family residential use;
- (f) Any public or private school, or any other educational facility attended by persons under the age of eighteen (18), including, but not limited to, after school programs, pre-school and day care facilities, children's museums, camps and athletic leagues;
- (g) Any church or other religious facility or institution;
- (h) Any public park;
- (i) Any library, community center or teen center; or
- (j) Any other adult establishment.

Said distance of 500 feet shall be measured by taking the nearest straight line between the respective lot boundaries of said sites.

Special Exception Requirements.

Any application to establish, commence or modify an adult establishment must meet the following requirements. The commission is authorized to impose conditions upon the use to assure that the following requirements and considerations are satisfied:

- (k) No alcoholic beverages shall be sold or consumed within adult-oriented establishments.
- (l) Adult-oriented establishments shall be so designed as to not permit the view of any sexual aids or paraphernalia; films, books, tapes, periodicals, CDs, drawings or advertisements depicting specified anatomical areas or specified sexual activity from a sidewalk, street, driveway or parking area.
- (m) Any signs located inside or outside an adult-oriented establishment visible from a sidewalk, street, driveway or parking area shall not visually depict, describe or name any specified anatomical area or specified sexual activity.
- (n) Hours of Operation. At the time of the public hearing the Commission may require the submission of projected hours of operation. The Commission shall review the impact of such schedule of hours on the immediate neighborhood as well as current and projected traffic circulation patterns. As part of the special permit, reasonable limitations on hours of operation may be imposed.
- (o) Adult establishments shall not admit entrance to any person under the age of 18. The applicant must implement safeguards to assure that no minors enter the adult establishment.
- (p) Adult establishments shall be well-lighted at all times and be physically arranged in such a manner that the entire interior portion of the booths, cubicles, rooms or stalls, wherein adult entertainment is provided, shall be clearly visible from the common areas of the premises, and secluded viewing of adult-oriented motion pictures or other types of adult-oriented entertainment shall be prohibited.
- (q) All adult-oriented establishments shall be open to inspection at all reasonable times by the Woodbridge Police Department, inspectors employed by the Town and/or the Health District, or such other persons as the Commission may designate.
- (r) The applicant shall provide vegetative screening, fencing or other visual buffers to provide adequate buffering for surrounding uses. The parking lot shall be well-lighted and designed so as to discourage loitering.
- (s) The location and size of use, and the nature and intensity of the use, the size of the lot in relation to it, and the location of the lot with respect to streets giving access to it, are such that the proposed use will be in harmony with the appropriate and orderly development of the district in which it is located.
- (t) The location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage appropriate development and use of adjacent properties.
- (u) The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and driveways are laid out for maximum safety.

Section 3.x Business + Personal Services

Cemeteries. Expansion of cemeteries and burial grounds are subject to Special Permit approval. Cemeteries and burying grounds are only permitted within their present boundaries. Expansions of these boundaries are allowed only where a lot line of an existing cemetery or burial ground directly abuts the area of the proposed expansion. No structures, monuments, markers, or burial sites shall be located in any required-yard.

Section 3.X Civic Clubs, Lodges or Associations

Civic Clubs, Lodges or Associations are permitted subject to the following conditions:

- a. Each lot shall have a minimum area of **80,000** square feet.
- b. Outdoor recreation facilities such as, but not limited to, swimming pools, tennis courts, putting greens, and basketball courts are permitted as accessory uses, provided the minimum lot area is **200,000** square feet.
- c. Buildings, off-street parking, swimming pools, ball diamonds, picnic areas and other recreation uses, shall not be located within any required-yard.
- d. Buildings, off-street parking, swimming pools, ball diamonds, picnic areas and other recreation uses, shall occupy not more than 80% of the area of the lot.
- e. No off-street parking or recreation facility shall be located in any required yard.
- f. Sanitary sewers shall serve the lot.

Section 3.X Conference Center Development

Conference Center Developments are permitted subject to the following conditions:

- a. Restaurants, dining rooms and banquet facilities are permitted as accessory uses.
- b. Business or professional offices are permitted as an accessory use, provided the gross floor area for said use does not exceed 40% of the gross floor area of the structures.
- c. Stores for the retail sales of goods are permitted as an accessory use provided the gross floor area for said use does not exceed 5% of the gross floor area of the structure(s).

Section 3.X Day Care

Regularly organized day care centers are permitted subject to the following conditions:

3.x Adult Day Care

Adult day care centers are permitted subject to the following conditions:

- a. If the use is an accessory to a dwelling, not more than 25% of the existing floor area of the dwelling unit shall be used for day care purposes.
- b. No outdoor apparatus shall be located in any required front or side yard. Either a fence or foliage screen shall screen outdoor apparatus. This screening shall be of such type and location as to provide privacy to adjoining properties, but shall not be so constructed or located as to constitute an unsafe situation for the users of the outdoor apparatus.
- c. Public water service and sanitary sewers are required. The Commission may waive either or both of these utility requirements, subject to a technical report from a qualified staff authority that on-site systems for sewage disposal and/or potable water supply are adequate.
- d. The adult day care center shall not create any excessive noise, dust, smoke, odor or unsightly condition that would constitute a public nuisance to adjoining properties.
- e. No overnight stays are allowed.

3.x Child Day Care Center, Nursery Schools & Group Day Care Home

- a. If the use is an accessory to a dwelling, not more than 25% of the existing floor area of the dwelling unit shall be used for day care purposes.
- b. No play apparatus shall be located in any required front or side yard. Either a fence or foliage screen shall screen any play apparatus. This screening shall be of such type and location as to provide privacy to adjoining properties, but shall not be so constructed or located as to constitute an unsafe situation for the users of the outdoor apparatus.
- c. The day care center shall have an approved license from the State of Connecticut prior to the issuance of a Certificate of Zoning Compliance.
- d. Public water service and sanitary sewers are required. The Commission may waive either or both of these utility requirements, subject to a technical report from a qualified authority that on-site systems for sewage disposal and/or potable water supply are adequate.
- e. The day care center shall not create any excessive noise, dust, smoke, odor or unsightly condition that would constitute a public nuisance to adjoining properties.

- f. No overnight stays are allowed.

3.x Family Day Care Home

Family Day Care Homes are permitted subject to the following conditions:

- a. No play apparatus shall be located in any required front or side yard. Either a fence or foliage screen shall screen any play apparatus. The screening shall be of such type and location to provide privacy to adjoining residential properties, but shall not be so located or constructed as to constitute an unsafe situation for the users of the play apparatus.
- b. The family day care home shall have an approved license from the State of Connecticut prior to issuance of a Certificate of Zoning Compliance.
- c. The family day care home shall not create any excessive noise, dust, smoke, odor or unsightly condition that would constitute a public nuisance to adjoining properties or the neighborhood.

Section 3.x Excavation + Fill, Accessory Use

3.x Natural Resource Removal, Re-grading & Filling, Accessory Use

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

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

General Requirements

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

Exceptions

The following shall not require a Zoning Permit: a. Excavation, removal, re-grading or filling in conjunction with an approved subdivision grading plan, provided that no more than 10,000 cubic yards of material are deposited or removed. b. Incidental excavation, removal, re-grading or filling in connection with maintenance or landscaping, provided that no more than 60 cubic yards of material are deposited or removed per calendar year. c. Agricultural excavation, re-grading or filling operations, provided that no more than 250 cubic yards of material are deposited or removed per calendar year.

Required Information

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

- a. Existing contours in the area to be excavated re-graded or filled;
- b. Proposed contours after completion of excavation, re-grading or filling;
- c. Proposed vehicular access to a street;
- d. An estimate of the number of cubic yards of material to be filled, excavated, graded, or removed;
- e. An estimate of the number and types of trucks and other machinery to be used on the site;
- f. The location(s) and type(s) of buildings, including temporary buildings, to be erected;
- g. Hours of operation and number of calendar days anticipated to complete filling, excavating, grading, regrading or removal; and
- h. Details of any proposed blasting and storing of explosives.
- i. To reasonably review an application, the Commission may require the submission of additional information about soil conditions, locations and depths of rock-ledge, ground

water conditions, and other such information. The Commission may request such information for both pre- and post-development conditions.

- j. Sedimentation and erosion control plans with all information required per **Section X.x** of these Regulations.

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

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

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

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

- a. Resulting slopes shall not increase the concentration or flow of water or sediment to adjoining properties;
- b. Adverse drainage or sewage problems or other conditions which would impair the use of the property shall not be created or exacerbated;
- c. No screening, sifting, washing, crushing or other processing of excavated or fill material shall be conducted on the premises unless said premises are located in a Manufacturing Zone or unless approved as part of a Special Permit and Site Plan application in accordance with **Section 5.x**.
- d. There shall be no excavation within 20 feet of any street line or any other lot line unless one of the following conditions is met:

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

3.x Excavation, Removal, Filling, Grading and Processing of Earth Products

Effective on: June 30, 1987

General. There shall be no excavation, grading, filling, removal or processing of earth, sand, stone, gravel, soil, minerals, loam fill, clay, peat and other earth products on or from any land, except as permitted by **Section X.x** herein or as authorized by a Permit issued by the Commission under the provisions of this Section., Such Permit may be issued by the Commission subject to the Standards and Conditions as set forth in **Section X.x**, which the Commission deems necessary to prevent damage to other property and to protect the public safety, health and general welfare.

Exemptions. The provisions of this Section and the requirements to obtain a Permit hereunder shall not apply where the excavation, grading or filling of land or removal or processing of earth products are solely for one or more of the following purposes, provided, however, that the provisions of **Section X.x** shall continue to apply:

- (v) Necessary excavation, removal, filling and grading of earth products from the foundation locations of buildings and other allowable structures and additions thereto for which building permits have been issued;
- (w) The construction of Road improvements in accordance with construction and grading plans approved by the Commission pursuant to the Subdivision Regulations of the Town;
- (x) The normal maintenance and repair of Road and driveways and the construction of new Roads by the Town or State of Connecticut;
- (y) Stockpiling or excavation of earth products for Road maintenance by the Town;
- (z) Any excavation grading, filling, removal or processing of earth products on any Lot, of no more than one thousand (1,000) cubic yards of earthen products, provided the Lot area affected by such operations is less than ten thousand (10,000) square feet;

Amended on: September 1, 2003

- (aa) A sanitary land-fill operation of the Town.

Application Requirements. Application for a Permit under this Section shall be submitted on forms provided by the Commission signed by the applicant and all owners of the land where the excavation, grading, filling, removal or processing shall occur. The application shall include and be submitted to the Commission with the following:

- (bb) An application fee as set forth in Chapter 5, Article VIII of the Ordinances of the Town of Woodbridge entitled Schedule of Land Use Fees, as amended from time to time.).
- (cc) Thirteen (13) 24" x 36" copies of a Grading Plan showing the location of the proposed operations. Such plan shall be drawn to a scale of not more than forty (40) feet to the inch, prepared by, and bearing the seal of, a land surveyor and a professional civil engineer licensed by the State of Connecticut and prepared to a Class A-2 quality. The Grading Plan shall show:
 1. The name and address of the present owner or owners of the land and the location and names and addresses of owners of all adjacent property,

- including property separated from the land by any Roads. Such names and addresses shall be as shown on the Town Assessor's current records;
2. The quantity and type of earth product to be excavated, graded, filled, removed or processed and the area limits of the proposed operations;
 3. The total acreage of the land and the length and directions of present property lines, with dimensions on all lines to the hundredth of a foot, all bearings or interior angles to the nearest second, and the central angle, tangent distance and radius of all curves;
 4. A location key, drawn to a scale of 1" = 800', showing the location of the land in relation to surrounding property, all Zoning Districts, streets within one thousand (1,000) feet of the property and the Town Line, if within five hundred (500) feet of the parcel;
 5. A minimum of two (2) permanent bench marks;
 6. Existing and proposed contours at two (2) foot intervals with spot elevations and cross-sections at high and low points, extending at least fifty (50) feet beyond the land's boundaries (five (5) foot contour intervals are permitted for land in excess of a twenty-five (25) PERCENT SLOPE). All such data is to be derived from field study or aerial photogrammetry with proper ground control. Information obtained from enlarging U.S.G.S. Topographic Quadrangles is not acceptable;
 7. A description of the purpose and nature of the proposed operation;
 8. Landscaping plans showing the type, location and extent of all proposed planting or vegetation to be retained on or restored to the land;
 9. Description of proposed vehicular access to the land and location of proposed work roadways with the land;
 10. The estimated number and types of trucks and other machinery proposed to be used for the proposed operation;
 11. The estimated starting and completion dates and the estimated hours and days of the week proposed for the operation on the land;
 12. The location and size of any and all existing buildings, streets, monuments, recognized landmarks or structures on the land and comparable information on adjacent properties for a distance of seventy-five (75) feet beyond the parcel's boundaries;
 13. Size, location, invert and surface elevations, and flow direction, where applicable, of existing water bodies, watercourses, swamps, marshes, flood plains and wooded areas on and adjacent to the land. Accurate delineation is required for all soil types designated as Inland Wetlands, which shall be flagged in the field;
 14. Details of existing and proposed drainage plan, including storm drainage systems and proposed measures for erosion and sedimentation control, and details of proposed seeding for the area of the proposed operation. Such measures should prevent wind and soil erosion and sedimentation during the course of the operation and at the conclusion thereof in compliance with **Section X.x** of these Regulations;

15. Approval box, including the words “Permit Approved by the Woodbridge Town Plan and Zoning Commission”, a labeled blank space for the date, Chairperson or Secretary of the Commission.
- (dd) Additional Information
1. The Commission, upon a finding of unusual soil conditions or of insufficient data to properly assess potential hazards, may require the applicant to:
 - (a) provide additional information on soil, rock ledge and groundwater conditions; and
 - (b) undertake a soil engineering investigation based on the submitted grading plan, including the nature, distribution, and strength of existing soils, conclusions and recommendations for grading procedures, and criteria for corrective measures.
 2. Where the parcel, or the adjacent property, contains Inland Wetlands which will be affected by the proposed operations, the Commission may require reviews and advisory reports prepared by the appropriate agencies and officials, such as the Inland Wetlands Agency or the U.S. Soil Conservation Service.
- (ee) an application must contain all of the above mentioned items, including the requisite fee and estimate of the amount of the bond, based upon the unit cost to complete the entire operation, before it may be submitted to the Commission for a hearing at a regularly scheduled meeting.

Standards and Conditions. The operation must comply with the following minimum standards and conditions:

- (ff) The operation shall be carried out in conformity with the Grading Plan as approved and within the limits shown thereon and shall be at least fifty (50) feet from any property line or public road, unless otherwise authorized by the Commission. However, authorization by the Commission to fill and/or excavate within fifty (50) feet of a property line or a public road is not required but must be obtained from the Enforcement Officer if:
1. less than one thousand (1,000) cubic yards of material(s) are involved, and

Amended: September 1, 2003

2. the resulting final grade within said fifty (50) feet is no steeper than 1:3 (vertical – horizontal)

Effective on: June 7, 1989

- (gg) Laboratory results from a Connecticut certified laboratory shall be provided to the Zoning Enforcement Officer, for all common fill to be obtained offsite for use on a site. Such laboratory results shall demonstrate that the common fill material does not contain total petroleum hydrocarbons (“TPH”), volatile organic compounds (“VOC”), pesticides, or heavy metals in excess of the Residential Direct Exposure Criteria, as set forth in the Connecticut Remediation Standard

Regulations, 22a-133k-1 through 22a-133k-3, as amended from time to time, unless the site is used exclusively industrial or commercial purposes and in which case the laboratory results shall not be in excess of the Industrial/Commercial Direct Exposure Criteria, as set forth in said regulations.

Effective on: September 1, 2003

- (hh) No screening, sifting, washing, crushing or other forms of processing shall be conducted on the land;
- (ii) No fixed machinery, buildings or structures shall be erected or maintained on the land. All temporary structures which must be in compliance with applicable Town Regulations shall be removed from the land not later than thirty (30) days after termination of the operation or expiration of the Permit, whichever is sooner;
- (jj) At all stages of the operation, and upon completion, proper drainage shall be provided to prevent collection and stagnation of water and to prevent harmful effects upon surrounding properties through soil erosion or interference with natural drainage;
- (kk) No waterbody, watercourse, Inland Wetland or existing drainage area shall be altered in any way except as approved by the Inland Wetlands Commission. No waste products or process residues from any operation shall be disposed of in any of these areas and special care shall be taken regarding filtration, sedimentation, stabilization, and water quality;
- (ll) When the operation is completed or work has progressed sufficiently to where reclamation is practicable, the area affected by the operation shall then be graded or terraced, in accordance with the Grading Plan approved by the Commission, so that banks and slopes in disturbed areas shall be no steeper than 1:3 (vertical – horizontal). A layer of topsoil shall be spread over the disturbed area, to a minimum depth of four (4) inches after compaction in accordance with the approved final grading plan. The area shall then be seeded with a suitable grass mixture and maintained by mulching, repairing and reseeding until the area is stabilized;
- (mm) There shall be no operation conducted between 5 P.M. and 8 A.M., or such more restricted hours as the Commission may deem appropriate, nor on Saturdays, Sundays or legal holidays, except with the approval of the Commission.
- (nn) Truck access to the site shall be so arranged as to minimize danger to traffic and nuisance to surrounding properties and shall not be carried out during school bus hours. All accesses to any operation shall be barred by a gate. Cables, ropes, chains or similar barriers are not sufficient;
- (oo) Yellow markers spaced a maximum of fifty (50) feet apart extending a minimum of two (2) feet above the ground surface at all times shall be placed around the perimeter of the area of the operations by a licensed land surveyor or engineer in conformance with approved grading plan;
- (pp) Proper measures, as determined by the Commission, shall be taken to minimize the impact on adjacent properties of noise, flying dust or rock and unsightly or dangerous conditions. Such measures may include, when considered necessary, wetting of access roads, screening, fencing, limitations upon the practice of

stockpiling excavated materials upon the site and shall include covering of truck loads;

- (qq) At all stages of the work or operation where the excavation or fill will have a depth of ten (10) feet or more and/or will create a slope of more than one (1) foot vertical to two (2) feet horizontal, the Commission may require a substantial fence enclosing the fill or excavation. Such fence shall be at least six (6) feet in height with suitable gates and shall be located at least five (5) feet from the edge or top of the excavation or fill;
- (rr) Access roads shall be provided and maintained with a dustless surface and crushed stone shall be placed for the first one hundred (100) feet from a public Road;
- (ss) No operations to create a man-made water area shall be conducted below the water level of the Lot, unless specifically authorized, as part of the Permit, by the Commission;
- (tt) The Commission may, upon formal application, authorize the modification of any of the Standards and Conditions contained in this Section where the Commission determines the nature of the operation or the conditions of the land so warrant and the public health, safety and welfare will not be substantially affected.

Section 3.X Food Service

3.x Catering Facility + Food Processing Establishment

3.x Seasonal Outdoor Eating Areas

a)

A. Outdoor Dining

Outdoor dining is permitted when accessory to a restaurant, and are permitted subject to the following conditions:

a. The Seasonal Outdoor Dining Area shall:

- a) Be accessible from the restaurant building only;
- b) Be contiguous with the establishment with which they are associated and may be allowed on porches or decks.

- c) shall be largely open to the elements and shall not be permanently enclosed with a roof or walls;
- d) All food and beverages shall be served to the table;
- e) Outdoor seating areas shall be operated on a seasonal basis not to exceed six months in a calendar year, and shall be exempt from providing parking spaces other than those required for the restaurant; ~~In addition to required parking for indoor seating, one additional parking space for every four outdoor dining seats shall be provided.~~
- f) Be permitted in front, side and rear setback areas provided that they do not block or interfere with sidewalks, walkways or emergency egress as determined by the Fire Marshal.
- g) Close no later than 11:00 p.m.;
- h) Obstruct or impair vehicular or pedestrian traffic;
- i) Impinge on required front yard landscape areas and vegetative buffers that were planted as of the effective date of this regulation;
- j) Reduce or impinge upon required off-street parking or loading spaces.

b. Seasonal Outdoor Dining Areas that have a clear line of sight to a Residential District A or B, that is not blocked by a building or other opaque structure, shall be subject to reviewed by the Architectural Review Board.

c. Seasonal Outdoor Dining Area shall be landscaped with planters, window boxes, planted pots and/or planted beds containing appropriate trees, shrubs and/or flowers to provide privacy and ambiance for diners;

d. Seasonal Outdoor Dining Areas shall not exceed 50% of the floor area of the indoor dining area; and cannot exceed 50% of the number of tables/seats within the indoor dining area.

e. Any non-vegetative shading devices for use with Seasonal Outdoor Dining Areas shall be of a impermanent type (umbrellas, retractable awnings, temporary fabric roof structures. etc.) provided that they are safely anchored. A temporary fabric roof structure may have rigid supports and fabric or soft (non-rigid) sides. **Such areas may be heated. These areas may not be considered in the future as permanent building additions. (WHY? Let's make this clear)**

f. When not in seasonal use, all structures and furniture shall be removed from the area. When in seasonal use, tables and chairs associated with Seasonal Outdoor Dining Areas *shall not be considered as outdoor storage and display*.

g. There shall be no live or recorded music played or projected outside the restaurant building without the prior issuance of a Zoning Permit.

h. Litter emanating from the Seasonal Outdoor Dining Area, and from whatever area to which it may flow, shall be collected by the permittee as often as necessary during the course of day or night to keep the area clear of litter and debris as if the Seasonal Outdoor Dining Area did not exist.

There shall be no additional signage for the Seasonal Outdoor Dining Area.

Aside from individual table lighting, such as candles, there shall be no additional exterior lighting installed. **(Or See Outdoor Lighting Regulations)**

B. Outdoor Seating

Outdoor seating areas, when accessory to a restaurant, are permitted subject to the following conditions:

- b) The outdoor eating area shall not exceed 20% of the indoor eating area;
- c) The outdoor eating area shall be largely open to the elements and shall not be permanently enclosed with a roof or walls;
- d) No food or beverages shall be served to the table;
- e) Outdoor seating areas shall be operated on a seasonal basis not to exceed six months in a calendar year, and shall be exempt from providing parking spaces other than those required for the restaurant;
- f) There shall be no live or recorded music played or projected outside the restaurant building without the prior issuance of a Zoning Permit.

Failure to adhere to the foregoing standards may **(MOVE TO PROCESS & PROCEDURE)**

3.x Restaurants

3.x Take Out Food Service

3.X Funeral Home

3.X Golf Courses + Club

Section 3.X Health Care Facilities

Nursing Homes, Planned Residential Care Developments for the Elderly, Convalescent Homes, Residential Rehabilitation Facilities, and Public and Private Hospitals are permitted subject to following conditions:

- (a) There shall be a minimum lot area of **two acres or 1,500 square feet** for each patient bed, whichever is greater;
- (b) Not more than **25 percent** of the area of the lot shall be occupied by buildings and an open, level, graded outdoor landscaped area suitable for walking and recreation, with a minimum of **100 square feet** per patient shall be provided;
- (c) All entrances and exits shall be paved and shall have direct access to a public street;
- (d) The lot shall be served by sanitary sewers and public water;
- (e) The facility shall be approved by the appropriate state agencies before a zoning permit is issued.

Section 3.X Heliports - (Do want them? Do you want them regulated? Has this been an issue? Do you have any now?)

Section 3.X Residence Office/Home Occupation. A Residence Office is subject to Special Permit approval and to the following:

- (a) the use shall be carried on wholly within the existing dwelling unit;
- (b) not more than 15%, or 300 square feet, whichever is smaller, of the livable floor area within the then existing dwelling unit shall be so used;
- (c) the use shall not create a nuisance, hazard or noise, or generate more than an infrequent visitor, delivery and/or pick-up traffic; nor shall it disturb the residential character of the neighborhood;
- (d) there shall be no sale of goods to persons coming to the dwelling unit;
- (e) there shall be no sign or other display visible from the exterior of the property other than a name plate permitted in a Residence District;
- (f) the use shall only be conducted by the Applicant, who shall be a member of the family residing on the premises; and
- (g) not more than **one part-time employee [DEFINE]** may be permitted;

- (h) only one Residential Office Special Permit per dwelling unity shall be granted;
- (i) a Special Permit may be granted for a period not to exceed _____ years. The owner of a parcel on which a Special Permit for a Residential Office was granted prior to September 11, 1995, may, before the expiration of the permit; apply for renewal of the same permit provided no increase in the previously permitted area and use is proposed.

Section 3.X Library/Museum

Section 3.X Lodging

3.x Bed & Breakfast. Bed & Breakfasts are allowed subject to the following conditions:

- a) The establishment shall be owner-occupied;
- b) Up to 6 bedrooms may be offered for lodging;
- c) No parking shall be allowed within the front or side yard setback.

3.x Hotels, Motels & Inns

General requirements for Hotels, Motels and Inns include:

- (uu) The lot shall be serviced by a public water supply;
- (b) The size and appearance of any proposed hotel, motel or inn shall be compatible and harmonious with the character and appearance of buildings in the immediate vicinity, and shall not be detrimental to the appropriate and orderly development of adjacent lot or building.
- (c) No more than 10% of rental units shall have kitchen or cooking facilities.
- (d) Proposed sewage disposal systems shall meet all State and Local requirements, shall be approved by the local health department, and shall have no adverse effect on adjacent sewage disposal systems.
- (e) Each hotel, motel or inn shall contain an on-site apartment for the resident manager of not less than 900 sq. ft. living space.
- (f) Each rental lodging unit in a Hotel, Motel or Inn shall contain not less than 350 sq. ft. total occupiable floor area, *exclusive of bath, kitchenette or balcony*. The

entirety of the occupiable space shall be enclosed by walls and roof, *exclusive of balconies.*

- (g) Swimming pools, if any, shall conform to **Section X.x.**

Hotels, inns and motels on parcels abutting residential and T3 zones are permitted subject to the following conditions:

- (a) The maximum amount of patron space for limited conference and dining use shall not exceed 20 square feet per lodging room. Dining facilities shall be designed to focus on servicing patrons and their guest.
- (b) Side and/or rear yard setbacks abutting residentially zoned properties shall be a minimum of 25 feet.

Hotels, inns and motels on parcels that do not abut residential and/or Te3 zones are permitted, subject to the conditions of the underlying zone.

3.x Roomers + Boarders

3.x Rooming + Boarding House

Section 3.X Manufacturing

3.x Accessory Use

The manufacturing, assembling, converting, altering, finishing, cleaning or other similar processing of products, when accessory to a retail, business or personal service use, is permitted subject to the following conditions:

- a. The goods produced or processed shall be sold exclusively on the premises.
- b. The area used for such purposes shall be entirely within the building occupied by the principal use.
- c. The area used for such purposes shall not exceed 50% of the area devoted to retail sales or 20% of the gross floor area of the building, whichever is less. *This provision shall not be applicable to businesses primarily involved in food processing such as bakeries.*
- d. Sanitary sewers and a public water supply shall serve the lot.

3.x Primary Use

The manufacturing, assembling, converting, altering, finishing, cleaning or other similar processing of products is permitted provided that the lot is served by sanitary sewers and has public water supply.

3.x Light Manufacturing

3,x Heaving Manufacturing

Section 3.X Motor Vehicle Uses

3.x Gasoline Stations, Sales, Rental, Service & Repair

The business and use of a gasoline station shall be limited to the retail sale of motor fuels (including but not limited to): gasoline and diesel fuel, lubricants and other motor vehicle and marine supplies and parts. In addition and, provided not more than 33% of the gross floor area of the building is so used, the sale of snack foods, non-alcoholic beverages, dairy products, baked goods, tobacco products, newspapers and health and beauty aids, may also be permitted. Services shall be limited to lubricating and servicing of motor vehicles and boats (not to exceed 32 feet in length) which includes minor repairs and the replacement of tires and other accessories but expressly excludes major repairs, body work hull work and painting, and the accessory parking and the storage of motor vehicles and boats hereinafter limited.

Anything in **Section X.x** to the contrary notwithstanding, not more than one motor vehicle or boat for every 1,000 sq. ft. of lot area shall be stored outside at any time, and there shall be no outdoor storage of partially dismantled or wrecked motor vehicles or boats. The number of boats which may be stored outside at any time at a gasoline station shall not exceed 20% of the total number of cars which may be permitted to be stored outside at said station. Boats shall not be stored in a front yard of a gasoline station.

The lot on which a gasoline station is located shall have minimum lot width and frontage of 150 feet on a public street and shall have a minimum depth of 125 feet, except where larger dimensions are set forth in **Section X.x** for a particular Zoning District. Gasoline stations serving tractors and trailers having a capacity in excess of five tons shall have a minimum lot width and frontage of 300 feet.

Fuel pumps shall be set back from the street at least twenty-five (25) feet. All other buildings and structures, except underground storage tanks, shall be set back in compliance with the requirements of **Sections X.x and X.x**. All buildings and structures shall be set back at least 50 feet from the side lot line of a contiguous lot in a Residence District. A suitably landscaped area at least 10 feet wide or six feet high, stockade type, wooden fence, with finished side facing any Residence District shall be maintained between a gasoline station and a contiguous lot in a

Residence District. Such landscaping or fencing shall not be located closer than 10 feet to the street line. Maximum coverage by all buildings and structures shall be limited to 50% of the site area.

All driveways, parking or standing areas shall be provided with a dustless surface by paving with concrete, bituminous material or other suitable permanent paving material.

No gasoline station building shall be built or maintained within 400 feet of any building of public assembly such as a church, library, school, community house, playground or theater. No gasoline station shall be maintained or operated and no lot shall be used for a gasoline station with a radius of fifteen hundred (1,500) feet of any part of any lot used or authorized by an outstanding permit for the use of a gasoline station. There shall be no outdoor display of motor vehicle accessories, tires, or any other merchandise, except that motor oil for servicing motor vehicles on the premises may be displayed on racks, designed therefor, immediately adjacent to the service station building or the filling pumps. There shall be no dumping or storage of waste materials, such as grease or oil, except in a closed receptacle or receptacles at places and of a design approved by the Commission. Other debris and trash shall be deposited in covered receptacles maintained for that purpose.

The use of pennants, streamers or other moving eye-catching devices is prohibited except in cases of the opening of a new station, the reopening of a station that has been closed for a period of (30) thirty days or more, or a change in a station's major dealer or supplier, and then only for a period not to exceed fifteen (15) days after the issuance of a permit therefor by the Enforcement Officer. The sign provisions of **Section X.x** shall apply except that small credit card, direction, telephone or similar public convenience signs shall not be deemed to be a part of the maximum permitted sign area.

~~Sales, Rental, Service & Repair of Vehicles and Gas Station~~

Motor vehicle (including automobile, truck, recreation vehicle, trailer, boat and mobile home) sales, rental, service (including gas stations and car wash facilities) and repair are permitted subject to the following conditions:

- a. Each lot shall have a minimum area of 20,000 square feet and shall have no more than 50 feet of frontage on one street.
- b. All fuel pumps and service equipment shall be setback from any lot line by at least 15 feet and located in the rear of the lot.
- c. Curb cuts shall be at least 25 feet from any other curb cut or street intersection.
- d. Trash, garbage and unusable vehicle parts shall be temporarily stored within the principal building or within a covered container or receptacle that is suitably screened from adjoining properties.
- e. The outdoor display, exhibition, and storage of motor vehicles is permitted as an accessory use subject to the provisions in **Section 3.x** *Outdoor Storage*.

- f. Freestanding signs for gas stations shall comply with **Section X.x**. However, the total surface area of 32 square feet may be increased by one square foot for posting each fuel price provided that the total surface area of the sign does not exceed 36 square feet and the posted prices are an integral part of the face of the sign.
- g. Sanitary sewers and a public water supply shall serve the lot.
- h. All hazardous materials and waste chemicals shall be stored inside on an impervious floor with some form of secondary containment.
- i. Scrap metal or other parts in contact with lubricant shall be stored in a watertight container to prevent the accumulation and contamination of stormwater.
- j. Solid waste material shall be stored in an appropriately sized, covered, solid waste dumpster or other water-tight container that is plugged to prevent the release of any liquids.
- k. Waste material shall be disposed of by a licensed waste hauler in accordance with all applicable federal, state and local regulations.
- l. All servicing of vehicles shall be conducted indoors on an impervious surface.
- m. All vehicle washing shall be conducted indoors.
- n. There shall be absolutely no discharges of motor vehicle fluids or detergent chemicals to the environment.
- o. Any vehicles that are leaking automotive fluids shall be stored in a garage or at minimum on an impervious surface where the leaks can be contained and cleaned up.
- p. RWA inspectors shall be granted access to any property located within the West River (and any other) Watershed or an Aquifer Protection Area during the Authority's annual inspection program.

3.x Commercial Vehicle Storage, Accessory Use in Residential, T2 and T3 Zones

3.x The parking of commercial vehicles may be permitted in any residential district as an accessory use only, and subject to the following conditions:

- a. Only one commercial vehicle not exceeding 11,000 pounds gross vehicle weight (GVW) may be parked or stored on a lot provided it also does not exceed 10 feet in height from the base of the wheel to the top, including any cargo, or 10 feet in cargo (box) length, subject to the issuance of a Zoning Permit by the Zoning Enforcement Officer.
- b. One commercial vehicle exceeding the requirements referred to above may be parked or stored on a lot, subject to Special Permit approval and the following :
 - i. The Commission shall consider such factors as proposed screening; proximity to adjacent lots and buildings; the size, intended use, and hours of operation of the vehicle in question; other vehicles on the property; character of the neighborhood.

ii. No commercial vehicle shall exceed thirteen feet-six inches (13'6") in height from the base of the wheel to the top, including any cargo.

iii. No commercial vehicle shall exceed 26,000 pounds GVW.

3.x All commercial vehicles, regardless of GVW, shall meet the following standards:

- a. No vehicle shall have more than 2 axles.
- b. No vehicle shall be parked so as to obstruct the view of traffic from adjacent driveways or streets.
- c. No vehicle containing hazardous materials or waste may be parked on a residential lot, or on a lot containing any residential use..
- d. Construction vehicles, including but not limited to, backhoes, bobcats, bucket loaders, track vehicles, shall not be allowed.
- e. No tanker trucks or similar type vehicles used for hauling liquids including but not limited to, oil trucks, septic clean-out trucks, etc, shall be allowed.
- f. All commercial vehicles shall be parked in the driveway of the occupied residential lot or a parking area leased to the residential occupant provided that no commercial vehicle may be parked closer than ten feet from any adjacent property line.
- g. The commercial vehicle shall be owned or operated by the permanent resident of the property on which it is to be parked.
- h. No maintenance or repair of a commercial vehicle shall be allowed on the residential property.
- i. There shall be no loading or unloading of commercial vehicles between the hours of 9 p.m. and 7 a.m.
- j. No garbage hauling, dump trucks or any other trucks that haul cargo that emit objectionable odors shall be permitted.
- k. No tractor-trailer, nor the tractor or the trailer, shall be parked in a residential district at any time except in connection with a moving operation.

3.x All applications for Special Permits shall include a detailed description of the vehicle to be used including gross vehicle weight, height, total length, box length (if applicable), wheelbase, model and make. Any permits granted shall be for the specific vehicle described in the application. Any changes to the vehicle specifications as approved shall require a new approval by the Commission.

3.x Commercial vehicles subject to Special Permit approval shall be screened along the closest residential property line by appropriate evergreen trees, shrubs, fence, or a combination thereof.

Exceptions and modifications may be considered by the Commission taking into consideration topography and proximity of adjacent residential structures.

3.x Nothing herein shall be construed to permit a home occupation that is not otherwise permitted under the regulations. Any home occupation in conjunction with the parking of a commercial vehicle must meet the applicable requirements and receive a permit from the Zoning Enforcement Officer.

3.x Nothing herein shall be construed so as to prohibit commercial vehicles parked temporarily while engaged in providing products or services to the owner of the property.

3.x Nothing herein shall be construed to prohibit commercial vehicles that are used as part of the following:

- a. A permitted agriculture, farming, forestry, or nursery gardening use.
- b. A permitted earth excavation, removal or deposit activity authorized by these Regulations.
- c. A use of a facility operated by the Town of Woodbridge the State of Connecticut, or the Federal Government;
- d. A maintenance facility in support of a multiple dwelling project on the lot, or in support of a Special Permit use, if specifically authorized by the Commission.

3.x The storage of travel trailers, campers, boats, recreation vehicles, vans and pick-up trucks on residential properties is permitted as an accessory use subject to the following conditions:

- a. Not more than two such vehicles shall be stored or parked on a lot used for residential purposes for a period exceeding 24 hours per month.
- b. No pick-up truck or van having a Gross Vehicle Weight Rating (GVWR) of more than 11,000 pounds shall be allowed to park for a period exceeding 24 hours per month on any residential lot unless it is in an enclosed structure.
- c. There shall be no outside storage of construction equipment and/or vehicles *except when essential to on-site construction activities*.
- d. The resident or owner of the premises shall own all vehicles and equipment.
- e. If not in a completely enclosed structure, travel trailers, campers, boats and recreation vehicles may not exceed 18 feet in length. Such vehicles shall be parked or stored in the rear yard, and not closer than ten feet to any lot line.
- f. All vehicles and equipment shall be screened from view.

- g. Travel trailers, campers, boats and recreation vehicles may be parked anywhere on a residential premises for a period not exceeding 24 hours during unloading or loading.
- h. No travel trailer, camper, boat, recreation vehicle, pick-up truck or van parked or stored in any zone shall be used for living, sleeping or housekeeping purposes.
- i. No vehicle shall have more than 2 (two) axles.
- j. No vehicle shall be parked so as to obstruct the view of traffic from adjacent driveways or streets.
- k. No vehicle containing hazardous materials or waste may be parked on a residential lot.
- l. The vehicle shall be owned or operated by the permanent resident of the property on which it is to be parked.
- m. No maintenance or repair of a commercial vehicle shall be allowed on the residential property.
- n. No trucks that haul cargo that emits objectionable odors shall be permitted.

Section 3.X Office Buildings (including Medical)

Section 3.X Places of Public Assembly

Section 3.X Places of Worship

Churches, synagogues, mosques, parish houses, rectories, parsonages, convents and similar uses are permitted subject to the following conditions: a. Each lot shall have a minimum area of 40,000 square feet or as required by the applicable zone, whichever is greater. b. No off-street parking shall be located in any required front or side yard. c. The front door shall be oriented toward the street where possible.

Section 3.X Preservation of Historic Structures

Any addition to or modification of a building that has been designated on a local, state, or national historic register shall be subject to Special Permit approval.

Section 3.X Public Uses & Public Utilities

Public uses such as Town, State or Federal buildings, facilities (other than public housing and solid waste facilities) as well as public utilities are permitted in any zone subject to the following conditions:

- a. The use shall promote the general welfare of the Town of Woodbridge and, if a neighborhood use, be essential to the health, safety and welfare of the general area of the Town in which the use is proposed.
- b. No materials or equipment shall be stored in any required yard.
- c. Depending on the nature of the public use, the Commission may require service by sanitary sewer and/or public water supply.

3.x Structured Garages

All parking structures along public rights-of-way a, or here one adjacent roadway is a State Highway, shall be screened from public view by one or more liner buildings that include ground floor retail or commercial uses that will activate the street frontage. Liner buildings may be attached to a parking structure, or separated by a service alley of no more than 15'-0" in width.

Facades of parking structures shall be designed such that parked vehicles are reasonably obscured from view. Facades should camouflage the incline of the interior levels from public view.

3.x Public Parking Lot

Section 3.X Recreation + Fitness, Commercial

Section 3.X Residential

3.x Accessory Dwelling Units in Single-Family Home

A single-family dwelling may be converted to allow the incorporation of one Accessory Apartment in any zone permitting a single-family residence subject to a Zoning Permit and the following conditions:

- a. Public sewer and public water supply shall serve the principal dwelling. If not, the subject lot shall have a minimum area of 6,000 square feet or as required by the applicable zone, whichever is greater.
- b. An Accessory Apartment shall have a minimum floor area of 300 square feet and a maximum floor area of 600 square feet, and a maximum of two bedrooms.
- c. One of the occupants of the dwelling shall be the owner of record.
- d. No Accessory Apartment shall be located in a garage or basement unless one wall opens to grade.
- e. An Accessory Apartment shall be self-contained, with separate entrance, cooking, sanitary and sleeping facilities for the exclusive use of the occupant.
- f. No exterior change shall be made to the existing front of the principal dwelling *except for dormers or windows*.
- g. Expansion of a principal dwelling shall be permitted to accommodate an Accessory Apartment via dormer(s) or an addition beyond the existing foundation.
- h. No accessory building shall be used or created for the purpose of accommodating an Accessory Apartment.
- i. The principal dwelling and Accessory Apartment shall conform to all requirements of the applicable building, health, fire, sanitary and zoning codes.

3.X.x MEDIUM DENSITY

3.x Accessory Dwelling Unit as part of Mixed-Use (Max. 4 dwelling units)

A dwelling unit, when accessory to a legal non-residential use, is permitted subject the following conditions:

- a. The application shall include all contiguous property under the same name, or all property deemed by the Commission to be part of the same development.
- b. Up to three dwelling units that are accessory to a non-residential use located in an R-4 Zone, are permitted.

- c. Retail service shall only be permitted on the first floor level.
- d. Separate entrances and exits shall be provided for the residential and non-residential portions of the building.
- e. Accessory dwelling units shall conform to all requirements of the applicable building, health, housing, fire and sanitary codes.
- f. The building shall be served by public sewer and water supply,
- g. The required floor area per accessory dwelling unit shall be as indicated in **Table 3.2:**

Table 3.2 Required Floor Area for Accessory Dwelling Units	
Unit Type	Minimum Floor Area
1 room	350 sf
2 room (1 BR)	425 sf
3 rooms (1 BR)	500 sf

3.x HIGH DENSITY

3.x Multi-Family Dwellings

Multi-family dwellings are permitted in the T4 and SD1 Zones.

3.x Adaptive Re-Use to Multi-Family Dwellings

3.x Affordable Housing in Multi-Family Dwellings

3.x Congregate Communities

Congregate Community Designed Exclusively for Occupancy by Elderly Persons.

Communities designed exclusively for occupancy by Elderly persons (hereinafter referred to as "Congregate Community") are permitted subject to the following regulations:

Each Congregate Community shall include the following:

- (vv) Assisted Personal Care Living Units. Living units to be developed either as rental or as "condominium" units which shall be provided with laundry and housekeeping services together with at least two meals per day as part of the basic services. All such units are to be contained in one structure arranged to provide access to centralized personal supervision. Medication and nursing services need not be provided.
- (ww) Related Services. An office providing medical care on demand to the residents of the Congregate Community must be provided on the premises.
- (xx) In addition to the foregoing, the Congregate Community shall provide the following:
 - 1. Community area or areas suitably equipped to meet the social interactional health and leisure time needs of the residents.
 - 2. Transportation services if residents cannot easily walk to shopping, banking, the Woodbridge Senior Center and other community services.
- (yy) Each Congregate Community may also contain facilities providing for other related services or accessory uses which the applicant shall establish as directly related to the needs of the residents of the Congregate Community and provide for their safety, health and general welfare.
- (zz) It is recommended that the applicant meet with the staff of the Commission prior to the submission of an application under this subsection to give the applicant the opportunity to discuss the concept informally and ask any questions he or she may have in the interest of avoiding delays and excessive revisions after submission.

~~Special Permit. A Congregate Community shall be permitted only by special permit issued by the Commission upon application and public hearing when, in its judgment, the public convenience and welfare will be served and the use of the property as provided for herein will not substantially injure or impair the health, safety or welfare of inhabitants or owners of nearby properties particularly with respect to water, drainage, sewage, flooding, fire, panic, traffic, off street parking, public uses (including schools, parks and playgrounds), and shall specifically include those standards as set forth in sub-sections below.~~

Commission Responsibilities and Criteria. For the purpose of assessment by the Planning + Zoning Commission, the Applicant shall demonstrate the impact of the proposed Congregate Community on the following: ~~The Commission shall take into account, the following considerations in making its determination whether to grant a special permit for a Congregate Community:~~

- (aaa) The size and intensity of the proposed use.
- (bbb) The proximity of the same or similar uses which would unduly concentrate types of uses in a particular neighborhood.
- (ccc) The nature of the proposed site, including its size and shape and other topographical features.

- (ddd) The location, height, arrangement, design and nature of any existing and/or proposed building and appurtenance.
- (eee) The number, location and arrangement of off-street parking and loading spaces and the nature of vehicular and pedestrian access to the site so as to avoid undue hazards to traffic and traffic congestion on any street.
- (fff) the capacity of adjacent and feeder streets to accommodate peak traffic loads and traffic hazards that may be created or aggravated by the proposed use and the resulting traffic patterns created or burdened by the use.
- (ggg) The nature of the surrounding area and the extent to which the proposed use and its features and appearance will be in harmony with the surrounding area, including the effect upon property values in the neighborhood.
- (hhh) Fire, police and ambulance protection access needs of the neighborhood as well as the Town as a whole.
- (iii) The availability and adequacy of the public water supply, public sewage disposal facilities and drainage and erosion controls.
- (jjj) The proximity of dwellings, emergency facilities, churches, schools, public buildings and other places of public gatherings.
- (kkk) The effect of the proposed use on the purpose and intent of these Regulations and the Plan of Development of the Town.

Qualifying Standards. No tract of land shall be considered for a Congregate Community unless it meets the following minimum standards:

(a) The tract shall consist of a single lot or a number of contiguous lots under one ownership or control having a total area of not less than 10 acres in a **Residence B District** or not less than 5 acres in a **Development District 1**;

(b) The maximum number of Assisted Personal Care Units in a Congregate Community shall be determined by allocating the total area of the tract of land (excluding areas containing wetlands, water bodies and grades steeper than 18%) in accordance with the following schedule and conditions:

(III) There shall be not more than 10 Assisted Personal Care Units per acre in a residence B District or not more than 18 Assisted Personal Care Living Units per acre in a Development District 1.

(mmm)The Maximum Building Area shall be 25%.

(nnn) No building shall contain more than 120 Assisted Personal Care Living Units.

(ooo) Each Personal Care Living Unit shall contain not more than Two-Bedrooms. The following minimum Livable Floor Area shall be required as measured to the outside walls of each unit:

<u>Unit Type</u>	<u>Residence B</u>	<u>Development District</u>	<u>District 1</u>
	Efficiency Unit	400 sq. feet	400 sq. feet
	One-Bedroom Unit	550 sq. feet	485 sq. feet
	Two-Bedroom Unit	650 sq. feet	650 sq. feet

- (ppp) No building shall extend within seventy-five (75') feet of any state highway, or fifty (50') feet of any street line. In a **Residence B District**, no building shall extend within fifty feet (50') of a side lot line or rear lot line: n a Development District 1, the minimum side and rear lot lines shall be as set forth in **Section 3.1** (Table of General Bulk) for a **DEV-1 District**. No building shall exceed three stories or forty-five (45') in height, except that in the case of any building or portion of any building located more than seventy-five (75') from any property line, the Commission may permit an increase to fifty (50') in height.
- (qqq) Parking spaces shall be provided in accordance with the following schedule: (a) Three quarter paved parking space for each Efficiency Unit or One-Bedroom Unit and one and a half paved parking spaces for each Two-Bedroom Unit, provided, however, that one paved parking space shall be required for each three Units that are reserved exclusively as Special Care Units³. Special Care units shall be so designated on the Site Plan, but not more than one-third of the Units in a Congregate Community may be so designated. In addition, one paved parking space for each employee on the full-time shift.
- (rrr) All utilities shall be underground.
- (sss) No building containing Assisted Personal Care Living Units shall exceed a length of two-hundred seventy-five (275') feet in a **Residence B District** or exceed a length of four hundred ten feet (410') in a **Development District 1**, and no exterior wall of such building shall exceed fifty (50') feet in length in an unbroken plane without an offset of at least five (5') feet. Enclosed links not containing Living Units shall not be considered a part of the building when computing the maximum length of such buildings.
- (ttt) Public sanitary sewer and public water supply shall be required.
- (uuu) The rubbish areas and outside utilities shall be fenced and screened from view by suitable shrubbery and/or the construction of a closed picket or screen-type fence.

Additional Conditions and Safeguards. In granting any Special permit for a Congregate Community the Commission shall attach such additional conditions and safeguards as the Commission deems necessary to protect the health, safety and welfare of nearby properties including but not limited to the following:

- (vvv) Requirement of setbacks greater than the minimum standards required by these Regulations.
- (www) Requirement of screening of parking areas or of the parts of the premises from adjoining premises or from the street, by walls, fences, planting, or other devices as specified by the Commission. Modification of the exterior features or appearance of any structure where necessary to be in harmony with the surrounding area.
- (xxx) Regulation of number, design and location of access drives or other traffic features, including pedestrian ways.
- (yyy) Requirement of off-street parking or other special features beyond the minimum required by these Regulations or other applicable Codes or Regulations.

³ Special Care Units shall mean Units which shall be occupied only by persons, who, due to their physical or mental condition, are incapable of operating a motor vehicle and who hold no valid drivers license.

- (zzz) Regulations of the number, type and location of outdoor lighting facilities, shielded to protect their view from abutting properties.
- (aaaa) Additional data plans, including architects' plans or drawings, required by the Commission to be submitted by the applicant or his duly authorized agent in support of his application.
- (bbbb) A report by applicant's engineer detailing the site improvement costs by item (showing unit cost basis) for the proposed development of the Congregate Community and the posting of a Completion Bond therefor in an amount and form satisfactory to the Commission.
- (cccc) All plans and reports submitted by the applicant with the application shall be signed and sealed by professionals who are licensed to practice in the State of Connecticut.
- (dddd) Suitable landscaping of parking areas and areas surrounding structures.

Open Space Requirement. At least 20% of the total area of the lot or lots on which the Congregate Community is being constructed shall be set aside for permanent open space. Such open space shall not include land devoted to streets or parking areas, but may include, with the approval of the Commission, land within the minimum setback areas required herein. All of said open space shall be set aside by deed restriction or dedication as the Commission shall specify.

Recreation Area. In addition to the Open Space requirement herein, the Commission shall require the development of outside active recreation areas suitable to serve the occupants of a proposed Congregate Community. Such recreation area shall contain at least 25 square feet of lot area for each Efficiency or One-Bedroom Unit, and at least 50 square feet of lot area for each unit containing Two-Bedrooms.

Application. All applications, hearings and decisions shall comply with the requirements of the Regulations and Codes of the Town and the General Statutes of the State of Connecticut, as amended, and each application for a special permit shall include an application for Site Plan Approval and shall be made in writing accompanied by 13 copies of all reports, maps, and supporting documentation and a fee as set forth in **Chapter 5, Article VIII of the Ordinances of the Town of Woodbridge** entitled Schedule of Land Use Fees, as amended from time to time showing:

- (eeee) Site Plan. A Site Plan in compliance with **Section 3.x** of these Regulations.
- (ffff) Architectural Plans. Preliminary architectural plans of all proposed buildings, structures and signs, including general exterior elevations, perspective d-drawings and generalized floor plans including drawings for proposed signs.
- (gggg) Sanitation & Water Supply Letters. A letter from the Woodbridge Sewer Authority indicating that there is adequate sanitary capacity available. A letter from the Regional Water Authority that water supply will be furnished.
- (hhhh) Other. The Commission may by resolution waive the submission of all or part of the information required by these Regulations if it finds that the information is not necessary in order to decide on the application.

Revisions. Any revision of an approved special permit application and/or any reconstruction, enlargement, extension, moving or structural alteration of an approved Special permit use or

any building or structure in connection therewith shall be submitted to the Commission for approval. The Commission may approve any revision without a public hearing unless it deems such revision to be a substantial and material change to the previously approved Special permit use or application, in which event it shall require submission of a Special permit application as for the original application.

Determination by the Commission. The Commission shall determine that the proposed use and Site plan meets the standards enumerated and may require such additional evidence as it deems necessary to assure the completion of the "Congregate Community" and may obtain technical advice at the expense of the applicant, and payment in advance of the amount of such expense shall be a condition of further consideration of the application.

3.x Rooming & Boarding Houses - (Do want them? Do you want them regulated? Has this been an issue? Do you have any now?)

3.x Swimming Pools, Tennis Courts and other Personal Recreational Structures.

Recreational structures for the personal use of a family resident on the premises are permitted by Administrative Sign-off on single-family residential properties, and are deemed to be accessory uses. The following provisions apply:

- (iii) Light sources shall not be visible beyond the boundaries of the lot;
- (jjj) Suitable planting or other means to conceal the pool and to reduce noise shall be provided between the pool and adjoining residential property;
- (c) No swimming pool, tennis court, or other recreational structure, including related improved areas shall be permitted in any required side or front yard, or closer than 25 feet to the rear yard property line.

Section 3.X Refuse Disposal

3.x Resource Recovery, Volume Reduction Facility and/or Transfer Station

The intent of this Section is to ensure that resource recovery, volume reduction facilities and/or transfer stations be sited so as not to be detrimental to the use and development of the land in the vicinity, and shall be operated so as not to constitute a nuisance in the vicinity of the disposal area.

Resource Recovery, Volume Reduction Facilities and/or Transfer Stations are permitted per **Table 3.1**, subject to the following conditions:

3.x General Standards

- a. Prior to submission of an application to the State Department of Environmental and Energy Protection (CTDEEP), the applicant shall have received approval for a Resource Recovery and/or Volume Reduction Facility or Transfer Station from the Woodbridge Planning and Zoning Commission.
- b. This local application shall contain all information required by **Section X.x** and **Section X.x** and shall be accompanied by an operational plan, and a landscaping plan with a planting schedule. The landscaping plan shall provide for adequate planting of all buffer areas, and appropriate screening to protect adjacent properties.
- c. No material shall be received at the site that is not permitted by the CTDEEP; nor shall any material prohibited under these regulations.

- d. The site proposed for a resource recovery, volume reduction facility and/or a transfer station shall meet the Standards as provided herein.
- e. The Commission may refer any application to the Local Health District, the CTDEEP, and any other department or agency the Commission deems appropriate, and may request any such department or agency to submit a report to the Commission on matters that are of concern in connection with its own responsibility.
- f. The Commission may, after a public hearing, grant a permit.
- g. The owner of the property shall, at all times, assume full responsibility for the use of his/her property and keep on file with the Zoning Enforcement Officer, at all times, the names and addresses of the agent(s) for service of notice required by law.
- h. In evaluating a Special Permit application under this section, the Commission shall take into consideration the health, safety and welfare of the public in general, and the neighborhood, in particular. The Commission may deny a Special Permit where the proposed use is of such location, size and character that it will not be in harmony with the appropriate and orderly development of the zone in which it is proposed to be situated, and will be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties. If the Commission concludes that the proposed use meets the threshold requirements of compatibility, the Commission may grant a Special Permit with conditions attached thereto, the purpose of said conditions being to assure compatibility with the neighborhood and protection of the health, safety and welfare of the public in general.

3.x Specific Standards

Lot Area Each Resource Recovery Facility, Volume Reduction Facility and/or Transfer Station shall have a minimum lot size of 80,000 square feet and a width of 200 feet measured at the required front yard setback.

3.x Setbacks

- a. Each lot shall have a front yard of 50 feet.
- b. Each lot shall have two side yards of at least 30 feet each.
- c. Each lot shall have a rear yard of not less than 50 feet.

3.x Lot Coverage

All buildings shall occupy not more than 35% of the area of the lot.

3.x Maximum Height

No building or structure shall exceed 40 feet in height.

3.x Landscaping and Buffer Area

A 15-foot-wide buffer area shall be provided along all abutting lot lines to minimize the visual intrusion of a resource recovery and/or volume reduction facility or transfer station on adjoining uses. The buffer area shall be installed in accordance with a schedule approved by the Commission, shall be seeded and fertilized so as to establish suitable grass cover, shall be planted with trees and shrubs as approved by the Commission, and shall be properly maintained and kept free of debris, litter, machinery and vehicles.

3.x Access to Site Area

Resource recovery, volume reduction facilities and/or transfer stations shall be restricted to areas that have public access roads of sufficient width and capacity to carry maximum projected volumes and

loads. Truck traffic shall avoid routes that require passage through residential areas.

On-site roads shall be constructed to handle maximum projected loads, shall have an all-weather surface and shall be maintained so as to be passable by all vehicles that utilize the area.

Access to the site shall be controlled to prevent unauthorized use. Control may be accomplished through use of appropriate fences, gates and signs.

3.x Operating Conditions and Procedures

- a. An operator certified by the Commissioner of CTDEEP must be present at the resource recovery, and/or volume reduction facility, or transfer station at all times during operating hours.
- b. A sign shall be posted at the entrance to the site which states, at a minimum, the name of the permittee, hours of use of the facility, the authorized users, and required safety precautions.
- c. No solid waste shall be stored within the property boundary for a period greater than 48 hours unless authorized by the CTDEEP and the Planning & Zoning Commission. All solid waste shall be stored indoors, except that bulky waste or recyclable materials may be otherwise stored on-site in appropriate areas or containers. A building roofed, and enclosed on all sides or otherwise enclosed to satisfactorily control dust and litter, shall be provided for all solid waste other than bulky waste or recyclable materials.
- d. Unloading of solid waste, except for bulky waste and recycled materials, shall take place only within an enclosed structure and/or only in designated areas approved in writing by the CTDEEP. Scavenging shall be prohibited at the unloading area.
- e. Solid waste shall be confined to the unloading, loading and handling area. The facility and adjacent areas shall be kept clean and reasonably free of litter.
- f. Hazardous wastes and special waste shall be excluded.
- g. Dust and odors resulting from the unloading of solid waste and the operation of the resource recovery facility and/or volume reduction plant, or transfer station shall be controlled at all times to assure compliance with the applicable regulations of the CTDEEP.
- h. Equipment shall be provided to control fires and arrangements made with the Woodbridge Fire Department to immediately acquire services when needed.
- i. The resource recovery facility and/or volume reduction plant or transfer station design and/or equipment shall provide for explosion protection.
- j. If, for any reason, the resource recovery facility, volume reduction plant and/or transfer station is rendered inoperable, an alternative method approved by the Commissioner of CTDEEP shall be available for processing or transfer and disposal of solid waste.

3.x Closure

If an owner or permittee intends to close a resource recovery and/or volume reduction facility or a transfer station, the owner or permittee shall submit a site plan showing the proper closing in order to preserve and protect the natural resources and environment of the Town of Woodbridge. Said plan shall show the use of the site after closure.

3.x Conditions

The Commission may attach such conditions to the operation as it shall deem necessary to protect the public health and welfare of the residents of the Town of Woodbridge and the neighborhood, in particular, and may, if it deems necessary, require a performance bond in a form and amount acceptable to the Commission or its designated agents, to guarantee performance of the site work as shown on the approved site plan. The Commission may also, if it deems necessary, require a performance bond of sufficient magnitude to assure compliance with the closure plans.

Section 3.X Research, Development + Medical Lab

Section 3.X Retail

3.x

Retail stores are permitted subject Table 3.1 to the following conditions:

- a. All public utilities shall be placed underground. However, the Commission may waive the requirement provided engineering data substantiate that such placement is impractical.
- b. The gross floor area of any individual retail store shall be limited to a maximum of 250,000 square feet.
- c. Stores selling firearms shall have a security system installed and be approved by the Town Building Official, the Police Chief and the Fire Marshall.

3.X Design Standards for Stores over 20,000 square feet

The following are required in addition to the standards set forth in Article III of these regulations:

- a. The Commission may require design features on any façade.
- b. All stores must be accessible to pedestrians and bicyclists. Where practicable, stores that border two or more public streets shall have a minimum of one entry from each street.
- c. Landscaped sidewalks that link store(s), parking, transit stops and crosswalks must be included on site plan.
- d. Exposed concrete masonry units (CMU) may not constitute more than 33% of finish material on front or side façades.

3.x Big Box Retail Liner Buildings

All big box stores along public rights-of-way and at intersections, or where one adjacent roadway is a State Highway, shall be screened from public view by one or more liner buildings that include ground floor retail or commercial uses that will activate the street frontage. Liner buildings may be attached to a big box store or separated by a service alley of no more than 15'-0" in width.

Facades of big box stores shall be designed such that blank walls are reasonably obscured from view.

3.x Liquor Establishments

Permitted Establishments. The following types of establishments, as defined by **Connecticut General Statutes § 30-1 et. seq.**, as amended, that sell or serve liquor or alcoholic beverages are permitted in Woodbridge by special exception:

- (kkkk) grocery store beer permit (**Conn. Gen. Stat. § 30-20(b)**)
- (llll) hotel (**Conn. Gen. Stat. § 30-21**)
- (mmmm) restaurant (**Conn. Gen. Stat. § 30-22**), including one operated in conjunction with a golf club.
- (nnnn) package store (**Conn. Gen. Stat. § 30-20(a); Conn. Gen. Stat. § 30-23**)

- (oooo) café (**Conn. Gen. Stat. § 30-22a**)
- (pppp) a manufacturer of beer (**Conn. Gen. Stat. § 30-16(b)**)
- (qqqq) catering establishment (**Conn. Gen. Stat. § 30-226**), of not more than 3,500 square feet in size, including one operated in conjunction with a golf club
- (rrrr) concession permit (**Conn. Gen. Stat. § 30-33**), but only in conjunction with a golf club.
- (i) manufacturer beer and brew pub (**Conn. Gen. Stat. § 30-16(g)**).

All other types of establishments that sell or serve liquor or alcoholic beverages are prohibited, except that these Regulations are not intended to apply to permits not subject to local option vote under state law (**Conn. Gen. Stat § 30-9, 30-12**).

Any establishment that sells or serves liquor or alcoholic beverages must also have a valid permit for that use granted by the State of Connecticut Liquor Control Commission, prior to beginning operation, sale or serving of liquor or alcohol.

Distance Requirement.

Except for restaurants operating under *Conn. Gen. Statute Section 30-22* in the **B and T4 Zones** and businesses in the **T4 Zone** operating under a manufacturer of beer permit under *Conn. Gen. Statute Section 30-16(b)*, and golf clubs including a catering hall of not more than 3,500 square feet in size and/or restaurant and/or concession stand operating respectively under *Conn. Gen. Statute Sections 30-22(b), 30-22, 30-33*, no building or premises shall be used, and no building shall be erected or altered, for use as a liquor establishment if any part of such building or premises is situated on any part of a lot within a five-hundred-foot radius in any direction of any lot used for, or upon which is located any building used for:

- (ssss) Any single-family or multiple-family residential use;
- (tttt) Any public or private school, or any other educational facility attended by persons under the age of eighteen (18), including, but not limited to, after school programs, pre-school and day care facilities, children's museums, camps and athletic leagues;
- (uuuu) Any church or other religious facility or institution;
- (vvvv) Any public park; or
- (wwww) Any library, community center or teen center;

Said distance of 500 feet shall be measured by taking the nearest straight line between the respective lot boundaries of said sites.

Special Exception Required.

No building, lot, or premises shall be used, or altered, extended or enlarged for use, for the sale or exchange of spirituous liquors at wholesale or retail, whether for consumption on the premises or otherwise, or for the storage or manufacture of spirituous and alcoholic liquors for purposes of sale or exchange, unless and until a special exception for such use has been approved by the Commission. Any use of land or buildings which requires the issuance of a permit by the State of Connecticut Liquor Control Commission, pursuant to **Connecticut General Statutes**

Chapter 545, shall be deemed to be a liquor establishment under this regulation, and shall be prohibited unless a special exception is issued for the use.

In granting or denying a special exception, the Commission shall consider the following standards and objectives, and may impose conditions upon the granting of any special exception to assure that these standards and objectives are satisfied:

- (xxxx) The applicant shall provide vegetative screening, fencing or other visual buffers to provide adequate buffering for surrounding uses. The parking lot shall be well-lighted and designed so as to discourage loitering.
- (yyyy) The location and size of use, and the nature and intensity of the use, the size of the lot in relation to it, and the location of the lot with respect to streets giving access to it, are such that the proposed use will be in harmony with the appropriate and orderly development of the district in which it is located.
- (zzzz) The location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage appropriate development and use of adjacent properties.
- (aaaaa) The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and driveways are laid out for maximum safety.
- (bbbbbb) The proximity and concentration of other uses serving or selling liquor or alcoholic beverages in an area shall be considered by the Commission, and the Commission may deny a special exception or impose additional protective conditions where multiple uses serving alcohol are concentrated in one area.
- (ccccc) In addition to the provisions of **Section 3.x** the proximity of other land uses such as schools, churches, houses of worship, residences, community centers, nursing homes may be considered, as these uses may be particularly sensitive to possible negative effects of serving or selling alcohol.

3.x Fire Arms + Associated Goods⁴

3.18.1 Definitions. ~~(MOVED TO DEFINITIONS)~~

3.18.2 Uses Permitted.

3.x Purpose:

These provisions exist in order to protect neighborhoods, minimize conflict ~~with~~ between adjacent uses and the surrounding area, and to assure the health and safety of the general public by providing additional standards for review of a proposed location of a gun shop and to prevent a concentration of such uses. Gun shops shall be permitted in the GB Zone by special exception subject to the distance restrictions, supplementary review standards and conditions of approval as specified herein.

3.18.3 Distance Restrictions.

⁴ Effective on: November 27, 2013

(a) No establishment for sale of guns, firearms and associated goods including ammunition and gun sights shall be permitted to locate, relocate or remove to any location where the property line of such location is within two hundred (200) feet from the property line of any:

- (1) Public or private elementary or secondary school;
- (2) Senior or community center;
- (3) Teen center;
- (4) Daycare;
- (5) Church or house of public worship;
- (6) Public recreation area;
- (7) Residential district and predominantly residential planned development.

(b) Distance limit between gun shops. No gun shop shall be permitted within one thousand (1,000) feet of another such use.

3.18.4 Measurement of Distances.

(a) The distance between gun shops shall be measured from property line to property line. However, where a gun shop is located within a structure of more than 25,000 square feet, the distance shall be measured from the outside entrance of such location.,

(b) To demonstrate compliance with the required separation distances, all applications must include a site plan prepared by a licensed surveyor showing the required distance delineations whether any public or private elementary or secondary school, or boundary of the residential district, senior or community center; teen center, daycare, church or house of public worship, public recreation area, residential district and predominately residential planned development is situated within the required separation distances as shown on the submitted site plan.

3.18.5 Supplementary Review Standards.

Sale of guns, firearms and accessory goods including ammunition has a greater potential impact on surrounding uses and the surrounding area, compared for the public need for them at particular locations. For this reason the supplementary standards

herein shall be taken into account, where appropriate, when considering such special exception use:

(a) The presence of physical concentration of pawn shops, second hand goods stores, bars, package permits, adult businesses or other such uses.

(b) Known locations where loitering, drug sales, violent crime or prostitution have regularly occurred over substantial time periods as documented by the department of police services or other governmental agencies.

3.18.6 Additional Conditions of Approval.

Because of the unique safety and security needs of gun shops and the potential impact on surrounding uses and the surrounding area compared for the public need for a gun shop at a particular location, in addition to following the strict guidelines required by the State, the Commission may require any of the following as additional conditions of approval:

- (a) exterior lighting or site fencing;
- (b) limited site access during non-business hours by means of fences, chains or means specified by the Board.

3.18.7 Commission shall require compliance with provisions of federal and/or state law regarding guns, firearms, sights and ammunition, including, but not limited to, assault weapons, gun locking devices and warnings and minimum age transfers.

Section 3.X Schools

3.x Business Schools

Business schools are allowed subject to **Table 3.1**.

3.x Colleges & Universities

Colleges and Universities are permitted subject to the following standards:

- a. The combination of abutting and nearby lots functioning as a campus shall have a minimum area of 120,000 square feet or 1,000 square feet for each student based on enrollment capacity, whichever is greater.
- b. Each lot shall have two side yards of at least 50 feet each.
- c. Each lot shall have a rear yard of at least 50 feet.
- d. For commonly owned adjoining properties, required side and rear yards are applicable only to the perimeters of such properties.
- e. Sanitary sewers and a public water supply shall serve the lot.
- f. The maximum building height shall be consistent with that of the underlying zone.
- g. Exceptions in the case of parcels with steep slopes: The maximum building height shall be 60 feet subject to the following conditions:
 - a) The building shall be located on a lot having a minimum lot size of 200 acres; and
 - b) The building is located on a lot with at least 40% of the property has at least a 20% grade; and
 - c) No building on the lot shall be in excess of 35 feet in height above the highest elevation on the lot. iv. The property on which the building is located must be at least 500 feet from any neighboring municipality.

3.x Elementary & Secondary Schools

Regularly organized public or private elementary schools, secondary schools (including vocational schools), accredited by the State of Connecticut or other applicable crediting authority, are permitted uses subject to the following conditions:

- a. Each lot shall have a minimum area of 120,000 square feet or 1,000 square feet for each student based on enrollment capacity, whichever is greater. 121
- b. Each lot shall have two side yards of at least 50 feet each.
- c. Each lot shall have a rear yard of at least 50 feet.
- d. Off-street parking, active sports facilities, such as tennis or basketball courts or ball diamonds, shall not occupy space in any required rear or side yards. Play apparatus such as a swing set, a jungle gym, a see-saw and similar equipment may be located no closer than 20' from any lot line subject to the following:
- e. Prior to installation of such equipment, a Zoning Permit shall be obtained from the Zoning Enforcement Officer.
- f. Fencing or screening shall be required for any equipment installed, if deemed necessary by the **Town Planner**.
- g. Sanitary sewers and a public water supply shall serve the lot.

3.x Student Housing (Is this an issue?)

Section 3.X Storage

3.x Warehouse storage + Wholesale Sales with Indoor Storage

3.x Outside Storage

Residence Districts, **and T3 Zone**. The outside storage of any materials, objects or vehicles in Residence Districts, **and T3 Zone** where such outside storage is not a customary accessory use to the principal use of the property as permitted by these Regulation is prohibited *unless such stored materials, or objects ~~or things~~ are screened from view on all sides by plantings, opaque fencing, or other appropriate screening devices. This prohibition includes, but is not limited to, the outside storage of camp trailers, boats and boat trailers, refrigerators, unregistered or unused motor vehicles and unused machinery and equipment of any kind.* Outdoor storage shall comply with the following conditions:

- (a) No outdoor shall be located within a front-, or side-yard setback;
- (b) In no case shall the height of the materials stored exceed the height of the screening or fencing;
- (c) No outdoor storage shall be located within 10 feet of any lot line.

The terms of **Section X.x** above shall not apply to:

(i) the temporary outside storage of building materials, supplies and equipment being used in any construction on the property on which the same is stored and for which a required permit has been duly issued and is in force, or

(ii) the temporary storage of farm machinery on the property on which the same is used and the temporary storage of farm produce on the property on which it was produced.

Non-Residence Districts, including T-1, T-2, T-4, and SD1.

In all districts other than Residence Districts, **including T-1, T-2, T-4, and SD1**, where such storage or display is otherwise permitted by these Regulations, the outside storage, ~~or~~ display of materials, or objects, or vehicles including, but not limited to, the storage or display of merchandise, supplies, machinery and other materials, and the outside manufacture, processing or assembling of goods, shall be regulated as follows:

but excluding (i) parking of registered motor vehicles in daily use, (ii) the temporary outside storage of building materials supplies and equipment used in any construction on the property on which the same is stored and for which a required permit has been issued and is in force, (iii) the temporary storage of farm machinery on the property on which the same is used and the temporary storage of farm produce on the property on which it was produced shall be regulated as follows:

- 3.x.x** Display of new or used merchandise for sale at retail or for rent (other than motor vehicles) shall be permitted outside during business hours only and such merchandise shall be completely enclosed within a building or suitable enclosure or be completely screened from view on all sides at all other times. The outdoor

display of new or used motor vehicles for sale at retail or for rent shall be permitted at all hours.

3.x.x Lighting of outdoor storage or display areas shall be permitted but lights shall be of such a type and so located that their source is not visible beyond the boundaries of the lot on which they are located.

3.x.x All other outside storage or display of materials, objects or things (*except that referred to in **Section 3.x***) shall be screened from view on all sides, by plantings, opaque fencing or other appropriate screening devices and may be undertake only after receipt of a special permit issued by the Commission for such purpose and subject to such conditions as the Commission may impose to prevent damage to adjoining property and to protect the health, safety, convenience and welfare of the community as well as the conservation of the value of buildings and the use of land. Such conditions may include, ~~among others~~:

- (a) The submission of a map at a scale of 1 inch = 40 feet of the premises and surrounding area within 100 feet showing property lines, buildings, uses and storage arrangements;
- (b) Specific provisions as to the method and type of screening and the appurtenant landscaping;
- (c) Compliance with all other pertinent requirements of these Regulations;
- (d) A time limitation not exceeding three years from the date of granting of such permit. Prior to the expiration of said permit a new application for renewal thereof must be filed.

3.x.x Any outside storage which is in existence on the effective date of these Regulations and for which a permit is required under the provisions of these Regulations shall within one hundred twenty (120) days from the effective date of this amendment have complied with all of the requirements for obtaining a permit.

*Excluded from **Section X.x** is:*

- (i) *parking of registered motor vehicles in daily use;*
- (ii) *the temporary outside storage of building materials supplies and equipment used in any construction on the property on which it is stored, and for which a required permit has been issued and is in force;*
- (iii) *the temporary storage of farm machinery on the property on which it is used, and the temporary storage of farm produce on the property on which it was produced.*

Outside storage and outside display areas in all districts shall not extend into required front yards *except in instances of existing buildings, where the required front yard may be reduced to the existing building line. (What does this mean?)*

Trash Containers, Dumpsters + Solid Waste Disposal and Design.

All trash containers, dumpsters and trash compactors shall be appropriately screened and maintained, and placed on concrete pads. Concrete pads shall be bermed on three sides to retain fluids. Dumpsters shall be plugged and covered. Dumpsters shall not be located within required setbacks when abutting a residential or mixed-use property. (See Section X.x for allowed location on lot.)

Transfer Station

(See Sections 3.X, Resource Recovery, Volume Reduction Facility; and Solid Waste and Bulky Waste Disposal Area)

Section 3.X

Wind Energy Conservation Systems

Wind energy conservation systems, such as windmills, are permitted as accessory uses, subject to the following conditions:

- a. Each lot shall have a minimum area of 40,000 square feet or as required by the applicable zone, whichever is greater;
- b. No windmill or similar structure shall exceed 80 feet in height;
- c. No windmill or similar structure shall be located in any required yard;
- d. The windmill or similar structure shall be set back from all lot lines a distance at least equal to the height of the windmill or similar structure.

Section 3.X Wireless Transmission + Telecommunications Facilities (CHECK AGAINST SITING COUNCIL JURISDICTION)

Effective on: September 27, 1997

3.x Telecommunications Facilities

The purposes of this Section are as follows:

- A. To accommodate the need for Telecommunications Facilities, Communications Towers and Antennae while regulating their location and number;
- B. To minimize adverse visual effects of these facilities through proper design, siting and screening;
- C. To avoid potential damage to adjacent properties from the Telecommunications Facilities;
- D. To encourage shared or joint use of Communications Towers and Telecommunications Facilities, and

E. To reduce the number of Communications Towers, Telecommunications Facilities and sites needed in the future to a minimum.

1.1.1 Standards for Approval. No Special permit for Communications Towers, Antennae or Telecommunications Facility will be granted except in conformance with the following standards:

- (a) Antennae, Telecommunications Facility, Communications Towers and other communications facilities shall be located in the following order of preference:
1. On existing structures such as buildings or existing Communications Towers, or other such method for providing co-located Telecommunications Facility.
 2. In locations where the existing topography, vegetation, buildings or other structures provide the greatest amount of screening or least impact on the surrounding area.
 3. On new Communications Towers on bare ground in Business and Industrial Districts, General Business Districts, Development District 1 and Development District 2.
 4. On government or institutional structures in residential districts.
 5. On new Communications Towers in residential districts, in locations where the existing topography and vegetation provide the greatest amount of screening or least amount of impact on the surrounding area.
- (b) Applicant Responsibilities and Criteria. Before a Special permit may be approved, the applicant must demonstrate to the satisfaction of the Commission that the proposed location is necessary to satisfy its function in the company's grid system. Where a new Communications Tower or other Telecommunications Facility is proposed in a residential district, the applicant must demonstrate that no existing structures are suitable or available and that the location in a non-residential area is not feasible. In order to make such demonstration, applicant must respond to the following criteria:
1. Provide info Provide information showing how the proposed Telecommunications Facility meets its technical requirements and documentation showing the lease or other legal document which grants permission to the applicant to erect the tower or facility on the proposed site.
 2. Demonstrate that it has made a reasonable effort to identify alternative sites to the proposed site taking into account the preference specified in sub-section (a) above and that the proposed site is preferable to the alternatives for significant technical, business or financial reasons.
 3. The proximity of the facility to same or similar uses would not unduly concentrate types of uses in a particular neighborhood.
 4. For new Communications Towers or structures, joint use shall be accommodated and provided for, and this shall be taken into account by the Commission when regulating height requirements. To minimize the number of Antennae or Communications Towers in the future, proposed support structures shall be required to accommodate other users, if technically and structurally feasible, including other communications companies and public emergency service providers at no cost to the municipality.
 5. For all Telecommunications Facilities, the Commission may require the applicant to take reasonable steps to screen and mitigate any adverse visual impacts. Such steps may include landscaping, fencing, painting or similar measures. Service yards or outside storage of materials shall not be permitted and all buildings shall conform to the general style of architecture of the neighborhood.

6. No lighting of any Telecommunications Facility will be allowed except where required for public safety as determined by the Commission or the Federal Aviation Administration.
 7. No commercial advertising is permitted on any Telecommunications Facility.
 8. No Communications Tower or other Telecommunications Facility shall exceed the height required to satisfy the technical requirements of the Telecommunications Facility and this shall include other carriers added into the design of the Telecommunications Facility.
 9. All plans shall be prepared in compliance with **Section 3.x**, and must be signed and sealed by a professional(s) licensed in the State of Connecticut.
 10. Adequate parking must be provided for the intended use and maintenance of the Telecommunications Facility.
 11. Any Telecommunications Facility which is not used or maintained for a period of twelve (12) consecutive months shall be removed. As part of such removal procedure, the lessor or owner must provide notification to the Commission when such facility is no longer in use and the date of its removal. Failure to remove the Tower upon termination of its use within 30 days shall be cause for the town to remove the Tower at lessor's or owner's expense.
- (c) Additional Requirements. Applicants must submit information depicting the locations of the proposed Telecommunications Facility, and respond to the following criteria:
1. Such location information may include sketches or photographic simulations necessary to visualize the proposed Telecommunications Facility.
 2. Provide studies which illustrate the areas served by the proposed facility within the existing and/or proposed Telecommunications Network, including sites which were rejected for the facility applied for.
 3. Applicant shall demonstrate in the application that the proposed use, location and plan meet the standards enumerated within **Section 3.x**, and the Commission may require such additional evidence as it deems necessary to insure compliance with these Regulations. As a part of such effort, the Commission may retain the technical advice of a third party to review the accuracy of the representations of the applicant, and any associated costs shall be paid by the applicant in advance. Such prepayment by the applicant shall be a condition of further consideration of the application by the Commission.
 4. The applicant shall certify full compliance of the proposed telecommunications Facility with Federal Aviation Administration and Federal Communications Commission current and/or amended standards, and State and local building codes.
 5. The Commission may impose conditions necessary to minimize any adverse impact of the proposed Telecommunications Facility on adjoining properties prior to the issuance of its approval for a Special permit, and attach other special conditions applicable to individual site conditions.
 6. The applicant shall provide written evidence that additional Antennae can be accommodated on the new Communications Tower.
 7. The Communications Tower shall be located at a distance equal to its height plus 50'-0" from any property line of an existing residence and no property line of any residence which may be erected in future shall be closer than the height of the Tower plus 50'-0".
 8. The application fee for the special permit shall be as set forth in Chapter 5, Article VIII of the Ordinances of the Town of Woodbridge entitled Schedule of Land Use Fees, as amended from time to time