

ZONING REGULATIONS FOR THE TOWN OF WOODBRIDGE

Regulations for the Town of Woodbridge which determine the location and use of buildings and structures and the use of land, and which for such purposes divide the Town into Districts, being an amendment and codification of the Zoning Ordinance for the Town of Woodbridge, effective December 24, 1932, as amended.

Effective date of Recodification of the Regulations: December 21, 2009

Effective date of the most recent amendment: September 15, 2014

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SECTION 1. ENACTING CLAUSE AND SHORT TITLE, PURPOSE, BASIC REQUIREMENTS AND DEFINITIONS.

1.1 Enacting Clause And Short Title

1.1.1 The Woodbridge Town Plan and Zoning Commission, acting under authority of Chapter 124, Section 8-3 of the Connecticut General Statutes, hereby amends and codifies the “Zoning Ordinance for the Town of Woodbridge” which was effective December 24, 1932, as amended so that the same shall read as is set forth below. The provisions of said Ordinance and the amendments thereto, in so far as they are consistent with these Regulations, are not repealed but are codified in these Regulations. Any and all provisions of said Ordinance as amended which are inconsistent with these Regulations are hereby repealed, but such repeal shall not affect (a) any violation which occurred before the date as of which these Regulations (or any amendments thereof) were adopted or exists on such date, or (b) any penalty incurred, and any such violation may be prosecuted under said Ordinance as amended.

1.2 Purpose

1.2.1 These Regulations are designed to promote the purposes authorized by Chapter 124, Section 8-2 of the Connecticut General Statutes, including, among others, the following: to regulate the height, number of stories and size of buildings and other structures, the percentage of the area of the lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence and other purposes; to regulate the height, size and location of advertising signs and billboards within the limits of the Town; to divide the Town into districts of such number, shape and area as may be best suited to carry out the purposes of the statute, to regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land in accordance with a comprehensive plan; to lessen congestion in the streets; to secure safety from fire, panic and other dangers, to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision of transportation, water, sewerage, schools, parks and other public requirements with full consideration of the character of the districts and their suitability for particular uses; to conserve the value of buildings and encourage the most appropriate use of land throughout said town.

1.2.2 All references to the Connecticut General Statutes refer to the Revision of 2009, as amended.

1.3 Basic Requirements

1.3.1 No building or structure shall be erected, reconstructed, structurally altered, enlarged, moved or maintained, nor shall any building, structure or land be used or be designed for any use other than as permitted by these Regulations in the district in which such building, structure or land is located.

1.3.2 In their interpretation and application, the provisions of these Regulations shall be held to be adopted for the purposes stated herein. It is not intended by these Regulations to repeal, abrogate, annul, or in any way impair or interfere with any restrictive covenants or with any existing provisions of law other than zoning laws, or with any permits previously issued pursuant to law; provided, however, that where these Regulations impose a higher fee, or a greater restriction upon the use of buildings or premises or upon heights of buildings, or require larger yards, courts or other open spaces, than are

imposed or required by such existing provisions of law or by such restrictive covenants, or by such permits, the provisions of these Regulations shall control.

1.4 Definitions

1.4.1 For the purpose of these Regulations, the words and terms hereinafter listed are hereby defined as follows:

ACCESS – DRIVE. A driveway not to exceed a grade of 15% and adequate to accommodate the free passage of Fire and other Emergency apparatus providing access from an accepted or approved street to an existing or proposed building on any lot.

Effective on: November 9, 2001

ACCESSORY BUILDING. Any structure on the same lot with and customarily incidental to and subordinate in extent in comparison to the principal permitted building on such lot except that any structure being used on a farm for a customary farm purpose shall not be limited in size or height.

ACCESSORY USE. The use of a portion of a building or lot for a purpose other than the principal purposes permitted by the zoning regulations on such lot, which purpose if customarily incidental to and subordinate in extent compared to the permitted principal use being made of such premises.

ADULT DAY CARE FACILITY. An organized program, structured through individual plans of care, including but not limited to, both therapeutic and rehabilitative, which is provided in a congregate setting sixteen (16) hours or less during a twenty-four (24) hour calendar day.

Effective on: June 7, 1989

ANTENNAE. Devices used to collect or transmit telecommunications or radio signals. Examples include Panels, Microwave Dishes and Whips.

Effective on: September 27, 1997

ARCHITECTURAL REVIEW BOARD. An advisory committee shall be appointed by the Woodbridge Town Plan and Zoning Commission to review applications for new construction and substantial reconstruction within the WVD. The Architectural Review Board shall be composed of 5 individuals whose members shall include at least one architect, landscape architect, or planner who is a member of the America Institute of Certified Planners.

Effective on: August 14, 2006

BASEMENT. A story partly underground having more than half of its interior height measured from floor to ceiling above the average finished grade of the ground adjoining the building.

BUILDING. An independent structure resting on its own foundations.

BUILDING, DETACHED. A building separated on all sides from adjacent buildings by open spaces from the ground up.

BUILDING AREA. The aggregate of the maximum outside horizontal cross section area of the main building on a lot, excluding cornices, eaves, gutters, steps, open porches of one or more stories, balconies and terraces and including porches arranged for or altered for use as living rooms, enclosed against the weather and part of the main building.

BUILDING, HEIGHT OF. The height of a building is the distance from the average level of the ground surrounding the building to the top of the building.

Effective on: March 13, 1995

CHILD DAY CARE CENTER. A structure or group of structures on a lot containing a facility licensed by the state of Connecticut as a child day care center as this term is defined in Section 19a-79-1(a) of the Public Health Code of the State of Connecticut.

Effective on: December 15, 1988

CELLAR. A story having more than half of its interior height measured from floor to ceiling below the average finished grade of the ground adjoining the building.

CERTIFICATION. A signed, written approval by the Commission that a plan complies with the applicable requirements of these Regulations.

Effective on: January 1, 1986

CO-LOCATED TELECOMMUNICATIONS FACILITY. Telecommunications Facilities which utilize existing towers, buildings or other structures for the placement of Antennae and do not require construction of a new tower. Co-located Telecommunications Facility may include accessory structures such as cabinets and sheds for associated telecommunications equipment.

Effective on: September 27, 1997

COMMISSION. The Town Plan and Zoning Commission of the Town of Woodbridge.

COMMUNICATIONS TOWER. A structure that is intended to support equipment used to transmit and/or receive telecommunications signals. Examples include monopoles and lattice construction steel structures.

Effective on: September 27, 1997

CONGREGATE COMMUNITY. A facility designed for occupancy by Elderly.

Effective on: March 13, 1995

COUNTY SOIL AND WATER CONSERVATION DISTRICT. The New Haven County Soil and Water Conservation District established under subsection (a) of section 22a-315 of the General Statutes of the State of Connecticut.

Effective on: January 1, 1986

DEVELOPMENT. The man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations. In connection with a soil erosion and sediment control plan, any activity when the disturbed area is more than one-half acre in area but excluding the raising of crops.

Effective on: January 1, 1986

DISTURBED AREA. An area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

DWELLING UNIT. A dwelling unit is any building or portion thereof used or intended for use exclusively for residential occupancy by a family.

Effective on: January 1, 1986

DWELLING, ONE FAMILY. A single detached building used or intended for use exclusively as residence for only one family.

DWELLING, TWO FAMILY. A single detached building containing two Dwelling Units.
Effective on: November 8, 1982

ELDERLY. A person who is sixty-two (62) years of age or over.
Effective on: February 2, 1990

EROSION. The detachment and movement of soil or rock fragments by water, wind, ice or gravity.
Effective on: January 1, 1986

FAMILY. One or more persons related by blood or marriage or legal adoption or a group of not more than four persons who are not so related, who are living together in a single dwelling unit and maintaining a common household.

FAMILY DAY CARE HOME. A facility within a one family dwelling unit in which care is provided for not more than six children, including the providers own children not in school full time, where the children are cared for not less than three nor more than twelve hours during a twenty-four hour period and where care is given on a regularly recurring basis. During the regular school year, a maximum of three additional children who are in school full time, including the provider's children shall be permitted.
Effective on: July 10, 1992

FARM. A tract of more than five (5) acres used for agricultural, dairy, orchard or horticultural purposes, and including, without limitation, truck gardens, nurseries, pasturage, woodland and other unimproved land.

FLOOR AREA, GROSS FLOOR AREA AND BUSINESS FLOOR AREA. These terms as used in connection with the minimum off-street parking requirements and the minimum off street loading requirements of Sec. 3.12 of these Regulations shall mean the aggregate of the inside horizontal areas of all useable floor space contained in the building, excluding common hallways and stairs, utility rooms, boiler rooms, lavatories, bathrooms, shower rooms and locker rooms.

FLOOR AREA, LIVABLE. The floor area of a residence adequately heated, lighted, and ventilated for human habitation. It shall include a finished basement, finished cellar, attic space and enclosed porch, but shall not include a garage space, an unfinished basement or cellar, a terrace, or an open porch or steps.

GARAGE, PRIVATE. Any accessory building used only for the parking or storage of not more than four (4) passenger automobiles, except that in place of one passenger automobile there may be substituted one commercial vehicle not exceeding one ton capacity if used solely by one residing in said main building.

GARAGE, PUBLIC. A building of one or more stories used for the storage of and repair of motor vehicles.

GOLF CLUB: An area of land, consisting of no less than 100 contiguous acres of land in total inclusive of land bisected by an improved road, laid out for golf with a series of 18 holes each including tee, fairway, and putting green and one or more natural or artificial hazards as well as swimming pool(s) and tennis facilities.

Effective on: November 25, 2011

GRADING. Any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

Effective on: January 1, 1986

GROUP DAY CARE HOME. A facility within a one family dwelling unit in which is offered or provided a program of supplementary care to not less than seven (7) nor more than twelve (12) related or unrelated children on a regular basis for a part of the twenty-four hours in one or nor days in the week and licensed pursuant to Connecticut General Statutes Sec. 19a-80 and regulations adopted pursuant thereto.

Effective on: July 10, 1992

GROSS RETAIL FLOOR AREA. The floor area or gross floor area, as herein before defined of a building used primarily for a retail store or stores.

HEIGHT. The elevation of a Co-located Telecommunications Facility or Communications Tower measured from ground level to the highest point on the structure, including antennae, lightning rods and such other equipment that may be fastened thereto.

Effective on: September 27, 1997

INDOOR RECREATION FACILITY. An indoor sports facility providing space for swimming, tennis, badminton, racquetball, or squash.

Effective on: June 16, 1982

INDUSTRIAL. See MANUFACTURING.

INSPECTION. The periodic review of soil erosion and sediment control measures shown on the certified plan or as may be required by other provisions adopted by the Commission.

Effective on: January 1, 1986

LANDSCAPING. Grading, filling, planting and improving of land to produce a desirable aesthetic effect.

LIVING UNIT FOR THE ELDERLY. A room or rooms including a bathroom and kitchen meeting the requirements of Elderly persons. When used in conjunction with a "Congregate Community" it may also be referred to as a "Personal Care Living Unit", an "Assisted Personal Care Living Unit" or simply as a "Unit".

Effective on: March 13, 1995

LOT. An area of land in one ownership with definite boundaries ascertainable by deed or other instrument or plan filed in the Town Clerk's office and used or set aside and available for use as the site of one or more buildings or for any other definite purpose. See Definition Graphic on page 11.

LOT, CORNER. A lot whose lot lines have an interior angle of less than 135 degrees at the intersection of two roads. A lot abutting on a curved road shall be deemed a corner lot if the tangents to the curve

drawn at the points of intersection of the side lot lines with the curve, intersect at an interior angle of less than 135 degrees.

LOT, MINIMUM SIZE OF. Minimum lot area, shape and frontage requirements are to be as stated in the respective zoning district regulations. In determining compliance with the minimum lot area, shape (including square on the lot provided for on the lot in a Residence A District), slope and frontage requirements, the following areas shall be excluded:

1. Land subject to prior public utility easements.
2. Any part of an easement for ingress and egress.
3. Any right-of-way.
4. All wetlands as defined in the Connecticut General Statutes and the Woodbridge Inland Wetlands Regulations.
5. The area remaining after the exclusion shall be contiguous and with respect to the Residence A District shall be able to accommodate the size of the square on the lot that is specified for that zoning district.
6. Any area having a slope in excess of 25%

*Omission in Zoning Regulations
recodification of December 21, 2009
corrected effective May 20, 2011*

7. The foregoing provisions shall not apply to lawfully conforming or legally nonconforming lots in existence prior to the effective date of this amendment.
Effective on November 9, 2001

LOT FRONTAGE. The horizontal distance measured along the full length of the front lot line. In determining the frontage of a lot which is on the outside of a curve of the road the Commission may, in cases deemed to be appropriate, authorized the measurement to be made on the rear line of the required front yard.

LOT LINE. A boundary line of a lot. See Definition Graphic on page 17.

LOT LINE, FRONT. The line of a public road, drive, lane, or proposed road in a subdivision, on which abuts a lot.

LOT LINE, REAR. Any lot line which is the farthest lot line from the road and which does not front on a public road, drive or lane.

LOT LINE, SIDE. Any lot line which is not a front lot or rear lot line.

LOT REAR. A lot accessible only over a private right-of-way or driveway at least 20' but not more than 50' in width.

LOT WIDTH. The distance between side lines of a lot measured along the front lot line and the front yard set back line except where the front lot line is a curve in which case the distance shall be measured only along the front yard set back line.

MANUFACTURING. Any process whereby the nature, size, or shape of articles is changed, or where articles are assembled or packaged in quantity.

MOTEL. A structure or group of structures on a lot, containing individual rental sleeping rooms each with private bath and with or without individual cooking facilities, also an office and lounge and apartment for resident manager, plus linen, supply, storage and maintenance rooms, but no rooms or structures for any other uses.

NON-BUILDING USE. A principal use of land to which the buildings on the lot, if any, are accessory, such as public parking lot, or an open storage yard for materials.

NURSING HOME. A structure or group of structures on a lot containing a facility licensed by the State as either a "chronic and convalescent home" or a "rest home with nursing supervision" as those terms are defined in the public Health Code of the State of Connecticut including child day care for employees and adult day care as accessory uses subject to Section 3., 6 upon formal application and after a public hearing.

Effective on: January 2, 1990

Outdoor Eating Area. An outdoor area located on the same property as a Restaurant, Fast Food Restaurant or Retail Food Establishment that allows for tables & chairs for outdoor table service or self service dining subject to a zoning permit and the requirements found in Section 3.9.11

Effective on: May 20, 2011

PCS. Those digital, wireless services provided under Federal Communications Commission licenses related to the title "Personal Communications Services".

Effective on: September 27, 1997

PANELS. A type of Antennae that are rigid, flat and directional, and are up to 6 feet in height.

Effective on: September 27, 1997

PARKING LOT. Any area of open land customarily used for parking four or more automobiles or other motorized equipment or vehicles, whether or not for compensation and whether such parking be for short or long periods.

PLANNED RESIDENTIAL CARE DEVELOPMENT FOR THE ELDERLY. A structure or group of structures on a lot containing dwelling units exclusively for occupancy by one or more persons at least one of whom in each unit is sixty-two (62) years of age or over. Said lot shall abut a nursing home with which the owner and/or operator of the Planned Residential Care Development for the Elderly has a binding legal agreement for placement of said elderly persons who need more intensive care. Said structure or structures shall also contain community areas suitably equipped to meet the social interactional and leisure time needs of the residents and common dining facilities where at least one meal each day is made available to residents.

Effective on: February 2, 1990

RESIDENCE OFFICE. An office situated within a dwelling unit located in a Residence District, the use of which is clearly accessory and secondary to the residential use of the dwelling unit.

Effective on: September 11, 1995

RESTAURANT: A place having an adequate kitchen and dining room, the primary business of which is the service of hot meals to patrons seated at tables or counters. Meals are served by waiters or waitresses and consumed at the table or counter where they are ordered. A Restaurant may have a Restaurant Permit to allow the retail sales of alcoholic liquor to be consumed on the premises, as granted by the Department of Liquor Control (See Restaurant, Fast Food; Restaurant, Drive-in).

Effective on: May 20, 2011

RESTAURANT, DRIVE-IN: A place that delivers prepared food and/or non-alcoholic beverages to patrons in motor vehicles, regardless of whether it also serves said items to patrons who are not in motor vehicles, for consumption in or out of motor vehicles, on or off the premises.

Effective on: May 20, 2011

RESTAURANT, FAST FOOD: A place whose primary business is the quick sale of (1) frozen desserts,(2) food, already prepared, or prepared and cooked quickly, or cooked or heated in a microwave oven, or (3) non-alcoholic beverages for consumption on or off the premises. Generally, service is cafeteria style in disposable plates or containers, and food and beverages are not consumed at the point where they are ordered or paid for.

Effective on: May 20, 2011

RETAIL FOOD ESTABLISHMENT. Any business where food or beverages are sold to the public for either on premises or off premises consumption. Such establishments shall not be considered Restaurants or Fast Food Restaurants. No additional parking will be required provided that they have indoor seating for 10 or less patrons. For outdoor seating see Section 3.9.11.

Effective on: May 20, 2011

ROAD. Any street, road, drive, or lane, public or private.

ROAD, ACCEPTED. Any road which has become public by virtue of official acceptance by the Town according to law.

ROAD, APPROVED. Any road the location of which has been approved by official action of the Commission.

ROAD, CENTER LINE. A line equidistant from each road line; or if no road line is established, the center line of the existing pavement, or if the road is unpaved, the center line of the existing traveled way.

ROAD LINE. The right-of-way line of a road.

SCHOOL. Any nursery, kindergarten, elementary, junior high, or senior high school, college, or university, offering general, or general and specialized courses of instruction.

SCREEN OR SCREENING. A strip at least ten feet wide, together with a wall or fence, if any, as required by the Commission, densely planted (or having equivalent natural growth) with evergreen shrubs or trees at least six feet high within three years. The screen, and wall or fence, if any, may have reasonable entrances and exits and said screen, wall or fence shall be maintained in good condition at all times.

SEDIMENT. Solid material, either mineral or organic, that is in suspension, is transported or has been moved from its site or origin of erosion.

Effective on: January 1, 1986

SEASONAL OUTDOOR DINING AREA: An outdoor area located on the same property as a Restaurant, Fast Food Restaurant or Retail Food Establishment that allows for tables & chairs for outdoor table service or self-service dining subject to an approval by the Commission and requirements found in Section 3.9.11.

Effective on: May 20, 2011

SIGN. Any structure of part thereof or any device attached to a building or painted or represented thereon, which shall display or include any letter, word, model, flag, insignia, device or representation which is in the nature of, for commercial purposes or otherwise. A sign includes a billboard and a neon tube, a series of signs, string of lights, or similar device outlining or hung upon any part of a building, but does not include the flag or insignia of any nation or group of nations or of any governmental agency or of any political, educational, charitable, philanthropic, civic, professional, religious or similar organization, campaign, drive, movement or event.

SIGN, ADVERTISING. A sign, including the type commonly known as a billboard, which directs attention to a business, commodity, service, or entertainment conducted, sold or offered elsewhere than upon the same lot where such sign is displayed or only incidentally upon such lot.

SIGN AREA. The area within the shortest line that can be drawn around the outside perimeter of a sign.

SIGN, BUSINESS. A sign which directs attention to a business, commodity, service or entertainment conducted, sold, or offered upon the same lot on which it is displayed. A “for sale” or “to let” sign related to the lot on which it is displayed shall be deemed a business sign.

SIGN, DIRECTIONAL. A sign with sign area of not over two square feet indicating the direction or route to an establishment.

SIGN, DIRECTLY ILLUMINATED. Any sign designed to give forth any artificial light directly (or through any transparent or translucent material) from a source of light connected with such sign.

SIGN, ELEEMOSYNARY. A sign which directs attention to an event to be conducted within the Town of Woodbridge during a specified period of time not lasting more than two weeks held by an educational, municipal, religious or philanthropic organization. Examples of such events include, but are not limited to: plays, concerts, seasonal fairs, and rummage sales, registration for team sports, blood drives, picnics and dinners.

Effective on: November 19, 2010

SIGN, FLASHING. Any directly or indirectly illuminated sign on which the artificial light is not maintained stationary, and constant in intensity and color, at all times when in use.

SIGN, INDIRECTLY ILLUMINATED. A sign illuminated with a light so shielded that no direct rays therefrom are visible elsewhere than on the lot where said illumination occurs. If such shielding is defective, such sign shall be deemed to be a directly illuminated sign.

SLOPE. In determining the minimum required area of the lot meeting the applicable zone requirements, all slopes equal to or in excess of 25 percent shall be excluded. Slopes shall be measured prior to any proposed excavation, filling or other regrading activities. Slopes are further defined as slopes equal to or greater than 25 percent as measured on a certified topographic survey (to Class T-2 or T-3), meeting the minimum standards of one of the following types of topographic surveys:

1. "Class T-2" * (field survey procedures)
2. "Class T-3" * (aerial survey) whereby Surveyor of Record provides horizontal and vertical control, to National Map Standards for photogrammetric mapping
3. "Class T-D" * (to be verified and certified to Class T-2) (survey utilizes an existing aerial survey)**

*as published in the "Standards for Surveys and Maps in the State of Connecticut, adopted on September 26, 1996 and prepared by the Connecticut Association of Land Surveyors".

** whereby he has not provided horizontal and vertical control but provides certification that the topographic map and published contours meet the minimum standards of Class T-2 by performing a field contour interval test whereby 80% of published contours are within the ½ contour interval.

The topographic map shall be prepared by a licensed land surveyor and shall show the 2-foot contour intervals, at a minimum scale of 1 inch = 40 feet. Slopes shall be calculated by measuring the distance between two-foot contours as shown on the certified map. A slope of 25 percent shall be defined as any area where the 2-foot contour line measures less than eight feet apart.

Effective on: July 17, 2006

SOIL. Any unconsolidated mineral or organic material of any origin.

Effective on: January 1 1986

SOIL EROSION AND SEDIMENT CONTROL PLAN. A scheme that minimized soil erosion and sedimentation resulting from development and included, but is not limited to, a map and a narrative.
Effective on: January 1, 1986

STORY. That part of a building comprised between any floor and the floor or roof next above.

STREET. See ROAD.

STRUCTURE. Anything constructed or erected above ground from an assembly of materials.

For the purposes of these Regulations the following shall not be deemed to be a structure: a small structure not to exceed six (6) feet in any direction and not permanently attached to the ground, an ornamental well, or fence, a non-retaining wall, a sign, a dumpster used during construction for which a permit has been issued, a transformer, an arbor, a mail box, or a utility pole.

Effective on: June 7, 1989

TELECOMMUNICATIONS FACILITY. Antennae, telecommunications equipment, Communications Towers and/or other support structures used together in connection with the provision of wireless communications service. These services may include but are not limited to cellular communications, personal communications services and paging.

Effective on September 27, 1997

USE, NON-CONFORMING. A use of a building or land or both which does not conform to the applicable Use Regulations of these Regulations, either on the effective date or on the dates of subsequent amendments. It may be a non-building use.

WHIPS. A type of Antennae that resembles a flexible, single pole up to 15 feet in height.

Effective on: September 27, 1997

WOODBIDGE VILLAGE DISTRICT OR WVD. The Woodbridge Village District shall be an overlay district for the GB, BI and DEV-1 Districts as delineated on the Zoning Map for the Town of Woodbridge. The regulations for the Woodbridge Village District shall be in addition to, and not in lieu of, the regulations applicable to the underlying zoning districts.

Effective on: August 14, 2006

YARD, FRONT. The required open space without structures between the road center line and a line across the lot parallel to such center line and at the required distance therefrom. See Definition Graphic on page 17.

YARD, SIDE. The required open space between the side line of a lot and a line through the lot (between the front and rear yards) parallel thereto and at the required distance therefrom. See Definition Graphic on page 17.

YARD, REAR. The required open space between the rear line of a lot and a line parallel thereto across the lot at the required distance therefrom. See Definition Graphic on page 17.

1.5 Road Classification

1.5.1 For the purpose of providing for the development of a system of roads in the Town and for the future improvements, extension, reconstruction and necessary widening of all roads, each road in the Town is hereby designated by one of the following road classifications:

CLASS A INTERTOWN ROAD. Amity Road, Ansonia Road, Center Road west from Amity Road, Route 63 to the intersection of Center and Racebrook Road, Route 114, Litchfield Turnpike, Racebrook Road, Rimmon Road, Seymour Road.

Amended effective September 15, 2014

CLASS B MAJOR LOCAL ROAD. Acorn Hill Road, Baldwin Road, Beecher Road, Burnt Swamp Road, Center Road (between Racebrook and North Racebrook Roads), Dillon Road, Forest Glen Drive (between Indian Trail and Orchard Road), Greenway Road, Indian Trail Road (between N. Racebrook Road and Forest Glen Drive), Johnson Road, Lucy Street, Newton Road, North Pease Road, North Racebrook Road (between Racebrook Road and Indian Trail Road), Northrop Road, Orchard Road (between Forest Glen Drive and Newton Road), Pease Road, Peck Hill Road. Westward Road.

Amended effective September 15, 2014

CLASS C MINOR LOCAL ROADS. All other roads in Town.

SECTION 2. ZONING DISTRICTS AND BOUNDARIES.

2.1 Zoning Districts

2.1.1 For the purpose of these Regulations the Town of Woodbridge is divided into districts as follows:

A	Residence A District	BI	Business and Industrial District
B	Residence B District	GB	General Business District
BB	Residence BB District	DEV-1	Development District 1
C	Residence C District	DEV-2	Development District 2
D	Residence D District	P	Park District
WVD	Woodbridge Village District*		

*The WVD is an overlay district for the Business and Industrial District (BI), General Business District (GB) and Development District 1 (DEV-1)
Effective on: August 14, 2006

2.2 Boundaries

2.2.1 The boundaries of these districts are hereby established as shown on a map entitled “Town of Woodbridge, Zoning Map”, dated December 1962 or any amendments thereof which is hereby made part of these Regulations.

SECTION 3. LAND USE AND SPACE REGULATIONS.

3.1 Uses Permitted

3.1.1 Uses Permitted. Uses of land and buildings permitted in a zoning district in Woodbridge shall be only those indicated by an X in the column under the district name in Section 3.1.2 entitled “Table of General Use Regulations” and all other uses are hereby prohibited unless specifically permitted elsewhere in these Regulations. Abbreviations used in column headings are as indicated in Section 2.1.1 above.

3.1.2 TABLE OF GENERAL USE REGULATIONS

The accompanying table, entitled "Section 3.1.2, Table of General Use Regulations", shall be deemed to be part of this Section and is referred to herein as "Use Table".

1. USES	2. DISTRICTS										3. MINIMUM REQUIRED OFF-STREET PARKING Subject to Section 3.5***	4. MINIMUM REQUIRED OFF-STREET LOADING Subject to Section 3.5.4***
	A	B	BB	C	D	BI	GB	DEV-1	DEV-2			
3.1.2.1 RESIDENTIAL, FARMING, GOVERNMENTAL, CIVIC												
1. One Family Dwelling (eff. 11/8/82)	x	x	x	x	x						Two spaces per dwelling unit	
1.a. Two Family Dwelling (eff. 11/8/82)				x	x						Two spaces per dwelling unit	
1.b. Congregate Community (eff., 3/13/95)		x										
2. Farms	x	x	x	x	x	x	x	x	x	x		
*3. Roadside stands for selling products only of the farm or orchard on which the stand is located.	x	x	x	x	x	x	x	x	x	x	One space for each five linear ft. measured horizontally of front wall of such building, stand or display area.	
*4. Club, lodge, or community house, except where the principal activity is one customarily carried on as a business.	x	x	x	x	x						One space for each 50 sq. ft. of floor area or family membership whichever is greater.	
*5. Residence Office.	x	x	x	x	x						Two spaces in addition to dwelling unit requirements.	

3.1.2 Table of General Use Regulations continued

3.1.2 Table of General Use Regulations continued												
1. USES	2. DISTRICTS									3. MINIMUM REQUIRED OFF- STREET PARKING Subject to Section 3.5***	4. MINIMUM REQUIRED OFF- STREET LOADING Subject to Section 3.5.4***	
	A	B	BB	C	D	BI	GB	DEV-1	DEV-2			
*6. Art, educational religious or philanthropic use of a non-profit organization, including dormitories of an educational institution, but not including correctional institutions.	x	x	x	x	x						One space for 200 sq. ft. of floor area but not less than one space for each five seats provided.	
*7. Schools and colleges, public or private, if non-profit organization.	x	x	x	x	x						One space for each 12 seats or each 12 students whichever is larger.	
*8. Public utility sub-station**	x	x	x	x	x	x	x	x	x		One space for each two employees or 300 sq. ft. of floor area whichever is greater.	
*8a Telecommunications Facility** (8a eff. 9/27/1997)	x	x	x	x	x	x	x	x	x			
*9. Parks and playgrounds operated by government, non-profit organization or by a community association located in the Town	x	x	x	x	x						As determined by the Town Plan and Zoning Commission.	
*9a Family day care home or group day Care home. (eff 7/10/92)	x	x	x	x	x						In addition to the required spaces for a residence, one space for each employee part or full time, one space for one child, two spaces for two-five children, three spaces for six-ten children, four spaces for 11-12 children.	
10. Accessory uses customarily incident to permitted uses. Accessory buildings shall not be used for residence purposes.	x	x	x	x	x	x	x	x	x			

<p>*11. A golf club which shall consist of no than 100 contiguous acres of land in inclusive of land bisected by an road and may include ancillary uses of catering hall of not more than 3,500 feet in size and/or restaurant and no than one concession stand. <i>Effective on: November 25, 2011</i></p>	x																				<p>One space for each 4 patrons of the club facilities.</p>
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3.1.2 Table of General Use Regulations continued

1. USES	2. DISTRICTS										3. MINIMUM REQUIRED OFF- STREET PARKING Subject to Sec. 3.5 ***	4. MINIMUM REQUIRED OFF- STREET LOADING Subject to Section 3.5.4 ***
	A	B	BB	C	D	BI	GB	DEV-1	DEV-2			
3.1.2.2 BUSINESS AND INDUSTRIAL, GENERAL BUSINESS Subject to Section 3.9.												For retail service & business establishments one off-street loading space for the first 4,000 sq. ft. of floor area and one additional space for each additional 1 0,000 sq. ft. of business floor area. For wholesale business and manufacturing establishments the standards specified in Sec. 3.1.23 shall apply.
1. Gasoline Stations Subject to Section 3.14.						x	x					
2. Wholesale and Retail Stores.						x	x	x	x	One space for each 200 sq. fl. of gross retail floor area or one space for each two employees for a wholesale use.		
3. Professional, financial and commercial offices						x	x	x	x	One space for each 300 sq. fl. of gross floor area.		
4. Public garages for the storage and repair of automobiles or parking lots offices.						x	x			One space for each 300 sq. fl. of gross floor area		

3.1.2 Table of General Use Regulations Continued												
1. USES	2. DISTRICTS									3. MINIMUM REQUIRED OFF-STREET PARKING subject to Section 3.5 ***	4. MINIMUM REQUIRED OFF-STREET LOADING Subject to Section 3.5.4 ***	
	A	B	BB	C	D	BI	GB	DEV-1	DEV-2			
5. Manufacturing incidental to and accessory to the preparation of articles sold on the premises						x	x				One space for each 300 sq. ft. of gross floor area.	For retail service & business establishments one off-street loading space for the first 4,000 sq. ft. of floor area and one additional space for each additional 10,000 sq. ft. of business floor area. For wholesale manufacturing establishments the standards specified in Section 3.1.23 shall apply.
6. Laundries						x	x				One space for each 300 sq. ft. of gross floor area	
7. Motels each having not less than twelve sleeping rooms subject to Section 3.3						x	x				One space for each guest room	
8. The Town Plan and Zoning Commission may, upon formal application and after the public hearing, when, in its judgment, the public convenience and welfare will be served and appropriate use of the adjoining property will not be substantially injured, authorize other business uses not specifically permitted by this section of the Regulations.						x	x				As determined by the Town Plan and Zoning Commission	
9. Child Day Care Center, subject to Section 3.9, upon formal application and hearing. (eff. 7/21/98)						x					One space for each employee on the shift with the maximum number of employees or one space per 400 square feet of gross, whichever is greater.	
10. Liquor Establishments (eff. 8/14/06)						x	x					
11. Adult Establishment (eff. 8/14/06)							x					

3.1.2 Table of General Use Regulations Continued

1. USES	2. DISTRICTS									3. MINIMUM REQUIRED OFF- STREET PARKING Subject to Section 3.5 ***	4. MINIMUM REQUIRED OFF- STREET LOADING Subject to Section 3.5.4 ***
	A	B	BB	C	D	BI	GB	DEV-1	DEV-2		
3.1.2.3 DEVELOPMENT DISTRICT 1											
<p>1. Office for executive, administrative or professional purposes. Laboratories for Scientific research.</p> <p>2. Assembly, fabrication and finishing of articles of small size and high value such as precision instruments, cameras, electronic instruments, and the like, subject to Section 3.6</p> <p>3. The Town Plan and Zoning Commission may upon formal application and after a public hearing, when, in its judgment the public convenience and welfare will be served and appropriate use of the adjoining property will not be injured, authorize other similar uses.</p>								x	x	One parking space for each employee or 250 sq. ft. of floor area whichever is greater.	One off-street loading space or the first 10,000 sq. ft. of floor area, and one additional space for each additional 20,000 sq. ft. of floor area.
								x	x		

3.1.2 Table of General Use Regulations Continued

1. USES	2. DISTRICTS										3. MINIMUM REQUIRED OFF-STREET PARKING Subject to Section 3.5***	4. MINIMUM REQUIRED OFF-STREET LOADING Subject to Section 3.5.4 ***
	A	B	BB	C	D	BI	GB	DEV-1	DEV-2			
*4. Nursing home, including child day care for employees and adult day care as accessory uses and <u>planned residential care development for the elderly</u> , subject to Section 3.6, upon formal application and after a public hearing. (eff 4/20/09)									x		i. one paved space for each three (3) beds and one paved space for each employee on the fulltime shift with the maximum number of employees in a nursing home; ii. one paved space for every two dwelling units subject to the requirements of Section 3.6.9 and one paved space for each employee on the full-time shift with the maximum number of employees in a planned residential care development for the elderly.	One off-street loading space for the first 10,000 sq. ft of floor area, and one additional space for each additional 20,000 sq. ft. of floor area.
5. Active Adult Planned Development (eff 10/2/06)									x		See requirements found in Section 3.11.	See requirements found in Section 3.11.
6. By Special Permit, restaurant establishments, as defined by Conn. Gen. Stat. § 30-1 <u>et. seq.</u> , as amended, that shall sell or serve liquor or alcoholic beverages under Conn. Gen. Stat. § 30-22. (eff 4/20/09)									x		If located in an AAPD, see requirements found in Section 3.11.	If located in an AAPD, see requirements found in Section 3.11

3.1.2 Table of General Use Regulations Continued											
1. USES	2. DISTRICTS									3. MINIMUM REQUIRED OFF- STREET PARKING Subject to Section 3.5 ***	4. MINIMUM REQUIRED OFF- STREET LOADING Subject to Section 3.54 ***
	A	B	BB	C	D	BI	GB	DEV-1	DEV-2		
3.1.2.4 DEVELOPMENT DISTRICT 2											
1. Child Day Care Center, subject to Section 3.9, upon formal application and public hearing. (eff 7/21/98)								X	X	One parking space for each employee or 250 sq. ft. of Floor area whichever is greater.	
2. The indoor storage of materials and goods.									X		
3. Private indoor recreational facilities and such pro shops incidental thereto.									X		
4. Child Day Care Center, subject to Section 3.6, upon formal application and public hearing. (eff 12/15/88)							X (eff. 12/2/90)	X (eff. 1/15/90)	X	One space for each employee on the shift with the maximum number of employees or one space per 400 sq ft of gross area, whichever is greater.	One off-street loading space for the first 10,000 sq. ft. of floor area, and one additional space for each additional 20,000 sq. ft. of floor area.

*(a) Uses designated by one asterisk in Section 3.1.21 (except uses operated by government) may be permitted only by special permit issued by the Town Plan and Zoning Commission upon application and after public hearing, which Special permit may be granted if such Commission shall find that the public convenience and welfare will be served by the proposed use, and that the proposed use at the proposed location (subject to such appropriate conditions and safeguards in the interest of public convenience and welfare as such Commission may impose) will not substantially impair the health, safety, or welfare of inhabitants and of owners of nearby properties, particularly with respect to: water, drainage, sewerage, flooding, fire, panic, traffic, off-street parking, public uses (including schools, parks and playgrounds), and the proximity of other uses under items 4,6 and 9 of Section 3.1.21 (effective July 10, 1992).

(b) 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.

** Buildings and equipment of corporations regulated by the Public Utilities Commission are subject to the approval of the Town Plan 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.

*** The minimum off-street parking and/or the minimum off-street loading requirements set forth in Columns 3 and 4 of Sec. 3.1.2 may, upon formal application and after public hearing, be modified by the Commission with respect to a particular authorized proposed use, when, in the judgment of the Commission, the public convenience and welfare will be served by the modification and such modification will not substantially impair the safety or welfare of inhabitants and of owners of nearby properties or substantially affect the authorized or existing uses of nearby properties. Any modification granted hereunder shall remain subject to the requirements of Section 3.5.5.

3.1.3 TABLE OF GENERAL BULK REGULATIONS

The accompanying table, entitled "Section 3.1.3, Table of General Bulk Regulations" shall be deemed to be part of this Section and is referred to herein as "Bulk Table". All buildings hereafter erected or altered shall comply with the accompanying "Table of General Bulk Regulations" for the district in which such building may be located. In cases of conflict the more restrictive standards either listed below or in any sub-section of these Regulations shall prevail.

1	2		3		4	5	6	7	8		9
District	Maximum Building Height		Minimum Size of Lot		Families per Building	Maximum Building Area	Min. Required Front Yard In Ft. (Sub). also to Sec. 6.2.1) 11,14	Minimum Rear Yard In Ft.	Side Yards		Accessory Buildings
	Stories excluding cellar & basement	Feet	Area in Sq. Ft.	Width & Frontage in Feet					Min. width in Feet	Min. Aggregate Width Both Yards in Feet	
A	2-½	35	65,000	200	1	12%	75	25	25	30% of Lot Width	Not more than 3% of lot area, nor within 15' of any side or rear boundary line
B			15,000	100		30%	30		15		
BB			9,375	75		30%	20		10		
		<u>6</u>									
C			5,000	50	2	40%	10	Min. Depth 20% of lot depth but need not to exceed 20	6		Not more than 15% of lot area, nor within 5' of any side or rear boundary line.
D		<u>6</u>	4,000	40		50%			4		
BI	3	45	4,000	40	0	70%	60 on Amity Road, 10 on other roads	Min. Depth 10% of lot depth but need not exceed 10	3	6	Not more than 50% of rear yard nor within 3' of any side or rear boundary line.
		<u>6</u>									

3.1.3 Table of General Bulk continued

1	2		3		4	5	6	7	8		9
District	Maximum Building Height		Minimum Size of Lot		Families per Building	Maximum Building Area	Min. Required Front Yard in Ft. (Sub). also to Sec. 6.2.1) <u>/1/4</u>	Minimum Rear Yard in Ft.	Side Yards		Accessory Buildings
	Stories excluding cellar & basement	Feet	Area in Sq. Ft. <u>/9/10</u>	Width & Frontage In Feet					Min. width in Feet	Min. Aggregate Width Both Yards in Feet	
GB	3	35 <u>/6</u>	20,000 <u>/2</u>	100	0	33-1/3%	60 on Amity Road, 10 on other roads	20	12	24	Not more than 15% of lot area, nor within 5' of any side or rear boundary line.
DEV-1	3	45 <u>/6</u>	1 Acre <u>/3</u>	150 <u>/3</u>	0	25%	75 <u>/3</u>	30 <u>/3</u>	30 <u>/3</u>	60 <u>/3</u>	<i>Effective on 3/20/85</i>
DEV-2	2	40 <u>/6</u>	1 Acre <u>/3</u>	175 <u>/3</u>	0	30%	75 <u>/3</u>	30 <u>/3</u>	30 <u>/3</u>	60 <u>/3</u>	Main Building, min. floor area 6,000 sq. ft.

/1 All required front yard depth in substantially built up areas may be reduced with the approval of the Commission to the existing setback. See also Section 6.2.1. Minor additions to existing structures shall be construed as additions in substantially built up areas.

/2 For Motels, see Section 3.3.12;

/3 For modification, see Section 3.6.8;

/4 Tennis Courts shall not be constructed in the front yard.

/5 Any lot (whether developed with buildings or not) which, on the effective date of the amendments set forth in these regulations existed (a) in separate ownership or (b) as part of a subdivision approved after November I. 1953 and filed or recorded in the office of the Town Clerk. or (c) as a part of a subdivision laid out and mapped before November 1, 1953 with roads which were approved by the commission, and which lot, on said date, was in area at least 60,000 square feet but less than 65,000 square feet, and which otherwise conformed to these Regulations, shall be deemed to be a conforming lot for all purposes. The owner of such a lot in a subdivision such as is referred to in (c) above, who desires that the status of the lot shall be established of record, may file with the Commission a map of the same, and the Commission shall (i) endorse upon the map a statement that the lot is a conforming lot under this section and (ii) cause the same to be filed or recorded in the office of the Town Clerk. A lot in a subdivision such as is referred to in (b) above, which lot is 120,000 or more square feet in area and at the time of such approval was intended by the subdivider to be later resubdivided, may, within ten years after the effective date of the amendments set forth in these Regulations, be resubdivided by the original subdivider or a grantee who took title for the purpose of resale, on the basis of a minimum area of 60,000 square feet but otherwise in conformity with these Regulations, and the resulting lots shall be deemed to be conforming lots for all purposes.

/6 The maximum height of Communication Towers, Antennae and Telecommunications Facilities and Co-located Telecommunications Facilities may, subject to the

approval of the Town Plan and Zoning Commission, exceed the listed standard to a height that is necessary to satisfy the technical requirements of the intended location. However, in no event shall the entire height of the 'structure exceeds 200' feet. *(Effective on: September 27, 1995)*

/7 All new lots proposed in a Residence A District created after the effective date of this amendment, whether or not in a subdivision shall be of such shape that a square with 150 feet on each side will fit on the lot within the set back boundaries. *(Effective on: July 21, 1998)*

/8 All new lots proposed in a Residence A District that are: (1) created after the effective date of this amendment, and (2) located fifty percent (50%) or more within a drinking water supply watershed mapped or designated by the South Central Connecticut Regional Water Authority or Birmingham Utilities, Inc., shall contain a minimum of two acres of Buildable Lot Area. Buildable Lot Area is defined as that contiguous portion of a lot exclusive of and undivided by any areas of wetland soils and watercourse as defined in Section 22a-38 of the Connecticut General Statutes. All new lots must comply with this requirement whether or not they are part of a subdivision. *(Effective on: July 21, 1998)*

/9 All new lots proposed in a Residence A District created after the effective date of this amendment, whether or not in a subdivision shall be of such shape that a square with 150 feet on each side will fit on the lot within the set back boundaries. *(Effective on: November 9, 2001)*

/10 All new lots proposed in a Residence A District that are: (1) created after the effective date of this amendment, and (2) located fifty percent (50%) or more within a drinking water supply watershed mapped or designated by the South Central Connecticut Regional Water Authority or Birmingham Utilities, Inc., shall contain a minimum of two acres of Buildable Lot Area. Buildable Lot Area is defined as that contiguous portion of a lot exclusive of and undivided by any areas of wetland soils and watercourse as defined in Section 22a-38 of the Connecticut General Statutes. All new lots must comply with this requirement whether or not they are part of a subdivision. *(Effective on: November 9, 2001)*

3.1.3 Minimum Livable Floor Area Requirements. No dwelling hereafter erected shall contain less than the area specified below:

MINIMUM FIRST FLOOR AREA IN SQ. FT.
 MINIMUM TOTAL
 OF ALL FLOORS

<u>DISTRICT</u>	<u>IN SQ. FT.</u>	<u>1 STORY</u>	<u>1 ½, 2 & 2 ½ STORY</u>
A	1,200	1,200	900
B	1,000	1,000	900
BB	1,000	1,000	850
C & D	1,000	1,000	850

3.1.4 Maximum Number of Dwellings Per Lot. Not more than one building containing a Dwelling Unit or Units is permitted on a Lot.

Effective on: November 8, 1982

3.2 Additional Requirements in Use Districts

3.2.1 Cemeteries. Cemeteries and burying grounds are permitted, but only within the present boundaries of the existing cemeteries and burying grounds, and also, with the written approval of the Commission upon the occasion of each proposed extension, within extensions of such boundaries upon land abutting existing cemeteries and burying grounds or approved extensions thereof.

3.2.2 Residence Office. A Residence Office use may be permitted by the Commission by Special permit upon application subject to the provision of Section 3.1.2.1 and to the following: (a) the use shall be carried on wholly within the existing dwelling unit; (b) not more than 15% up to a maximum of 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 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 may be permitted.

- (a) Applicant shall submit a Site Plan showing the location of all the building(s) on the property, a floor plan indicating the square footage of the entire dwelling unit and the specific area and square footage allocated to the Residence Office;
- (b) The Special permit shall be personal to the Applicant residing on the premises and shall be of limited duration as determined by the Commission. The term of the Special permit may be extended upon application made to the Commission prior

to the expiration and may be revoked if any violation of any of the permit conditions occur.

- (c) Only one Residence Office Special permit per dwelling unit shall be granted.
- (d) A person previously granted a Special permit for a Residence Office before the effective date of this amendment, may, before expiration of the permit; apply for renewal of the same permit provided no increase in the previously permitted area and use is proposed.

Effective on: September 11, 1995

3.2.3 Swimming Pools. Swimming pools for personal use of a family resident on the premises are permitted in residence zones provided:

- (a) light sources shall not be visible beyond the boundaries of the lot;
- (b) that suitable planting or other means to conceal the pool and to reduce noise shall be provided between the pool and adjoining residential property;
- (c) that the pool shall be safeguarded by means of a suitable fence or other device;
- (d) that the pool is not closer to any side, rear or front lot line than required by Section 3.1.3, columns 6, 7, and 8.

3.2.4 Family Day Care Homes or Group Day Care Homes. In addition to the standards set forth in Section 3.1.2, Family Day Care Homes or Group Day Care Homes shall conform to the following standards:

- (a) The day care provider shall reside on the premises.
- (b) The use shall not exceed twelve (12) hours per day commencing no earlier than 6 A.M. and closing no later than 8 P.M.
- (c) The existence of one or more Family Day Care Homes or Group Day Care Homes in the neighborhood may be considered sufficient reason for denial of a new Family Day Care Home or Group Day Care Home application, if in the judgment of the Commission the cumulative impact of an additional facility would have a detrimental effect on the neighborhood.
- (d) The site shall be so situated, developed and utilized so as to minimize the detrimental effect on the privacy and/or tranquility of surrounding properties. Outdoor lighting, play areas and landscaping shall be designed and maintained so as to minimize adverse impacts on the residential character of the neighborhood.

3.2.4.1 The application for a Special permit shall be accompanied by:

- (a) A narrative report describing the proposed facility including a site plan to a scale of 1" = 20' prepared by a licensed Land Surveyor showing lot lines, lot area, location of residence, off-street parking, a safe drop-off area for children, landscaping, fenced outdoor play area and the topography of the site.
- (b) A letter from the Quinnipiac Valley Health District certifying the safety and adequacy of the water supply and sewage disposal system for the contemplated facility.

3.2.4.2 A Special permit may be granted for a limited period not to exceed five (5) years.

Effective on: July 10, 1992

3.3 Motels

3.3.1 Motel Requirements. In addition to the standards contained in Section 3.1.2 and Section 3.1.3 the following shall be provided:

- (a) Each motel shall contain an apartment for the resident manager of not less than 900 sq. ft. living space, and which apartment may be above the lounge.
- (b) There shall be not more than 20 motel rental sleeping rooms per acre of land.
- (c) Each motel structure shall contain not less than six (6) nor more than 12 individual rental sleeping rooms, unless each section of 12 units is separated by a fire-wall. Each such room shall have a private bath. Each structure may be connected with one or more additional similar structures by a covered walkway, if of fire resistive materials. Whether or not so connected, the nearest parts of the walls or corners of such structures shall be separated by space otherwise open of not less than 30 feet.
- (d) Each motel rental lodging unit shall contain not less than 350 sq. ft. total floor area enclosed by walls and roof, excluding roofed or covered walkways. Each dimensions, exclusive of bath or kitchenette.
- (e) Swimming pools, if any, shall conform to Section 3.2.3.

3.3.2 Motel Location and Site Plan Approval. A zoning permit for a motel (or for a motel addition or extension) shall be issued only after approval in writing by the Commission with or without any special conditions, of the motel location and site plan specified in such approval.

3.3.3 Study by the Commission. The Commission will study each motel location and site plan relative to the health, safety and welfare of the prospective motel occupants and operator, neighboring land-owners, and users of the adjoining highway, and of the own generally. Among other things, the Commission may consider:

- (a) Traffic safety and ease of access at road or highway entrances and exits of motel driveway, taking account of grades, sight distances and distance between such highway entrances or exits and the nearest existing road or highway intersections.
- (b) Safety and adequacy of motel driveway layout, parking and loading areas for motel patrons and for service vehicles such as electricity, gas, telephone, laundry, rubbish removal, water, sewer, fire or police cars or trucks.
- (c) Safe and adequate means of sewage, garbage, and rubbish disposal; of water supply and fire-fighting while awaiting the Fire Department; of heating, ventilating and cooking, if intended.
- (d) Assurance of (1) positive stormwater drainage from all driveways parking, loading areas; (2) landscaping; (3) building layout to protect motel bedroom windows from constant night invasion of automobile headlight beams or glare from illuminated signs or driveway lights; (4) sound-proofing between sleeping rooms; (5) windows not looking directly from room to room and rooms; and (6) lobby or office space for registration, room keys, safe-keeping of valuables, and waiting or writing.
- (e) Appropriateness of location chosen relative to the neighborhood including quietness and attractiveness of the setting and the amenity and pleasantness of the site plan.

3.4 Individual Lots

3.4.1 Corner Lots and Yard Requirements. On a corner lot each line which abuts a road shall be deemed to be a front lot line, and the required yard along both lot frontages shall be a required front yard. The owner shall elect, and so designate on the plot plan, which of the remaining two required yards shall be the required side yard and the required rear yard.

3.4.2 Sight Vision on Corner Lots. On all corner lots in all zoning districts no planting, structure, fence, wall or barrier to vision more than two feet in total height from the pavement elevation of the nearest road center line shall be placed, erected or maintained on that portion of such lot bounded by the intersecting front lot lines and a straight line connecting the two points located on the front lot lines at a distance of 100 feet in the A district and 25 feet in B, BB, C, D, BI and GB districts from the point of intersection of said lot lines.

3.4.3 Rear Lots. The provisions of this section are intended to regulate the use of rear lots. The Commission may authorize the issuance of a special permit, with or without conditions, to allow on a rear lot any use otherwise permitted in the Zone if it finds that such lot provides for the best development of the land and that the public health and welfare are not adversely affected. The approval of a rear lot shall be considered only in the following instances:

- (a) In the case of an existing rear lot: if the Commission determines that the lot has been unintentionally landlocked or unintentionally deprived of minimum lot frontage on an accepted street;

- (b) In the case of a parcel to be divided into two or more lots: if the Commission determines that the use of a rear lot is made necessary by unusual features peculiar to the land in question, such as difficult drainage, difficult configuration, temporary flooding, steep topography, public utility lines or easements.

It is not the intent of these Regulations to increase the density of land development by further division of existing house lots nor, in the case of a new subdivision, to encourage the creation of rear lots.

- 3.4.3.2 No rear lot shall be allowed unless there is provided for the exclusive use of such lot an unobstructed right-of-way at least 20 feet wide (in a subdivision 20 feet owned in fee simple). Such right-of way shall generally not exceed 500 feet in length, shall connect to a public road and shall be adequate to accommodate the free passage of fire apparatus or other emergency equipment. No more than two adjoining rights-of-way serving two individual rear lots shall be permitted. For purposes of this section the length of the right-of-way shall be the distance between the street line and front lot line as defined by the diagram for a rear lot in the section of Definitions of these Regulations.
- 3.4.3.3 A rear lot shall conform to all requirements of these Regulations except that excluding the area of the right-of-way – the area of the lot shall be not less than one and one half times that prescribed for the district in which it is located and no side or rear yard shall be less than twice the width prescribed for the district in which it is located. Except that a rear lot approved prior to the effective date of these Amendments and having a dwelling thereon shall not have to comply with the increased side or rear yard requirements. Regarding buildings or improvements on an existing or approved rear lot, the foregoing special permit shall not be required provided all other applicable provisions of these Regulations are complied with.

Effective on: December 19, 1979

3.4.4 Reduction of Lot Area. No lot area shall be so created or so reduced that the minimum area, width and other dimensions of the lot or any of the yard or open spaces shall be smaller than prescribed by these Regulations.

3.4.5 Every lot intended for building purposes shall be served by either its own water supply or septic disposal facility, or a public water or sewer service or a combination thereof and having its exclusive access drive for its own use.

Effective on: November 9, 2001

3.4.6 Lots divided by District Boundary. If any residential or commercial lot is divided by a residential or commercial district boundary, the part of such lot within each district shall be regulated by all Bulk Regulations of that district, except that the maximum building area of the permitted building – main, or accessory – shall not exceed the sum of the pro-rated building areas permitted in each part of the lot. The foregoing shall apply only to lots divided by the same use district boundary. If such a divided lot fronts on a road in two districts the more restrictive minimum required front yard depth shall control.

3.5 Automobile Parking and Loading Spaces

3.5.1 Number of Parking Spaces and Dustless Surface. In all zoning districts and on all lots there shall be provided off-street automobile parking areas, whether open or covered, or partly open or partly covered of not less than 300 sq. ft. per individual parking space in the amount specified in Section 3.1.2 entitled “Table of General Use Regulations”. Such off-street parking areas (except those used for dwelling purposes) shall be provided with a dustless surface which is to be maintained in good conditions at all times.

- (a) No plan for the use of land and erection or enlargement of a building or buildings thereon for any use except single family residences shall be approved unless it provides adequate off-street parking facilities, and no permit for the use of land and erection or enlargement of such building or buildings shall be granted until the plans shall have endorsed upon them the approval of the Town Planning and Zoning Commission as to off-street parking facilities.
- (b) All parking facilities in excess of 10 spaces shall have planting of trees throughout such asking area or areas according to a plan approved by the Commission.

3.5.2 Areas Usable as Parking Spaces. Areas which may be counted as open or enclosed off-street parking spaces for the purposes of Section 3.5.1 include any private garage, car port, or other area available for parking other than a road, travel portion of a private driveway, or a private turnaround.

- (a) Vehicles employed for commercial purposes may not be stored or regularly parked on any premises in a residential district except (1) school buses not exceeding two in number, (2) farm vehicles stored or regularly parked on a farm, (3) town owned vehicles stored or regularly parked on town property, and (4) a commercial vehicle parked or stored by an individual in a structure, which vehicle, individual and structure all qualify as such under the definition “GARAGE, PRIVATE” in Section 1.4.1. No provision hereof shall be construed as authorizing commercial use of any premises in a residential district.

3.5.3 Off-Street Loading Spaces. Accessory off-street loading space shall be provided for any lot for any use specified in Section 3.1.2, Column 4. No off-street loading space whether open or enclosed shall be located within a required front yard.

3.5.4 Dimensions of Off-Street Loading Spaces. Each required loading space shall be at least 15 feet wide, 15 feet high and 30 feet long in a GI and GB district and 60 feet long in a DEV-1

and DEV-2 district and may be located either within a building or in open space but not within required off-street parking areas or accessory drives thereto.

3.5.5 Change of Use and Parking. Except with respect to the erection or enlargement of a single family dwelling, whenever the use of any premises is to be changed or expanded, whether or not erection or enlargement of a building is involved, the proposed user shall submit to the Commission plans for off-street parking facilities and shall not undertake construction or the proposed use until the Commission has approved such plans and has issued a Certificate of Compliance in compliance with Section 9.3 of these Regulations.

3.6 Development Districts

3.6.1 Application. All applications for development in a development district shall follow substantially the procedures outlined below. A preliminary application containing all required information may be submitted in sketch form prior to fulfilling the requirements of Section 3.6. In its application the developer shall demonstrate to the satisfaction of the Commission that the proposed development will be in harmony with the Town Plan and will not result in:

- (a) significant dissemination of dust, smoke, gas, fumes, odor or other atmospheric pollutant, noise, light, heat, glare, vibration or radiation, electromagnetic or other interference with radio or television reception, beyond the boundaries of the zoning district in which it is located;
- (b) danger of injury to person and property on adjoining premises due to fire, explosion, radiation, or any similar cause;
- (c) discharge of harmful waste material;
- (d) unusual traffic hazards or congestion due to type or number of vehicles required.

3.6.2 Determination by Commission, Reports, and Continuous Enforcement. The Commission shall determine that each proposed use meets the standards enumerated above. The Commission may require such evidence as it deems necessary to determine whether or not the proposed use will reasonably conform to Section 3.6.1 above and in connection wherewith, the Commission 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. Where appropriate, the Commission may require the installation, maintenance and operation by the applicant, at applicant's expense, of continuous recording instruments to demonstrate the operation or effect of operation of any machines or devices used to control or lessen noise, glare, air pollution, water pollution, fire hazards or safety hazards.

3.6.3 Procedure.

- 3.6.3.1 No building shall be erected, altered or used and no lot or premises shall be used, except in conformity with a site plan proposed by the developer and approved by the Commission as complying with Section 3.6.1 set forth above, or in conformity with a similarly approved revision of such plan

- 3.6.3.2 An application for approval of a site plan, or for the modification of an approved site plan, shall be made in writing to the Commission by the developer of the property involved; shall be consented to in writing by the owner; and shall be accompanied by three copies of the proposed plan, which shall be accurate and in sufficient detail to establish compliance with requirements of this section.
- 3.6.3.3 Within sixty-five (65) days from the date of submission of the site plan or the submission of an amendment thereof, the Commission shall take action on the site plan. Such action shall consist of approval, conditional approval, or disapproval of the plan. Said time limitation may be extended by the Commission upon approval by the applicant in accordance with Connecticut General Statute Section 8-7d.(b) as amended from time to time.
- 3.6.3.4 Before approving any such site plan, the Commission shall determine that the requirements of this Section are met.
- 3.6.3.5 Written notice of the action of the Commission on a submitted site plan shall be given by the Commission to the applicant, the Building Inspector, the Zoning Enforcement Officer and the Board of Selectmen. If the Commission disapproves the plan, it shall state in its minutes the reason for such disapproval. Upon approval of a site plan, the Commission shall designate the Chairman or other member to endorse the approval and the date thereof upon the plan on its behalf. In the event of approval upon certain conditions, the applicable conditions shall be endorsed upon the plan.
- 3.6.3.6 With and upon filing of an application relating to contemplated new construction on a previously undeveloped lot, a change of use or addition or enlargement there shall be paid to the Commission 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. The filing fee is related solely to the consideration of such application by the Commission and shall have no effect whatsoever on such building permit or any other permit fees as must later accompany an application for any other required permit.

Effective on: January 14, 1981

3.6.4 Traffic Circulation.

- 3.6.4.1 Traffic access shall be from a public road of adequate capacity and design to handle the expected traffic, safely and conveniently. There shall be no traffic access to any use established in the district from any road that primarily serves residential neighborhoods unless approved by the Commission.

3.6.5 Required Buffer Strip in Lots Developed Under Section 3.6.

3.6.5.1 Where a development district abuts or is across a road from a residence district (including Konold's Pond) a 25 foot buffer area shall be planted and permanently maintained with evergreen landscaping of a type, height and spacing approved by the Commission as adequate suitably to screen such use from the adjoining residential area or areas throughout the year. Within these buffer areas, existing tree growth may be preserved and augmented. (See, however, Section 3.4.2).

3.6.5.2 Where a parking area abuts on a residential district, no portion of the required parking area shall be in the front yard nearer to the lot line than 25 feet, which 25 foot depth shall be maintained as a buffer strip as required by Section 3.6.5.1. In the case of other rear yard and side yard areas, parking areas shall not be closer than 15 feet to the rear or side lot line, which 15 foot depth shall be landscaped. There shall be no parking or storage of trucks in any parking area abutting a residence district.

3.6.5.3 The area of a lot not occupied by buildings or loading and unloading areas, parking areas, vehicular access, sidewalks and screening, shall be well maintained and landscaped.

3.6.5.4 A chain link fence or other wall or fence at least six (6) feet in height shall be installed and maintained along all lot lines adjoining a residence district.

3.6.6 Lighting in Lots Developed Under Section 3.6.

3.6.6.1 Necessary Lighting of building and parking areas shall be permitted, but lights shall be of such a type and so located that their light source is not visible beyond the boundaries of the lot on which they are located. Hours of lighting may be limited in the approval of plans.

3.6.7 Drainage and Sewerage.

3.6.7.1 The plan and the method of disposition of stormwater and sanitary sewage shall be indicated on the site plan and shall be in compliance with appropriate state and local laws.

3.6.8 Area and Dimensions of Lot and Yards.

3.6.8.1 In the case of a group development consisting of two or more lots in separate ownership with access and open spaces appurtenant to the group and shown on the building and site plans therefor and approved in accordance with the provisions of Section 3.6, the land occupied by the group development shall have an aggregate area of not less than one (1) acre per building and individual use in the group. In the case of such a group development the Commission may by special approval reduce the

minimum lot width and yard requirements between buildings in such group and permit the pooling of parking and loading spaces to the extent necessary to obtain a more advantageous grouping of structures.

- 3.6.8.2 Minimum side yard - 30 feet set back, except where a lot abuts a street, in which case it shall be the same as the front yard depth, and except where the lot abuts a residence district, in which case it shall be at least 75 feet.
- 3.6.8.3 Minimum rear yard - 30 feet, except where the lot abuts a residence district, in which case the yard shall be at least 75 feet.
- 3.6.8.4 Reduction in Required Yards. Where a yard adjoining a residence district is not developed or used for parking or other business purposes and has no access to the building from such yard, the required yard may be reduced to 45 feet.

3.6.9 Nursing Homes and Planned Residential Care Developments for the Elderly are permitted subject to applicable conditions in Section 3.6 and the conditions of this subsection.

- 3.6.9.1 Nursing Homes. Nursing homes are permitted subject to applicable conditions in Section 3.6 and the 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.
- 3.6.9.2 Active Adult Planned Developments (AAPD) are permitted subject to applicable conditions in Section 3.6 and subject to Section 3.11.

Effective on: October 2, 2006

3.7 Outside Storage

3.7.1 Outside Storage in Residence Districts. The outside storage of any materials, objects or things in Residence Districts, where such outside storage is not a customary accessory use to the

principal use of the property as permitted by these Regulations in the district in which the property is located, is hereby prohibited unless such stored materials, objects or things are screened from view on all side, by plantings, opaque fencing or other appropriate screening devices. This prohibition shall apply especially, but without limiting its generality in any way, 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. This prohibition 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.

3.7.2 Outside Storage in Non-Residence Districts. In all districts other than Residence Districts, where such storage or display is otherwise permitted by these Regulations, the outside storage or display of materials, objects or things 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, 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:

- 3.7.2.1 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.

- 3.7.2.2 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.

- 3.7.2.3 All other outside storage or display of materials, objects or things (except that referred to in Section 3.7.2.1) 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.

3.7.2.4 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.

3.7.3 Outside storage and outside display areas in all districts shall not extend into required front yards except that in instances of existing buildings such front yard requirement may be reduced to the existing building line.

3.7.4 Trash Containers.

All trash containers located on the exterior of a commercial site shall be fully screened from public streets and adjacent properties by an opaque wall or fence.

Effective September 15, 2014

3.8 Park Districts

3.8.1 Description and Purpose. These districts are established to set aside and protect areas that are publicly or semi-publicly owned and are designed as parks and open spaces.

3.8.2 Uses Permitted. In a Park District a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

- 3.8.2.1 Public parks, playgrounds and open spaces, and uses incidental thereto.

3.9 Requirements in BI (Business and Industrial) District and GB (General Business) District

3.9.1 Application. All applications for the use of property in a BI (Business and Industrial) District and GB (General Business) District shall follow substantially the procedures outlined below. A preliminary application containing all required information may be submitted in sketch form prior to fulfilling the requirements of Section 3.9. In its application, the applicant shall demonstrate to the satisfaction of the Commission that the proposed use will be in harmony with the Town Plan and will not result in:

- (a) significant dissemination of dust, smoke, gas, fumes, odor or other atmospheric pollutant, noise, heat, glare, vibration, or radiation, electromagnetic or other

interference with radio or television reception, beyond the boundaries of the property to which the application pertains;

- (b) danger of injury to person and property on adjoining premises due to fire, explosion, radiation, or any other cause;
- (c) discharge of harmful waste material;
- (d) unusual traffic hazards or congestion due to type or number of vehicles involved.

3.9.2 Determination by Commission, Reports and Continuous Enforcement. The Commission shall determine that each proposed use meets the conditions enumerated above. The Commission may require such evidence as it deems necessary to determine whether or not the proposed use will reasonably conform to Section 3.9.1 above and in connection therewith, the Commission may obtain technical advice at the expense of the applicant, 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.. Where appropriate, the Commission may require the installation, maintenance and operation by the applicant, at applicant's expense, of continuous recording instruments to demonstrate the operation or effect of operation of any machines or devices used to control or lessen noise, glare, air pollution, fire hazards or safety hazards.

3.9.3 Procedure.

- 3.9.3.1 No building shall be erected, altered or used and no lot or premises shall be used or changed in use, except in conformity with these Regulations and approved by the Commission as complying therewith following the submission of an application therefor.
- 3.9.3.2 Such application shall be made in writing to the Commission by the applicant; shall be consented to in writing by the owner; and shall be accompanied by three copies of the proposed plan, which shall be accurate and in sufficient detail to establish compliance with the requirements of these Regulations.
- 3.9.3.3 Within sixty-five (65) days from the date of submission of the application or the submission of an amendment thereof, the Commission shall take action thereon. Such action shall consist of approval, conditional approval, or disapproval. Said time limitation may be extended by the Commission upon approval by the applicant.
- 3.9.3.4 Before approving any such application, the Commission shall determine that the requirements of these Regulations are met.
- 3.9.3.5 Written notice of the action by the Commission on a submitted application shall be given by the Commission to the applicant, the Building Inspector, the Zoning Enforcement Officer and the Board of Selectmen. If the Commission disapproved the application, it shall state in its minutes the reason for such disapproval. Upon approval of an application, the

Commission shall designate the Chairman or other member to endorse the approval and the date thereof upon the application and the plan in its behalf. In the event of approval upon certain conditions, the applicable conditions shall be endorsed upon the application and the plan.

3.9.4 Traffic Circulation. Traffic access to and from the property to which the application pertains shall be from a public road of adequate capacity and design to handle the expected traffic, safely and conveniently. There shall be no traffic access to any use established in the BI (Business and Industrial) District and GB (General Business) District from any road that primarily serves residential areas unless approved by the Commission.

3.9.5 General Requirements.

- 3.9.5.1 Where a GB (General Business) District abuts on the side or rear on a Residence District a 15 foot buffer area shall be planted and permanently maintained with evergreen landscaping of a type, height and spacing approved by the Commission as reasonable suitable to screen such use from the abutting residential area or areas throughout the year. Within these buffer areas, existing tree growth may be preserved and augmented (subject, however, to the requirement of Section 3.4.2). In the event that such 15 foot buffer area above referred to would interfere with any easement and/or right-of-way legally established on the effective date of this amendment and which cannot feasible be relocated, the Commission may require that said buffer area be located immediately adjoining said easement and/or right-of-way and as specified above. The requirements of this section may be modified and/or waived by the Commission if it finds that topographic circumstances and/or existing natural features warrant such modification and/or waiver.
- 3.9.5.2 Where a parking area in a GB (General Business) District abuts on a Residence District, no portion of the required parking area shall be in a required front, side or rear yard nearer to the lot line than fifteen feet.
- 3.9.5.3 The area of a lot not occupied by buildings or loading and unloading areas, parking areas, vehicular access, sidewalks, storage areas and screening, shall be well maintained and landscaped.
- 3.9.5.4 A fence or wall at least six feet in height may be required and shall be maintained along all lot lines adjoining a Residence District where in the opinion of the Commission preservation of adjoining property values requires the same.
- 3.9.5.5 In the case of a group development consisting of two or more lots in separate ownership with access and open spaces appurtenant to the group and shown on building and site plans therefor and approved in accordance with the provisions of Section 3.9, the land occupied by the group development shall have an aggregate area of not less than specified in

Section 3.1.3, Table of General Bulk Regulations, per building and individual use in the group. In the case of such a group development, the Commission may, by special approval, reduce the minimum lot width and yard requirements between buildings in such group and permit the pooling of parking and loading spaces to the extent necessary to obtain a more advantageous grouping of structures.

3.9.6 Lighting.

3.9.6.1 Necessary lighting of building and parking areas shall be permitted, but lights shall be of such a type and so located that their light source is not visible beyond the boundaries of the lot on which they are located. Hours of lighting may be limited by the Commission.

3.9.7 Drainage and Sewerage.

3.9.7.1 The plan and method of disposition of storm water and sanitary sewage shall be indicated on the plan and shall be in compliance with appropriate state and local laws.

3.9.8 Plan Submission Requirements.

3.9.8.1 Statement of Use. A written statement describing the proposed use in sufficient detail to determine compliance with the permitted use provisions in BI (Business and Industrial) District and GB (General Business) District shall be submitted with the application.

3.9.8.2 Site Plans. All plans shall be based on an A-2 survey prepared by a land surveyor licensed to practice in the State of Connecticut to a scale of not less than 1" = 20' nor more than 1" = 100', shall be clearly dimensioned and labeled and show existing and proposed:

- (a) contours
- (b) property lines including total square footage
- (c) buildings including square footage
- (d) signs (including directional signs)
- (e) structures including square footage
- (f) outdoor illumination by type and location
- (g) streets
- (h) driveways
- (i) easements

- (j) the number of off-street parking and loading spaces, delineated and dimensioned
- (k) outside storage areas and screening
- (l) water course
- (m) storm drainage
- (n) sewage disposal facilities
- (o) water supply facilities
- (p) landscaping (including the location and type of trees and/or shrubs, lawn, other landscaped areas and natural terrain not to be disturbed)
- (q) elevation of buildings, structures and signs
- (r) proposed use(s) of land and/or building(s)
- (s) indicate the current names and addresses of all abutting owners (including those across the street)

Effective on: March 13, 1995

- (t) Indicate in comparative tabular form the information required by Section 3.1.3 of these Regulations entitled “Table of General Bulk Regulations” showing (a) existing dimensions (b) standards required by Section 3.1.3 and (c) standards proposed by the applicant

Effective on: March 13, 1995

3.9.8.3 The Commission may by resolution, waive any item of the required submission under Section 3.9.8.2 if it finds that the information is not necessary in order to decide on the application. The Commission may also request the submission of such additional information as it may deem necessary in order to determine compliance with these Regulations.

3.9.9 Child Day Care Centers. Child day care centers are permitted subject to applicable standards in Section 3.9 and other applicable regulations with the following conditions:

- (a) There shall be an open, dry and graded outdoor area suitable for recreation with a minimum of 75 square feet per child (based on the maximum programmed occupancy of the recreational area and not based on total capacity of the child day

care center as proposed by the applicant) so located and protected by a fence for safety as to avoid the possibility of receiving bodily injury from accident hazards.

- (b) All entrances and exits shall be paved and shall have direct access to a public street.
- (c) The lot shall be served by sanitary sewers and public water.
- (d) The facility shall be approved by the appropriate local and/or state agencies before a zoning permit is issued.
- (e) One on site parking space shall be shown on the site plan for each ten (10) children attending the day care center to serve as a drop-off and/or pick-up space.
- (f) Existing and proposed landscaping (including the location and type of trees and/or shrubs, lawn or other landscaped areas) shall provide appropriate screening and be in keeping with the landscaping treatment of the Gateway Project on Amity Road plans and specifications of which are on file in the' Office of the Town Planning and Zoning Commission, Town Hall, Woodbridge, Connecticut.

Effective on: July 21, 1998

3.9.10 Seasonal Outdoor Dining Areas. The Town of Woodbridge wishes to promote commerce in the General Business and Business and Industrial Districts and recognizes that outdoor dining is an amenity that promotes pedestrian traffic and highlights the Woodbridge Gateway. The following procedures and guidelines have been established in order to obtain permits for proposed Seasonal Outdoor Dining Areas.

- (a) Seasonal Outdoor Dining Areas as approved by the Commission, are only allowed in the General Business, Business and Industrial and Development 1 Districts only for Restaurant, Fast Food Restaurant and Retail Food Establishments.
- (b) Seasonal Outdoor Dining Areas shall be contiguous with the establishment with which they are associated and may be allowed on porches or decks.
- (c) Seasonal Outdoor Dining Areas, dining seating and tables are 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 Marshall.
- (d) Seasonal Outdoor Dining Areas shall close no later than 11:00 p.m.
- (e) Seasonal Outdoor Dining Areas that have a clear line of sight to a Residential District (not blocked by a building) might be reviewed by the Architectural Review Board.

- (f) Seasonal Outdoor Dining Areas shall not:
 - obstruct or impair vehicular or pedestrian traffic
 - impinge on required front yard landscape areas and vegetative buffers that were planted as of the effective date of this regulation.
 - reduce or impinge upon required off-street parking or loading spaces
- (g) Any non-vegetative shading devices for use with Seasonal Outdoor Dining Areas shall be of a nonpermanent 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.
- (h) Seasonal Outdoor Dining Areas may not be used all year round. When not in use all structures and furniture shall be removed from the area. When in use, tables and chairs associated with Seasonal Outdoor Dining Areas shall not be considered as outdoor storage and display.
- (i) In addition to required parking for indoor seating, one additional parking space for every four outdoor dining seats shall be provided.
- (j) Any Seasonal Outdoor Dining Area cannot exceed 4 tables/16 seats unless there are waitpersons to serve patrons. Where all food service is conducted by waitpersons, the outdoor dining area cannot 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.
- (k) 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 during the course of day or night as may be required to keep the area clear of litter and debris as if the Seasonal Outdoor Dining Area did not exist.
- (l) No outside audio systems are permitted.
- (m) There shall be no additional signage for the Seasonal Outdoor Dining Area.
- (n) Aside from individual table lighting, such as candles, there shall be no additional exterior lighting installed.
- (o) Failure to adhere to the foregoing standards may result in the revocation of the permit until such time that the violation has been corrected.

Effective on: May 20, 2011

3.9.11 .1 Seasonal Outdoor Permit Process Applicants may apply to the Town Plan and Zoning Commission for an outdoor dining permit, as follows:

- (a) The applicant must provide the following information on a site plan of development prepared in accordance with Section 9.1 of the Zoning

Regulations. The Commission may require a public hearing on the application.

- Location of Buildings
- Number of parking spaces required for the entire restaurant, plus location of required parking.
- Location of proposed outdoor dining, including surface upon which tables will be placed.
- Number of tables/seats identified
- Written description of outdoor dining area amenities; for example, “15 wrought iron tables, 30 wrought iron chairs, an umbrella over each table, new awnings”, etc.

(b) All Seasonal Outdoor Dining Area applications shall be accompanied by a signoff from the Quinnipiack Valley Health District, Police Department and Fire Marshal, as applicable prior to the issuance of a zoning permit.

Effective on: May 20, 2011

3.10 Woodbridge Village District (WVD)

Effective on: August 14, 2006

3.10.1 Authority. These regulations have been adopted pursuant to C.G.S. Sections 8-2 and 8-2j, as amended.

3.10.2 Purpose. The purpose of this Section 3.10 of the regulations is to protect the distinctive character, landscape, and historic structures within the Woodbridge Village District in accordance with the goals set forth in the Woodbridge Plan of Conservation and Development.

3.10.3 Applicability.

3.10.3.1 These regulations shall apply to all applications for new construction and substantial reconstruction or rehabilitation of properties within the WVD and in view from public roadways, including but not limited to:

- (a) The design and placement of buildings;
- (b) The maintenance of public views;
- (c) The design, street hardware, lighting, paving materials and placement of public roadways and pedestrian walkways;
- (d) Construction of new landscaped areas and regrading of existing landscaping

- (e) Buffering and screening;
- (f) Fencing;
- (g) Signage;
- (h) Replacement of exterior structural surfaces and components, including structure colors, roofing materials, with materially different surfaces, such as a change from clapboard siding to vinyl or aluminum siding, or from stucco to wood siding, or from slate roof tiles to asphalt shingles.

3.10.3.2 These regulations shall not apply to detached single-family homes.

3.10.4 Review.

3.10.4.1 Site Plan Review. The following activities or uses conducted in the WVD must receive site plan approval from the Commission before work may begin and before building permits may be granted for: construction, reconstruction, and rehabilitation of buildings; exterior changes to buildings, lots or structures that require a building permit; erection of fencing; all creation of new landscaped areas and regrading of existing landscaping; and all design and construction of public roadways and pedestrian walkways.

3.10.4.2 Required Information. All Applications to which this Section 3.10.4 is applicable, as specified in section 3.10.3, shall include the following information, unless specifically waived by the Commission:

- (a) refer to Section 9.1.2 for site plan requirements;
- (b) detailed statement of use;
- (c) survey or scaled site plan indicating the locations of all structures on adjacent parcels and the proposed structures and site improvements;
- (d) indication of all areas of the proposed development;
- (e) streetscape rendering or photo montage of the proposed development and the buildings and site development on either side of it for a distance of at least three hundred (300) feet in each direction;
- (f) samples of building, paving and other site materials, including actual colors, not photographic copies;

- (g) details for all miscellaneous site structures including, but not limited to, trash receptacles, planters, mechanical or electrical equipment, furniture, exterior building lights, and signage;
- (h) details or samples of all major building trim;
- (i) statement regarding the environmental compatibility of the project;
- (j) statement regarding attempts made to coordinate with and complement surrounding historical, architectural and design elements;
- (k) statement regarding the history of the site;
- (l) the Commission may also require a three-dimensional model of the proposed structure or elements thereof when it deems that such is necessary to fully determine compliance with this Section 3.10.4.

3.10.5 Architectural Review Board Review.

- 3.10.5.1 All applications for new construction and substantial reconstruction within the WVD and in view from public roadways shall be subject to an advisory review and recommendation by Architectural Review Board, consistent with the Architectural Review Guidelines for the Woodbridge Village District set forth in the Appendix 1 of these Regulations.
- 3.10.5.2 The applicant must submit a copy of its application, including all associated application materials, to the Architectural Review Board no later than the date it submits the original application and materials to the Commission.
- 3.10.5.3 The Architectural Review Board shall report to the Commission within thirty-five days of its receipt of such application. Its report and recommendation shall be entered into the public record and considered in the decision. Failure of the Architectural Review Board to report within the specified time shall not alter or delay any other time limit imposed by the Regulations.
- 3.10.5.4 The Commission may seek other reports and recommendations from any town or regional agency or outside specialist, including, but not limited to, the regional planning agency, the municipality's historical society, the Connecticut Trust for Historic Preservation and The University of Connecticut College of Agriculture and Natural Resources. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

3.10.6 Decisions of the Commission. For all applications in the WVD, the Commission shall state on the record the reasons for any decision and, if the Commission denies an application, it shall cite the specific regulations under which the application was denied.

3.10.7 Effective Date. No approval of the Commission to grant an application for zoning permit or site plan review in the WVD shall be effective until a copy thereof, certified by the Chairman, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision is recorded on the land records. Such recording shall be the responsibility of the applicant.

3.10.8 Criteria For Determination.

- 3.10.8.1 Impact on Public Views. The Commission shall consider the design, scale, relationship and compatibility of structures, plantings, signs, roadways, street hardware and other objects in public view.
- 3.10.8.2 Standards in Other Sources. The Commission shall follow the Woodbridge Village District Design & Landscape Standards as contained in these Regulations and the recommendations of the Town Plan of Conservation and Development.
- 3.10.8.3 Statutory Standards. Applications shall comply with any and all specific standards and criteria set forth in applicable provisions of the Connecticut General Statutes, including but not limited to those in C.G.S. Section 8-2j, and more specifically including, but not limited to, the following:
 - (a) that proposed buildings or modifications to existing buildings are harmoniously related to their surroundings, to the terrain in the WVD in which they are located, and to the use, scale and architecture of existing buildings in the vicinity that have a functional or visual relationship to the proposed building or modification;
 - (b) that all spaces, structures and related site improvements that are visible to the public from public roadways are designed to add to the visual amenities of the area consistent with those of the WVD in and around the proposed building or modification;
 - (c) that the color, size, height, proportion of openings, roof treatments, building materials and landscaping of commercial or multi-family residential property and any proposed signs and lighting be evaluated for compatibility with the local architectural character and the maintenance of views, historic buildings, monuments and landscaping within the WVD;
 - (d) that the removal or disruption of historic traditional or significant structures or architectural elements are minimized; and

(e) that development is designed to achieve the following compatibility objectives:

2. the building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the WVD; they shall protect, fortify and enhance existing residential neighborhoods;
3. proposed development shall provide for complementary, owner occupied residential development with due consideration given to age restrictions;
4. definition, creation and preservation of greens, parks and open spaces;
5. proposed streets shall be connected to the existing WVD road network, wherever possible;
6. open spaces within the proposed development shall reinforce open space patterns of the WVD in form and siting;
7. locally significant features of the site such as distinctive buildings, vistas or sight lines shall be integrated into the site design;
8. the landscape design shall complement the WVD's landscape patterns;
9. the exterior signage, site lighting and accessory structures shall support a uniform architectural theme and shall be compatible with the surroundings;
10. the scale, proportion, mass and detailing of any proposed building shall be in proportion to the scale, proportion, mass and detailing in the WVD;
11. a pedestrian friendly network of sidewalks;
12. attract additional complementary commercial enterprises;
13. upgrade streetscape on Amity Road, Litchfield Turnpike, Lucy Street and Bradley Road with new sidewalks and landscaping, benches, and village style lamppost lighting;
14. accommodate parking needs while maintaining village aesthetics.

3.10.9 Use. Uses at any underlying zoning district shall be permitted within the WVD.

3.10.10 Lot Size, Setbacks, Lot Coverage. Lot size, coverage and yard requirements for any parcel within the WVD shall be as specified for the underlying zoning district

3.10.11 Height. Maximum building height at any location within the WVD shall be as specified for the underlying zoning district.

3.11 Active Adult Planned Developments (AAPD)

Effective on: October 2, 2006

3.11.1 Purpose.

Active Adult Planned Developments (AAPDs) may be established by the Commission in accordance with the procedures specified in this section. AAPDs may be established when the Commission determines that it is desirable to consider an entire parcel of land as single unit of development for the purpose of site planning and utilities so that there is a coordinated and orderly plan of development.

The purpose of the AAPD is to provide for the establishment of a planned development district that permits the construction of alternative housing types and a mix of retail and commercial uses to meet the needs of those age 55 and older, by providing a walkable, traditional neighborhood design. Provision of age restricted housing with special design features is in keeping with the goals and objectives of the Town of Woodbridge Plan of Conservation and Development to expand the housing supply to meet the diverse needs of continued growth, specifically the increased need for housing to reflect evolving demographic patterns.

3.11.2 Effect. Any proposed development must meet the requirements of this section 3.11, as well as the requirements of the underlying district or districts, including those of the Village District. In the case of a conflict between the requirements of the AAPD as set forth in this section 3.11 and any other provision of the Zoning Regulations, including those of the DEV-1 district but not including the provisions of the Village District, the requirements of the AAPD shall control.

3.11.3 Qualifying Standards.

- (a) The proposed development shall be designed to meet the needs and requirements of an active adult community, and shall be created so that the future use of the development shall comply with the requirements of age restricted residential housing, as defined in section 3.11.4 herein.
- (b) The proposed development shall fully comply with the provisions of the United States Fair Housing Act, as amended, and Connecticut General Statutes § 45a-64b, as amended, as it pertains to "Housing for older persons." This includes compliance with any and all rules promulgated by the United States Department of Housing and Urban Development which govern the implementation of such act.
- (c) The proposed development shall be a common interest ownership community as defined in Chapter 828 of the Connecticut General Statutes. Community space

and other accessory uses may be provided for the use of residents for recreational, meeting and office purposes.

- (d) The proposed development, the use of land, buildings and other structures, the location and bulk of the buildings and other structures, and the development of the parcel(s) shall be of a character as to harmonize with the neighborhood, to accomplish a transition in character between areas of unlike character, to protect property values and to preserve and enhance the appearance and beauty of the community.
- (e) The proposed development shall adequately provide for vehicular access to the development and circulation within the development in such a manner as to safeguard against hazards to traffic and pedestrians in the street and within the development, to avoid traffic congestion on any street and to provide safe and convenient circulation within the development.

3.11.4 AAPD Application Requirements.

An application for an AAPD shall be submitted on a form prescribed by the Commission. The application shall include or be accompanied by the following:

- (a) Development Plans - A development plan for the proposed development, including site plans, architectural plans and other drawings as relevant, in sufficient detail to show the precise boundaries of the proposed development and the character and location of existing and proposed contours, uses, building and other structures, signage, outdoor illumination, streets, driveways, off-street parking and loading spaces, outside storage areas, wetlands and water courses, storm drainage, sewage disposal facilities, water supply facilities and landscaping. Such plans shall comply with the requirements set forth in § 9.1.2 of these Regulations. Twelve copies shall be submitted to the Commission.
- (b) Soil Erosion & Sedimentation Control Plan - A Soil Erosion & Sedimentation Control Plan drawn to the scale of not less than 100 feet to the inch, containing provisions to adequately control runoff on the proposed site. The plan shall show existing and proposed topography cleared and graded areas, proposed area alterations and the location of sediment measures and facilities. The narrative shall describe the project, the schedule of major grading and construction detail and the maintenance program for the installed erosion and sediment control facilities. The erosion and sedimentation control plan shall be prepared by and bear the seal of a professional engineer, architect or landscape architect licensed to practice in the State of Connecticut.
- (c) The Commission may require plans for appropriate fencing and/or landscaping of suitable type, density and height in order to effectively screen the proposed uses from adjacent properties and streets.

3.11.5 Age and Occupancy Restrictions.

All AAPDs shall be created to restrict occupancy of residential units so that at least one adult occupant of each dwelling unit is 55 years of age or older, and there is no permanent resident under the age of 19 years. Each visitor under the age of 19 years may stay for a maximum period of eight (8) weeks during any calendar year.

- (a) Each dwelling unit in an AAPD shall only be occupied by:
 - 1. Persons who are 55 years of age or older.
 - 2. A spouse of an occupant who is 55 years of age or older.
 - 3. An occupant pursuant to b. above who survived his or her spouse.
 - 4. An occupant pursuant to b. above whose spouse has entered into a long-term continuing care facility.
 - 5. Up to two children 19 years of age or older may reside with their parent(s), provided such parent(s) comply(ies) with this section 3.11.5(a).

In 3. and 4. above, remaining spouses who remarry or cohabitate must meet all occupancy requirements. For the purpose of these AAPD Regulations, the term “spouse” shall include a “party to a civil union,” as defined in C.G.S. § 46b-38aa et seq.

- (b) In no event may a dwelling unit be occupied by more than four residents, not including overnight guests or care-givers.
- (c) Nothing in this section shall excuse compliance with the “housing for older person” requirements of 42 U.S.C. § 3607 (including any amendments thereto after the effective date of this regulation) and the regulations adopted thereunder. The burden of complying with said law and regulations shall be on the owner or user of the property affected by this regulation.

3.11.6 Permitted Uses within an AAPD. Except where indicated otherwise, an AAPD may include any or all of the following:

- (a) Age-restricted residential single family detached homes.
- (b) Age-restricted residential single family attached homes, including townhomes, with a maximum of eight units in any one building, provided that a break in the front façade shall occur after every two units to provide visual relief and discourage large, solid, unbroken walls.
- (c) Retail, restaurants and commercial uses:

An AAPD shall include no less than 10,000 square feet and no more than 10% of the cumulative gross floor area of retail, restaurant, service, civic, or office space. Such permitted uses include, but are not limited to, the following: retail, retail

service, grocery store, convenience store, financial institution, health/recreation/fitness facility or spa, restaurant, medical or dental office, professional office, farmers' market, photo or art gallery, florist, gift shop, bakery, pharmacies, salon, barber shop, and restaurants, coffee shops, or delicatessens including those with outdoor seating, in either separate or mixed-use buildings. Drive-throughs are prohibited.

- (d) Multi-family buildings with not more than 20 age-restricted residential units in a single building, which buildings may also include restaurants, retail, commercial, or community uses.
- (e) Accessory buildings and structures.
- (f) Community centers, civic offices, and post offices.
- (g) Bus Stops (not to include the parking of more than two buses at one time).

3.11.7 Development Standards.

- (a) Lot Area. The minimum cumulative lot area of any one AAPD shall be 10 acres, provided that such minimum area may be comprised of land on either side of a public street.
- (b) Dwelling Units. The average maximum number of dwelling units per acre is ten.
- (c) Building Coverage. The aggregate ground cover for all dwellings and accessory buildings shall not exceed thirty percent (30%) of the lot area.
- (d) Access. All single family attached and detached homes shall have a dedicated doorway connected by a walkway to frontage sidewalks. Combined residential and commercial units and non-residential units shall have client frontage to public sidewalk.
- (e) Living Area. The minimum living area of each dwelling unit shall be no less than 1,000 gross square feet provided that multi-story attached or detached single family homes shall provide a minimum 1,000 gross square feet on the first floor.
- (f) Height of Buildings. The maximum building height of any building shall be three stories as defined by the applicable building code, or 45 feet as measured to the centerline of the roof. No space having its entire floor level below the finished grade shall be used for dwelling purposes.
- (g) Distance Between Buildings. The minimum distance between buildings shall be twenty (20) feet (excluding open patios and decks not exceeding 125 square feet, and steps and walkways).

- (h) Ceiling Height. All habitable interior spaces used for dwelling purposes shall have a clear ceiling height of not less than seven (7) feet, six (6) inches throughout the entire floor area thereof, except in the case of loft or cathedral ceilings.
 - (i) Bedrooms. There shall be a maximum of three (3) bedrooms per living unit.
 - (j) Parking, Loading, and Refuse Collection.
6. Parking. Applicants shall provide adequate parking to serve the AAPD. Garage, driveway, on-street and off-street parking areas will be considered to determine adequacy. The applicant shall submit a parking study indicating parking demand, proposed land uses, and rationale for satisfying the parking demand of the proposed land uses. Unless the applicant can demonstrate the adequacy and viability of a proposed reduction based upon shared parking, the following standards shall be met:
- (a) Single family attached or detached units: two (2) spaces per unit. Each space within an attached garage serving a unit shall count as one (1) parking space, up to a maximum of two (2) spaces per garage. Each driveway space serving a unit shall count as one (1) parking space, up to a maximum of two (2) spaces per driveway.
 - (b) Living units within a mixed-use building: two (2) spaces per one bedroom unit and two (2) spaces per two (2) or three (3) bedroom unit.
 - (c) Office: 4 spaces/1,000 square feet of gross floor area.
 - (d) Retail: 4 spaces /1,000 square feet of gross lease area.
 - (e) Restaurant: 1 space for every 3 patron seats.
7. Parking Spaces. All on-street and off-street parking spaces shall be 9' x 18'. Parallel parking spaces shall be 8' x 23'.
8. Loading Area. All proposed roadways and driveways shall be of sufficient width to accommodate a parked vehicle at curb-side engaged in loading and/or unloading activity and a moving vehicle. Loading zones shall contain sufficient height clearance and shall be located as conveniently as practical to each building within the development. Loading areas shall be 60' long x 15' wide, whereas a minimum of 10'-0" width shall be level street or driveway surface with the remainder permitted as raised sidewalk accessible by appropriately-located drop curbs.
9. Refuse Area. Centralized refuse areas incorporating trash and recyclable collections shall be provided for mixed use buildings. Such centralized

locations may be located within each building or at a separate location designed to accommodate multiple buildings.

10. Snow Storage. The applicant shall provide for snow removal and storage and designate the location for snow storage on the site plan.
- (k) Buffer Area and Setbacks. The buffer area and setbacks shall conform to the standards for (i) buffer areas as set forth in Section 3.6.5 and (ii) setback requirements of the DEV-1 zone when non-residential uses abut or are directly across the street from existing residential properties. In keeping with the goal of creating a traditional neighborhood design, the Commission may waive the standards for buffer area and all setbacks if the proposed development in the opinion of the Commission would achieve a safe, aesthetically attractive, well-designed layout, and therefore such buffers and setbacks are deemed not to be desirable by the Commission.
- (l) Conditions. The Commission may impose conditions to require the applicant to take such actions as are necessary to ensure that the housing meets and continues to meet the age restriction requirements of this section 3.11. Such conditions may include, without limitation, deed restrictions, periodic reporting, affidavits of purchasers, renters, authorized representatives of any homeowners' or unit owners' association, stipulated ownership and management policies and procedures, and appropriate association governance. The Commission may require the applicant to submit any or all of this documentation prior to or during the hearing, for review by the Commission and its legal counsel.
- (m) Community Areas for Recreation. The applicant shall provide an area or areas for passive and/or active recreation for the residents of the AAPD. Such areas shall include open space accessible to the public with walkways, sitting areas (covered or uncovered), landscaping and lighting in conformance with Section 3.11.7.18, "Streetscape, Landscape and Site Furnishings." Space shall be configured so that a centralized open space will accommodate a minimum 100' by 100' square. Such space shall exclude roadways, roadway right-of-way, stormwater detention or retention areas, and above-grade utility structures. Accessory buildings or other community-oriented buildings may be permitted subject to approval by the Commission. The architecture of any such structure shall complement architecture of surrounding buildings.
- (n) Utilities. The AAPD must be served by public sewer service and public potable water supply. All visible, above-grade utility structures, including but not limited to electrical control panels, meters, back flow prevention devices, transformers, etc., shall be sufficiently screened from view with landscaping in conformance with landscape provisions in Section 3.11.7(r). All proposed electric utility wires shall be placed underground.
- (o) Circulation and Access. Development of more than one hundred (100) bedrooms shall have a second access to a town or state maintained highway. Interior roads

and access ways serving more than two (2) dwelling units shall have a paved surface of a least twenty (20) feet wide, a minimum slope of one percent (1%) and a maximum slope of ten (10) percent, and shall have a sidewalk on one side if deemed reasonably necessary by the Commission.

- (p) Location. The planned development shall have 50 feet of road frontage along a State or town highway.
- (q) The Commission shall certify that the soil erosion and sedimentation control plan complies with the requirements of section 6.5, and furthermore, site development shall not begin until the control plan and those control measures scheduled for installation prior to site development are installed and functional.
- (r) Streetscape, Landscape and Site Furnishings.
 - 11. Maintenance by Owner. All amenities required by, proposed and approved as part of a development plan shall be maintained in perpetuity by the owner of the AAPD upon completion of installation.
 - 12. Signage. Signage shall comply with the requirements found in Section 4 of these Regulations and shall be appropriate in size, color, illumination and location and comply with the following:
 - (b) Blinking, flashing or neon signs are prohibited.
 - (c) Lighting, if provided, shall be incandescent or fluorescent, shielded and directed directly upon the sign face.
 - (d) Signs shall not extend above the lowest point of the roofline of any building.
 - (e) Signs shall not interfere with any sight lines at roadway intersections.
 - (f) Signs that may be misconstrued as public safety or traffic devices are prohibited.
 - 13. Bicycle racks. Bicycle racks shall be provided. Two (2) bicycle spaces shall be provided for each 1,000 square feet of non-residential floor area proposed in the AAPD.
 - 14. Lighting. Sidewalk and roadway lighting shall be provided and comply with the following:
 - (g) Light posts and luminaries shall be a combined height of 12'-0".

- (h) Residential sidewalk foot-candle levels shall range between 0.2 and 0.5 footcandles with consistency demonstrated through photometric design.
 - (i) Sidewalks adjacent to mixed use buildings shall provide a range of 0.5 to 0.9 footcandles with consistency demonstrated through photometric design.
 - (j) Roadways shall be illuminated to 0.6 to 0.9 footcandles with consistency demonstrated through photometric design.
 - (k) Full cut off fixtures with house-side shielding are required on residential frontage.
 - (l) No trespass glare above 0.5 footcandles at the property line is permitted.
15. Crosswalks. All crosswalks shall contain distinctive pavement with reflectorized borders. Distinctive pavement shall be unit pavers or decorative concrete.
16. Street Trees. Street trees shall be placed a maximum 50'-0" on center on both sides of all streets. Street trees shall be a minimum of 3" caliper (dbh). Trees shall be limbed up to 7'-6" height and placed so as not to interfere with or be harmed by vehicular or pedestrian traffic.
17. Courtyards and Open Space. Install and maintain internal landscaped courtyard areas and common space where space permits. Materials shall include shade and flowering trees, lawn, perennial and annual planting beds. All land not used for construction of dwellings, roads, parking or private yards shall be considered open space. Open space shall be dedicated to use by residents of the AAPD with adequate control to assure its maintenance and with restrictions or covenants prohibiting or restricting building on it.
18. Fences. No fences in excess of 42" height shall be permitted within the AAPD except for screening and security and as specifically authorized by the Town of Woodbridge Planning and Zoning Commission.
- (m) All fence materials and appearance shall be compatible with the architectural character of the surrounding area.
 - (n) Fence and wall combinations shall be measured as one and not to exceed 42" height.
 - (o) Fences under 42" height may be located within a front, side or rear yard area.

- (p) Fences exceeding 42" height shall be used for screening and or security purposes and material, location, size shall be approved by the Commission.
19. Sidewalks. The following provisions apply:
- (q) All sidewalks shall be concrete or unit pavers. No asphalt surfaces shall be permitted.
 - (r) Sidewalks fronting mixed use buildings shall be a minimum of 8'-0" wide with 4' wide tree pits within.
 - (s) Sidewalks fronting residential structures or within public roadway right-of-way shall be a minimum of 5' wide.
 - (t) Sidewalks shall be located on both sides of all roads where appropriate. Sidewalks within common open space are encouraged.
 - (u) Sidewalks material shall be continuous through driveways.
20. Curbs. All curbs shall be granite in accordance with State of Connecticut Department of Transportation Standards modified to contain rounded (bull-nose) top outer edge or concrete. Asphalt curbs are not permitted.
21. Driveway Curb Cuts (excluding private and public roads). Curb cuts shall be minimized through the use of shared driveways and alley access to rear and/or off-street parking areas. Curb cuts and interruptions of sidewalks shall be minimized. Generally, curb cuts shall be limited to one lane width and shall not be more than 14'-0" wide for mixed or non-residential uses and 12'-0" wide for residential uses. For two car garages and driveway approaches for residential structures, a single curb cut not exceeding 18'-0" width shall be permitted. Where curb cuts exist or are proposed, the sidewalk surface material shall be allowed to continue through, interrupting the driveway pavement material.
22. Seating. Bench seating shall be provided in centralized open space, and along sidewalks adjacent to mixed use buildings. Bench type shall complement architecture of surrounding buildings. Individual and moveable tables and chairs (café type) shall be permitted on sidewalk areas on mixed use building frontage and within the centralized open space.
23. Screening. All visible, above-grade utility structures, including but not limited to electrical control panels, meters, back flow prevention devices, transformers, etc. be sufficiently screened from view with landscaping. Service alleys and structures, including trash and recycling containment areas and receptacles generally not used by the public shall be screened.

24. All proposed utility services shall be placed below grade.

(s) Architectural Design Standards.

1. That all spaces, structures and related site improvements that are visible to the public from public roadways are designed to add to the visual amenities of the area consistent with those in and around the proposed AAPD;

2. That the color, size, height, proportion of openings, roof treatments, and building materials be evaluated for compatibility with the local architectural character;

3. Building Orientation.

(a) Buildings should have a well defined front façade oriented so that the front façade is parallel with the public way; such public way shall include private roads within the AAPD. The front facades and the overall massing shall emphasize the human scale and the pedestrian environment.

(b) The relationships between buildings and the street should either be parallel or perpendicular, not angled or diagonal. Major roof ridges of buildings should be either parallel or perpendicular to the street or public way.

(c) Accessory structures visible from the public right of way should follow the same standards as main structures, generally respecting the architectural character and design relationship established by the main structure they are associated with.

(d) No building shall be sited on a corner lot at an angle at any major intersection.

4. Building Materials.

(a) Preferred building materials are brick, stone and wood. Maintenance free simulated wood composite materials such as cementitious or vinyl siding shall be permitted in lieu of wood.

(b) Materials should be used according to their particular logic of assembly and with appropriate detailing and expression. Cladding materials, such as siding, should not be used as a monolithic treatment, but shall be broken up by appropriate trim and detailing consistent with the architectural style.

(c) Preferred roofing materials are slate, wood shingles, shakes, standing seam metal, and architectural grade asphalt shingles.

- (d) Trim and cornice details should be of materials and dimensions appropriate to the overall treatment of the façade. Maintenance free simulated wood composite materials such as pvc are acceptable.

5. Building Facades.

- (a) The foremost frontal plane of the building facing the street or public way is the main façade. Other front or side facing planes within a twenty foot (20') setback from the foremost façade are also considered facades.
- (b) Bay windows, portico, and historical façade projections are acceptable in proportion to the size of the façade.
- (c) Front porches and one story porches of any size are encouraged.
- (d) Any overhang of upper stories should be detailed to provide appropriate definition and visual support through the use of trim and brackets detailed in accordance with the architectural style. Projections should be appropriate to the scale and character of the building.
- (e) Building address numbers should be polished brass or black, and of a proportionate size relative to the entrance.
- (f) Side elevations that face a street or public way shall have materials and architectural details consistent with the front façade.

6. Window and Door Placement.

- (a) Windows and doors should be balanced in their placement on building facades, although exact symmetry is not necessary.
- (b) Buildings should have many windows and doors at street level to encourage pedestrian traffic and activity.
- (c) Mixed use buildings should have frequent entries to contribute to a lively streetscape.
- (d) All exterior walls should have windows, especially if they face the street or any public space.
- (e) Primary building entries should be oriented toward and visible from the street. Secondary entrances from courtyards or side yards are acceptable.

- (f) Mixed use buildings should have greater glass area at the ground floor than at upper levels.
- (g) All signage shall be in accordance with Zoning Regulations.

7. Windows.

- (a) Window styles shall be consistent and compatible across the entire exterior of a building or home.
- (b) Preferred window styles are double-hung, casement, bay and storefront (in mixed use buildings.) Palladium, half-round and elliptical glazing is acceptable.
- (c) Windows shall have muntin patterns that are consistent with the architectural styles. A variety of muntins patterns is encouraged.
- (d) Display windows in mixed use buildings are encouraged at the ground level. The use of muntins to break the expanse of glass into smaller panes is encouraged, where appropriate.
- (e) Singly cased windows are encouraged in traditional-style buildings; multiple ganged window configurations are acceptable in buildings of a more modern style.
- (f) Windows shall be vertical in proportion, except on storefront windows in mixed use buildings.
- (g) Windows wider than three feet (3') are strongly discouraged except on storefront windows in mixed use buildings.
- (h) Windows, including those with high-energy glazing, shall be non-reflective.
- (i) Windows on buildings with siding exteriors should be trimmed with a minimum of 3-1/2" wide casing. Brick façade buildings may be treated differently as appropriate.
- (j) Window head features should have pediments, arched tops or flat heads consistent with the architectural style, proportioned as appropriate.
- (k) Shutters shall be of sufficient width to close over the entire window and shall appear to be operable. The use of shutter hardware is strongly encouraged.

8. Doors.

- (a) Front entrance doors should be paneled and constructed of wood or simulated wood and shall be a minimum of 3'-0" wide by 6'-8" tall.
- (b) Storm doors must match the color of the door they protect, or to the color of the adjacent trim. No mill finishes will be allowed. Only full view storm and screen doors are allowed.
- (c) Muntins should be used when consistent with the architecture and their grid patterns should remain uniform throughout the façade.
- (d) Sliding glass doors must include muntins.
- (e) Awnings and canopies must comply with Zoning Regulations and must be approved by the Architectural Review Board.
- (f) Main entrances should feature porticos, recessed entries, or strong architectural details (i.e. pilasters and head features) consistent with the architectural style.
- (g) The use of transoms or sidelights is encouraged.

9. Roofs.

- (a) The preferred dominant roof type is gable. Hipped roofs are also appropriate. Major roof ridges of buildings should be either parallel or perpendicular to the street or public way. On narrow lots, the roof ridge should generally be perpendicular to the street.
- (b) Mansard or gambrels roofs may be used as appropriate but such use shall be limited.
- (c) Simple roof types are encouraged on small buildings. Roofs of larger buildings should be more complex and should combine a main roof with secondary roofs.
- (d) Parapets, projecting cornices, or decorative roof overhangs are encouraged as appropriate to the architectural style.
- (e) Heating, ventilation, and air conditioning equipment located on roofs shall not be visible from the street or public way.
- (f) Roof pitches may vary in pitch from 7:12 to 14:12. Roof pitches below 8:12 on main roofs are discouraged. Roof pitches for mansard or gambrel roofs shall be as appropriate to the architectural style.

- (g) Roof features such as dormers, eave breaks and turrets may be added in proportion to the roof's overall size.
- (h) Dormers should be set back from the face of the building at least one foot (1') and from the sides at least three feet (3'). Dormer roofs are generally gabled, with pediments or saltbox roof. The roof pitch of gable dormer roofs should match the roof pitch of the main roof.

(t) Performance of Work.

1. All work in connection with the approved site plan shall be completed within five (5) years after the date of approval of the plan. The certification of approval of such site plan shall state the date on which such five-year period expires. Failure to complete all work within such five-year period shall result in automatic expiration of the approval of the site plan unless extended by the Commission for an additional period not to exceed five years.
2. Modification. Any change of plans or modification of the planned development shall require the approval of the Commission.

(u) Additional Limitations.

1. All applicants must demonstrate reasonable assurance that the developer of the planned development has the financial and organizational capability to complete the project as submitted.
2. All applicants must demonstrate that any phases of development as submitted are capable of sustained and independent existence within the standards of this section without development of subsequent phases.
3. Ownership and Maintenance. All private streets, parking areas, sidewalks, utilities, recreation facilities, open space areas and other private improvements, facilities and areas shall be owned, maintained and operated by the applicant, owner, association or corporation without expense to the Town of Woodbridge. The development site shall, at all times, be maintained in a safe, sanitary and presentable condition.
4. Performance Bond. As a condition of its approval, the Commission shall require the applicant to submit a Cash Bond or Performance Bond in form and amount satisfactory to it and with a bonding company licensed to do business in the State of Connecticut as surety. The bond shall guarantee the construction of all required public improvements, such as, but not limited to, roads, sidewalks, curbing, sanitary sewers, storm sewers, public water, etc., and the completion of all amenities, such as, but not limited to, landscaping, private walks, paved parking areas, street frontage, etc., and shall provide that in case of default, the surety company shall promptly

comply with said conditions. The Commission may reduce the bond requirements as portions of the work are completed in accordance with the requirements of the Commission.

3.12 Liquor Establishments

Effective on: August 14, 2006

3.12.1 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:

- (a) grocery store beer permit (Conn. Gen. Stat. § 30-20(b))
- (b) hotel (Conn. Gen. Stat. § 30-21)
- (c) restaurant (Conn. Gen. Stat. § 30-22), including one operated in conjunction with a golf club.

Effective on: November 25, 2011

- (d) package store (Conn. Gen. Stat. § 30-20(a); Conn. Gen. Stat. § 30-23)
- (e) café (Conn. Gen. Stat. § 30-22a)
- (f) a manufacturer of beer (Conn. Gen. Stat. § 30-16(b))
- (g) 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

Amended effective on: November 25, 2011

- (h) concession permit (Conn. Gen. Stat. § 30-33), but only in conjunction with a golf club.

Effective on: November 25, 2011

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.

3.12.2 Distance Requirement.

Except for restaurants operating under Conn. Gen. Statute Section 30-22 in the BI, GB and DEV-1 Districts and businesses in the BI and GB Districts 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:

Amended effective: November 25, 2011

- (a) Any single-family or multiple-family residential use;
- (b) 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;
- (c) Any church or other religious facility or institution;
- (d) Any public park; or
- (e) 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.

3.12.3 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:

- (a) 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.
- (b) 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.

- (c) 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.
- (d) 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.
- (e) 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.
- (f) In addition to the provisions of Section 3.12.2, 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.

3.12.4 Requirement for Submission of a Site Plan.

Any issuance of a special permit under this Section is subject to administrative approval of a detailed site plan proposed in accordance with Section 3.9 of these Regulations.

3.13 Adult Establishments

Effective on: August 14, 2006

3.13.1 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.

3.13.2 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:

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

3.13.3 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 3.13.5 and subject to the distance requirements in Section 3.13.4.

3.13.4 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:

- (a) Any single-family or multiple-family residential use;
- (b) 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;
- (c) Any church or other religious facility or institution;
- (d) Any public park;
- (e) Any library, community center or teen center; or
- (f) 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.

3.13.5 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:

- (a) No alcoholic beverages shall be sold or consumed within adult-oriented establishments.

- (b) 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.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) 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.
- (g) 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.
- (h) 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.
- (i) 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.
- (j) 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.
- (k) 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.

3.14 Gasoline Stations

3.14.1 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.

Revised April 12, 1995

3.14.2 Anything in Section 3.7.2 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.

Effective on: May 10, 1988

3.14.3 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 3.1.3 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.

3.14.4 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 3.1.3 and 6.2. 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.

3.14.5 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.

3.14.6 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.

3.14.7 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 4.1 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.

3.15 Congregate Communities

Effective on: March 13, 1995

3.15.1 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 as more fully set forth in these Regulations. This use is intended to implement the continuing concern of the Commission for the special needs of the Elderly in Woodbridge. It is also intended to provide for a working concept of community living with the advantage of nutritional and medical assistance within one development. It is intended to recognize the current developments in housing, nutrition, and health care for the Elderly. This section establishes standards and procedures for permitting a Congregate Community which provides for interrelated residential units, known as Assisted Personal Care Units, and varying levels of nutritional and health care and related services. In the case of a couple, at least one member of each such residential unit must be 62 years or older. A person who is physically challenged shall also be qualified to reside in a Congregate Community. The design and development of a Congregate Community is intended to meet the special and unique needs of the Elderly and to provide for their safety, health and general welfare. Each Congregate Community shall include the following:

- (a) 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.
- (b) Related Services. An office providing medical care on demand to the residents of the Congregate Community must be provided on the premises.
- (c) 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.
- (d) 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.
- (e) 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.

3.15.2 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.

3.15.3 Commission Responsibilities and Criteria. The Commission shall take into account, the following considerations in making its determination whether to grant a special permit for a Congregate Community:

- (a) The size and intensity of the proposed use.
- (b) The proximity of the same or similar uses which would unduly concentrate types of uses in a particular neighborhood.
- (c) The nature of the proposed site, including its size and shape and other topographical features.
- (d) The location, height, arrangement, design and nature of any existing and/or proposed building and appurtenance.
- (e) 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.
- (f) 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.

- (g) 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.
- (h) Fire, police and ambulance protection access needs of the neighborhood as well as the Town as a whole.
- (i) The availability and adequacy of the public water supply, public sewage disposal facilities and drainage and erosion controls.
- (j) The proximity of dwellings, emergency facilities, churches, schools, public buildings and other places of public gatherings.
- (k) The effect of the proposed use on the purpose and intent of these Regulations and the Plan of Development of the Town.

3.15.4 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; (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:

- (a) There shall be not more than 10 Assisted Personal Care Units per acre.
- (b) The Maximum Building Area shall be 25%.
- (c) No building shall contain more than 120 Assisted Personal Care Living Units.
- (d) 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:

Efficiency Unit 400 square feet

One-Bedroom Unit 550 square feet

Two-Bedroom Unit 650 square feet

- (e) No building shall extend within seventy-five (75') feet of any state highway, or fifty (50') feet of any street line, side lot line or rear lot line. 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.

- (f) Parking spaces shall be provided in accordance with the following schedule:
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. In addition, one paved parking space for each employee on the full-time shift.
- (g) All utilities shall be underground.
- (h) No building containing Assisted Personal Care Living Units shall exceed a length of two-hundred seventy-five (275') feet, 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.
- (i) Public sanitary sewer and public water supply shall be required.
- (j) 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.

3.15.5 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:

- (a) Requirement of setbacks greater than the minimum standards required by these Regulations.
- (b) 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.
- (c) Regulation of number, design and location of access drives or other traffic features, including pedestrian ways.
- (d) Requirement of off-street parking or other special features beyond the minimum required by these Regulations or other applicable Codes or Regulations.
- (e) Regulations of the number, type and location of outdoor lighting facilities, shielded to protect their view from abutting properties.
- (f) 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.
- (g) 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.

- (h) 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.
- (i) Suitable landscaping of parking areas and areas surrounding structures.

3.15.6 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.

3.15.7 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.

3.15.8 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:

- (a) Site Plan. A Site Plan in compliance with Section 3.982 of these Regulations.
- (b) 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.
- (c) 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.
- (d) 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.

3.15.9 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.

3.15.10 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.

3.16 Affordable Housing District

Effective on: October 1, 1996

3.16.1 Purposes and Definitions.

The intent of the Affordable Housing District Regulations is to promote the inclusion of below market rate housing units, hereafter referred to as "affordable housing units," so as to increase the diversity of the Town's housing stock pursuant to the provisions of Sec. 8-2g and 8-30g of the Connecticut General Statutes (CGS), as may be amended.

3.16.1.1 Affordable Housing. As used in this Section, "affordable housing" means housing for which persons and families pay thirty percent or less of their annual income, where such income is less than or equal to the area median income for the Town of Woodbridge, as determined by the United States Department of Housing and Urban Development, in accordance with the provisions of Section 8-39a of the CGS, as may be amended. Affordable Housing shall only be permitted in Residential zones.

3.16.1.2 Affordable Housing District Development (AHD Development). As used in this Section, "AHD Development" means:

- (a) a Single-Family Detached Housing development in which not less than the minimum number of the dwelling units required by Section 8-30g of the CGS, as may be amended, shall be restricted by deed to single-family use and which otherwise qualify as "affordable housing" as defined herein.
- (b) a Single-Family Attached Housing development in which not less than the minimum number of the dwelling units required by Section 8-30g of the CGS, as may be amended, shall be restricted by deed to single-family use and which otherwise qualify as "affordable housing" as defined herein. Each single-family attached dwelling unit shall have independent ingress and egress to grade and no common exit access.

- (c) an Elderly Affordable Housing development, specifically designed to meet the special needs of elderly persons and rented or sold to a person or persons, one of whom is at least 62 years of age.

3.16.1.3 Affordable Housing District Setback. As used in this Section, "Affordable Housing District Setback" means the area around the perimeter of the Affordable Housing District defined by the boundary of the abutting Zoning District and the boundary of the Affordable Housing District Development Area. (See Diagram 3.16.1.a)

3.16.1.4 Affordable Housing District Development Area. As used in this Section, "Affordable Housing District Development Area" shall mean the area within the Affordable Housing District Setback. (See Diagram 3.16.1.a)

3.16.1.5 Affordable Housing District (AHD). As used in this Section, "Affordable Housing District", or "AHD", shall mean the area defined by the Affordable Housing District Boundaries as shown on Diagram 3.16.1.a.

3.16.2 Procedure.

3.16.2.1 The Commission may approve an application for a zone change to establish an Affordable Housing District (AHD) in accordance with the standards and procedures set forth herein. In reviewing any such application, the Commission acts in its legislative capacity. The AHD is a zone to be designated on the zoning map only after approval by the Commission of the application for (i) a zone change from an existing zone to an AHD, (ii) Special permit for the AHD Development Plan, and (iii) final approval of the Special permit for the AHD Development Site Plan. Application for a zone change to an AHD, including boundary delineation based on an A2 survey standard, and simultaneous or subsequent submission of an AHD Development Plan for Special permit shall be made to the Commission pursuant to the provisions of Sec. XI of these Regulations. Application shall be made in writing in a form provided by the Commission and shall be accompanied by a fee as set forth in Chapter 5, Article VIII of the Ordinances of the Town of Woodbridge entitled Schedule of Land Use Fees. The rezone application shall include a narrative description of reason for the establishment of an affordable housing development. The provisions of this Section, the approved AHD Development Plan and any conditions attached to such approval by the Commission shall constitute the regulations for the AHD. No AHD zone change shall be final until approval of both AHD Development and Site Plans.

3.16.2.2 At the time of application for an AHD Development Plan, the Applicant shall submit certification of availability and adequacy of public water supply and public sanitary and storm sewers, and written comments by the Fire Marshal and the Police Department of the Town of Woodbridge.

3.16.2.3 All site improvements shall be commenced within one (1) year of the date of approval and completed within a period of two (2) years from the original date of approval of the final site plan, otherwise the approval of the site plan and zone change shall be null and void unless an application is submitted for an extension before expiration of the permit and approved by the Commission thereafter.

3.16.3 Sale, Resale and Rental Restrictions. In order to establish and preserve affordable housing, the following restrictions shall apply:

3.16.3.1 All affordable housing units for sale shall be restricted by title to require that in the event of any sale or resale, the price shall not exceed the then maximum sale price for said unit which will preserve the units as affordable housing as defined in Section 8-39a of the CGS for persons and families whose income is less than or equal to eighty percent of the area median income or eighty percent of the State median income, whichever is less.

3.16.3.2 Affordable housing or elderly affordable housing units for rent shall be restricted by title to require that the rents for said units shall not exceed the then maximum rental which will preserve the units as affordable housing as defined in Section 8-39a of the CGS for persons and families whose income is less than or equal to eighty percent of the area median income for the Town of Woodbridge, or eighty percent of the State median income, whichever is less.

3.16.3.3 These restrictions shall apply to (i) any sale, (ii) any lease or rental, and (iii) any conversion to a common interest form of ownership and shall remain in effect for thirty (30) years after the issuance of a Certificate of Occupancy for each affordable unit.

3.16.3.4 At the time of application for a Special permit for an AHD Development, the applicant shall provide proposed deed restrictions and a proposed management plan assuring that the units set aside for affordable housing will be made available to applicants meeting the relevant income criteria. Such documents shall provide for the processing, monitoring and certification of tenant or owner selection for affordable units. The Town of Woodbridge shall be authorized to enjoin or set aside transfers or leases which do not preserve the units as affordable housing as described herein and the Town shall be authorized to recover its actual expense, including attorney's fees, for any such action.

3.16.3.5 At the time of application for a Special permit for an AHD Development, the applicant shall provide a financial feasibility study prepared by a Certified Public Accountant. Such study shall detail all development costs and document that the monthly costs for affordable units will meet the requirements for affordable housing.

3.16.4 Administration.

- 3.16.4.1 At the time of final Development Plan approval for each AHD Development the Commission shall advise the Board of Selectmen so that it may designate an agency to monitor and administer guidelines for the rental, sale, or resale of the affordable housing units. Such administrative agency may be a non-profit corporation, an agency of the Town of Woodbridge, a Community Housing Development Corporation pursuant to Section 8-217 of the CGS, as may be amended, a privately-owned corporation, or other organization acceptable to the Board of Selectmen. Such administrative agency may, if authorized by the Board of Selectmen, buy the dwellings for the purpose of rental or resale to qualified persons or families.
- 3.16.4.2 Persons or families applying for affordable housing units as their primary residence, whether for purchase or rental, shall be selected on the basis of regulations promulgated by the administrative agency designated by the Board of Selectmen of the Town of Woodbridge.
- 3.16.4.3 The administrative agency designated by the Board of Selectmen shall maintain a list of eligible applicants. The agency shall require applicants seeking eligibility to certify that the affordable housing unit will be their primary residence.

3.16.5 Affordable vs. Other Units. Affordable housing units shall be indistinguishable from other units within the AHD Development and shall be reasonably dispersed throughout the AHD Development. They shall be constructed to the same design specifications as other units and shall be of equivalent size and workmanship throughout. Affordable housing units shall be developed simultaneously with the development of the other units. In the event that the AHD Development is built in phases, each phase shall include its pro-rata share of affordable housing units.

3.16.6 Financing. In order to carry out the purposes of these Regulations, the Developer of an AHD Development must provide evidence acceptable to the Commission that the affordable housing development meets the standards for approval for financial assistance from CHFA, FHA and VA, so that moderate income individuals or families may take advantage of the financial assistance available through these agencies.

3.16.7 General Standards. In deciding an application for zone change under these Regulations, the Commission shall make a finding with regard to the effect of the proposed use on the following "substantial public interests" as provided by Section 8-30g(c) of the CGS and in accordance with the standards set forth in Sec. 8-2 of the CGS necessary to protect the public health, safety, convenience and property values:

- 3.16.7.1 Health and Crowding. The degree of population concentration and building density; accessibility to fire and police services; availability of existing public water, public sewage and other necessary public services.

- 3.16.7.2 Property Values. The effect on the enjoyment, usefulness and value of the premises in the general neighborhood and consideration as to the character of the neighborhood and its peculiar suitability for particular uses with a view to conserving the value of buildings and properties and encouraging the most appropriate use of land throughout the Town.
- 3.16.7.3 Traffic and Fire Safety. The effect on the pattern, flow, or intensity of traffic in the streets within and accessing the AHD Development.
- 3.16.7.4 Character of the Neighborhood. The effect of the proposed AHD Development on the character and quality of the abutting neighborhood(s).
- 3.16.7.5 Convenience. The availability of public transportation to the residents of the AHD Development.
- 3.16.7.6 Other factors to be considered. The impact on wetlands, wells of abutting properties, ground water tables, slope, change of runoff of seasonal streams, changes in site topography, blasting, removal of trees, the impact on historic landmarks, greenways, trails or scenic views.

3.16.8 Development Standards.

- 3.16.8.1 Density. The maximum number of units allowable shall depend (i) upon the nature of the proposed site, (ii) the zone of the proposed site at the time of the adoption of these Regulations, (iii) the relationship of the site to the adjoining neighborhood, and (iv) the public services as set forth in Section 3.237 above. Permitted density shall be based on the size of the site of the proposed AHD District. In no event shall density exceed that shown in Table 3.16.8.A, entitled "Bulk Regulations for Affordable Housing Districts".
- 3.16.8.2 Bedrooms. Each dwelling unit in an AHD Development shall not contain more than three bedrooms, provided however that in an Elderly AHD Development, one of the bedrooms shall be located on the primary living floor. A bedroom is every room other than a kitchen, living room, dining room, or bathroom, but not including open-air or screened porches, unheated or uninsulated spaces, and basements or cellars not designed to accommodate sleeping quarters.
- 3.16.8.3 Maximum Number of Units per Structure. The maximum number of dwelling units per structure shall not be more than four (4) in a Single-Family Attached AHD and not more than eight (8) in an Elderly Single-Family Attached AHD.
- 3.16.8.4 District Bulk Standards. The following bulk standards shall apply to the Affordable Housing District:
 - (a) Minimum Affordable Housing District Size. See Table 3.16.8.A, Column 3.

(b) District Setback. Each AHD shall have a district setback on the perimeter of the District as shown in Table 3.16.8.A, Column 5.

1. The primary vehicular access to the buildable area shall be through the Front District Setback. All vehicular access shall traverse the District Setback(s) as nearly perpendicular as possible. No other roads shall be permitted in the District setback.
2. No parking, structures, or recreation areas other than walking trails shall be permitted within the District Setbacks.

(c) Standards within the AHD Development. The Standards in Table 3.16.8.A and those following shall govern the development:

1. Single-Family Detached AHD Development:

- (a) Maximum Number of Stories: 2
- (b) Maximum Height: 35 feet
- (c) Minimum Dwelling Unit Livable Floor Area:
 - 1 SR 750 square feet
 - 2 SR 900 square feet
 - 3 SR 1,050 square feet

2. Single-Family Attached AHD Development:

- (a) Maximum Number of Stories: 2
- (b) Maximum Height: 35 feet
- (c) Minimum Dwelling Unit Livable Floor Area:
 - 1 8R 650 square feet
 - 2 SR 850 square feet
 - 3 8R 1,000 square feet

3. Elderly AHD Development:

- (a) Maximum Number of Stories: 2
- (b) Maximum Height: 35 feet
- (c) Minimum Dwelling Unit Livable Floor Area:

Efficiency	500 square feet
1 SR	650 square feet
2 SR	800 square feet
3 8R	950 square feet

3.16.8.5 Parking. Off-street parking (including garages and outside spaces) shall be provided in accordance with the following schedule:

- (a) Not less than 2.5 parking spaces per dwelling unit in a Single-Family Attached or Detached AHD; and
- (b) Not less than 1.5 parking spaces per dwelling unit in an Elderly Single-Family Attached or Detached AHD.

3.16.8.6 Utilities. All utility wiring, including but not limited to electric, telephone and cable television services, shall be installed underground. AHD Development shall be served by adequate public water supply and adequate public sanitary and storm sewers.

3.16.8.7 Landscaping. The AHD Development shall be suitably landscaped. A Landscaping Plan prepared by a Connecticut-registered Landscape Architect shall be included as part of the Site Plan. Landscaping shall be continuously maintained in conformance with the approved Plan. A maintenance bond shall be posted therefor by the Developer before a Special permit is issued. The Applicant shall submit a report documenting a maintenance program for all proposed elements of landscaping within common space or District Setback Areas.

3.16.8.8 16.8.8 Recreation Areas. Each AHD Development shall provide 25 square feet of recreational area for each Efficiency or 1 SR dwelling unit and 25 square feet for each additional bedroom.

3.16.9 Development Plan Requirements.

The AHD Development Plan shall include the following information in schematic form:

- (a) All maps other than a location map shall be at a minimum scale of 1"=40'.
- (b) Name and address of the applicant(s); name and address of the land owner(s); signature of the land owner(s); names and addresses of all property owners within 500 feet of the proposed AHD boundaries; names and addresses of the Architect, Civil Engineer, and Landscape Architect engaged by the applicant, all of whom shall provide evidence of current registrations to practice within the State of Connecticut.

- (c) The name of the Project, North arrow, date of submission and scale(s) of drawing(s). A certified boundary survey conforming to the standards of Class A-2 prepared by a Connecticut-licensed Land Surveyor.
- (d) A location map at a minimum scale of 1"=800', showing the location of the AHD in relation to the surrounding streets and thoroughfares, and existing zoning of the surrounding areas within 500 feet.
- (e) A topographic survey including existing contours at two foot intervals, flood-prone delineations and boundaries of all inland wetlands and watercourses as defined by CGS Sec. 22a-38(15) and (16), prepared by a Connecticut-licensed Land Surveyor. The most recent USGS Topographical Survey, F.E.M.A., and Flood Insurance Rate Map, Town of Woodbridge, may be used. Existing benchmark referenced to USGS topographic data shall be located and specified. Areas having existing slopes greater than 18% shall be clearly delineated.
- (f) Soils types clearly delineated and identified.
- (g) An overall schematic plan with existing and proposed topography which clearly identifies: proposed land uses; locations of buildings; area(s) of archeological significance; prominent natural environmental features such as large ledge outcrop pings, existing, trails, lakes, ponds, streams, or swamps; the proposed locations of roads, easements, buffers, recreational areas, sewage disposal, storm water, and other major facilities.
- (h) The Affordable Housing District Development Area shall be delineated and identified and the acreage calculated.
- (i) Area of AHD covered by impervious material, delineated and identified, including designation of corresponding coverage percentages.
- (j) A proposed utility service concept plan including electric, telephone, gas, television, sanitary sewers, storm drainage, potable water supply, and water supplies for fire protection, including an engineering report regarding disposal of storm water drainage.
- (k) A written report addressing: (a) provisions for fire protection and (b) traffic impact on the proposed Project.
- (l) Schematic Landscaping Plan showing district setbacks, existing and proposed trails, undisturbed natural areas, landscaped and developed areas, and typical cross-sections illustrating any special landscape features.
- (m) A report on the general character of the soils and geology based on published data and onsite soils testing programs which shall include a written report from a professional Soils Scientist and Geologist that provides an analysis of the soils types on the site, their adequacy to handle the expected development, and the

potential risk, if any, to nearby wells, aquifers and primary and secondary recharge areas.

- 3.16.9.2 Site Plan Review. Prior to issuance of a building permit, a special permit for Site Plan shall be approved by the Commission as provided in Sec. 3.16.10.1. The Plan shall be prepared by an Architect, Landscape Architect or Civil Engineer licensed to practice in the State of Connecticut. The Plan shall conform to the approved AHD Development Plan. Any significant changes to the approved AHD Development Plan shall require approval of the Commission prior to Site Plan review and approval.
- 3.16.9.3 Site Plan Approval. An applicant seeking Special permit for an AHD Development shall submit the following:
- (a) A plan drawn to a scale of not less than 1"=40', based on an A-2 survey accuracy standard, showing AHD Development Plan contents listed in Sec.3.240.1 and Sec. 3.982, as well as the following information as applicable to the particular application.
 - (b) A delineation of all lots showing all property lines and location and designation of all boundary markers. All AHD boundaries shall be delineated with concrete markers.
 - (c) Existing and proposed contours or ground elevations at a maximum of two foot contour intervals. Topographic data shall be based on USGS benchmark. Delineate location of referenced benchmark.
 - (d) Buildings, structures, signs and outdoor lighting.
 - (e) Roads constructed in compliance with Town road specifications, driveways and off street parking and loading spaces.
 - (f) Inland wetlands and watercourses, storm drainage, and connections to public sewage and water supply.
 - (g) Basic Architectural Plans of proposed buildings and structures at a scale not less than 1/8"=1', including exterior elevations and generalized floor plans, specifying colors, materials, fenestration and rooftop mechanical equipment, if any. All exposed mechanical equipment shall be screened in a manner acceptable to the Commission.
 - (h) Landscaping (including the number, sizes and species of trees and/or shrubs, lawn and other groundcover, and other landscape features and natural terrain not to be disturbed). Existing tree growth shall be shown on the plan and preserved to the maximum extent possible.

- (i) Construction details of all required improvements.
- (j) A tabulation of the appropriate area(s), location and bulk standards required by Section 3.16.8.1a showing (i) existing dimensions, (ii) standards required by Table 3.16.8.A, and (iii) standards of the AHD Development proposed by the applicant.

3.16.9.4 Revision of AHD Development Plan or Site Plan.

- (a) Development Plan. Any change in an approved AHD Development Plan affecting the intent and character of the development, land use pattern, location of roads, or similar substantive changes, shall be subject to review and approval by the Commission. A request for revision of an AHD Development Plan shall be supported by a written statement demonstrating the reasons such revisions are necessary or desirable. Submission of a new zone change petition is not required unless the area of the AHD is revised.
- (b) If the Commission determines the changes may have a substantial effect on adjacent property owners, residents of the AHD, the general public, or if it involves an increase in density, the Commission may cause a public hearing to be held prior to taking action on said changes.
- (c) Site Plan. Any change to an approved AHD Development Site Plan must be reviewed and approved by the Commission prior to issuance of any building permit.

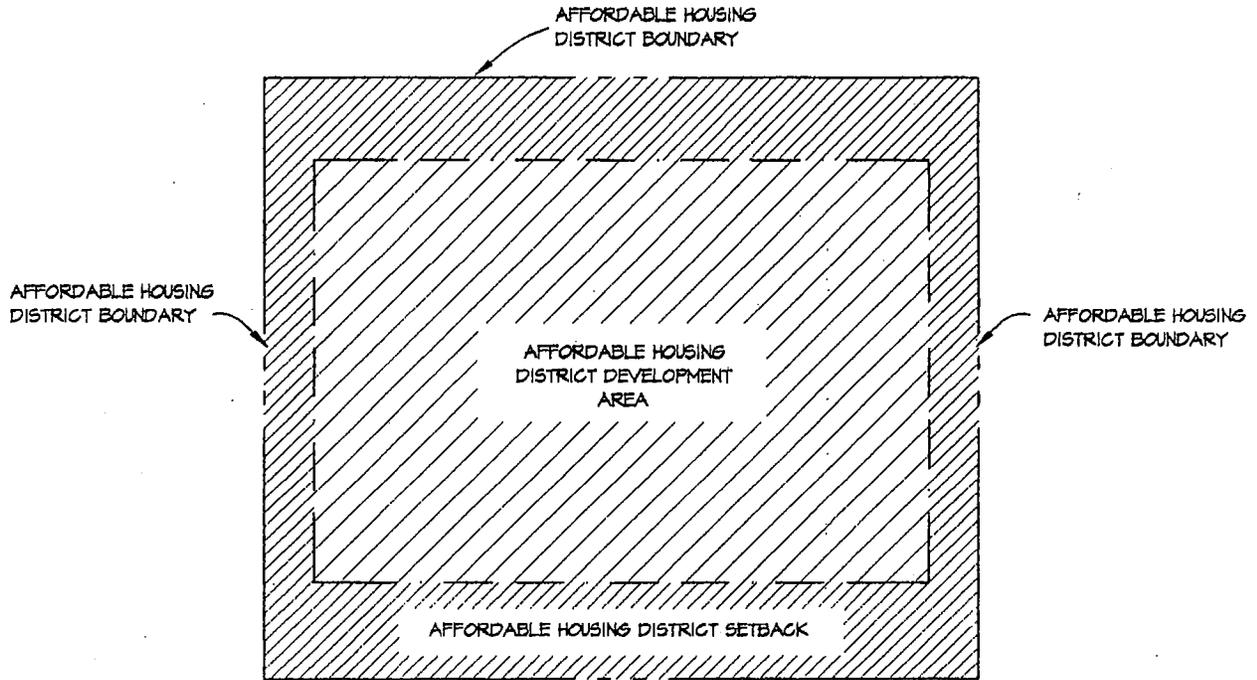
3.16.10 Performance and Maintenance Bond for Public Improvements.

As a condition of approval of an AHD Development Plan or Site Plan, the Commission may require a performance bond in an amount sufficient to secure to the Town the actual installation costs of public improvements within two years from the approval date of the AHD.

3.16.10.1 Development Plan or Site Plan. The Commission may extend the completion date for the public improvements for additional periods as requested in writing by the developer; however, as a condition of such extension, the Commission may require an increase in the amount of the bond.

3.16.10.2 Performance and maintenance bonds established by the Commission as a condition of AHD Development Plan and/or Site Plan approval shall be posted in accordance with the provisions of Chapter V of the Subdivision Regulations of the Town of Woodbridge before any sitework may be commenced.

DIAGRAM 3.16.1.a AFFORDABLE HOUSING DISTRICT

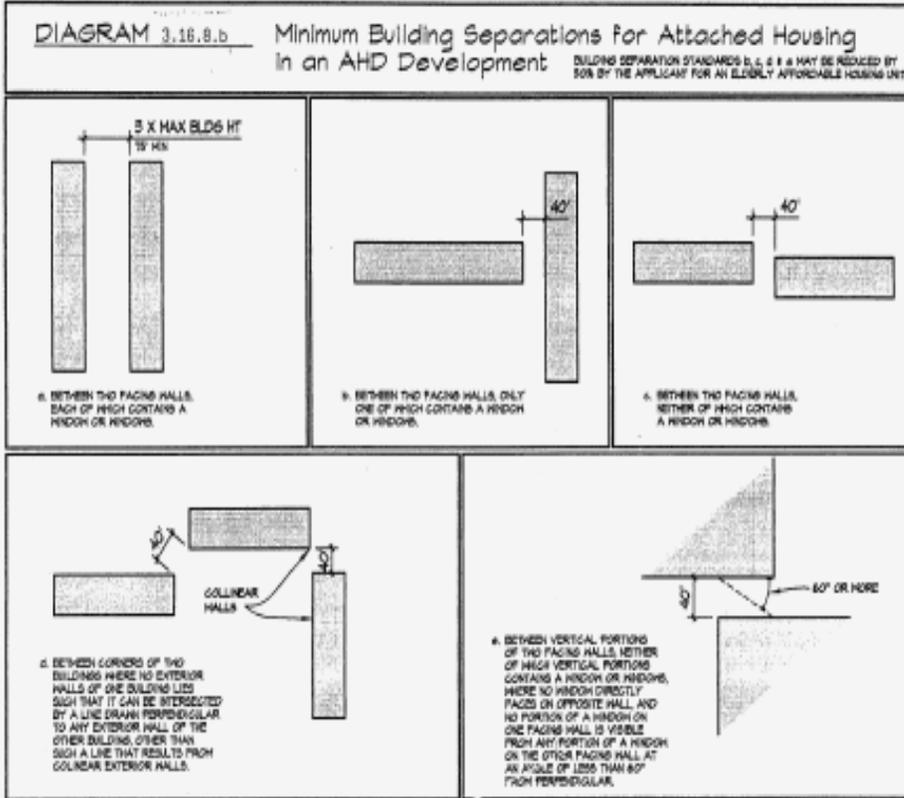


ROAD FRONTAGE

TABLE 3.16.8.a BULK REGULATIONS FOR AFFORDABLE HOUSING DISTRICTS

						6. Maximum No. of Housing Units per Acre in an Affordable Housing District Development Area	7. Maximum No. of Housing Units for Elderly per Acre in an Affordable Housing District Development Area	8. Minimum Required Yards and Building Separations in Feet			
			5a.	5b.	5c.			8a. Attached & Detached Housing-Yards in Feet (Exclusive of District Setbacks)			8b. Attached Housing –Building Separations See Diagram 3.16.8.B
			Front Subj. to Sec. 6.21	Side	Rear			8a1. Front Subj. to Sec. 6.21	8a2. Side	8a3. Rear	
AHD(A)	12	150	150	50	50	4	8	20	10	25	
AHD (B)	10	110	60	30	50	5	10	20	10	25	
AHD	4	90	40	20	20	5	10	20	10	25	
AHD (C)	2	75	20	12	40	8	15	10	6	20	
AHD (D)	2	66	10	8	40	8	15	10	4	20	

DIAGRAM 3.16.8.b



3.17 Wireless Transmission Facilities

Effective on: September 27, 1997

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.

3.17.2 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 3.982, 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 3.17, 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

SECTION 3.18. REGULATION OF GUN SHOPS AND ASSOCIATED GOODS SALES.

Effective on: November 27, 2013

3.18.1 Definitions.

GUN SHOP: Any establishment or portion of an establishment which sells guns, firearms or associated goods including ammunition and gun sights.

AMMUNITION: Any projectile or other device which is designed to or may readily be converted to be expelled from any gun or firearm.

3.18.2 Uses Permitted.

These provisions exist in order to protect neighborhoods, minimize conflict with 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.

(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 4. SIGNS AND ARTIFICIAL LIGHT.

Effective on: November 19, 2010

4.1. Purpose

This Section is intended to promote the public safety and welfare by providing standards to control the location, area, number, illumination and overall design of signs in order to prevent undue distraction of motorists and pedestrians, to ensure compatibility of signs with permitted land uses, to provide reasonable standards by which uses within the various zones may relate their function to the public, and to aid in preserving and enhancing the aesthetic and historical values of the community.

4.2. Applicability

No sign, billboard, signpost or structure designed to advertise the sale, rental, construction or improvement of said building or premises or both, or designed to advertise the business conducted upon the premises in the Business Industrial District, in the General Business or Development Districts, or designed to sell products permitted by these regulations to be produced on the premises in a Residence District which is visible and legible from a public street shall be erected, attached to, or maintained on property subject to these Regulations, except as permitted by the provisions of this Section.

4.3. Prohibited Signs

1. A-framed sandwich-board signs, except as allowed by Sections 4.6.2(5) and 4.7.1.(14), and other signs not affixed either to a building or to the ground in a permanent manner, except as permitted by Section 4.7.1.(10), shall be prohibited for use by businesses.
2. Any sign, legally existing at the time of the adoption of these Sign Regulations, which becomes non-conforming with the adoption of these regulations, may be maintained but shall not be increased in size of sign, size of lettering, or the extent it projects or is illuminated as the same exists at the effective date of these Regulations. Each such sign shall be completely and totally removed at such time as the place of business which such sign advertises shall change in use, subsequent to the effective date of these regulations.

4.4. Permit Required

A zoning or special permit for a sign shall be obtained from the Commission or its duly authorized officer prior to the erection or installation of any sign except for:

- a. Any sign face of an existing sign meeting the requirements of this

Section, provided the sign area is not increased.

- b. The normal maintenance of any sign meeting the provisions herein.
- c. A sign listed in Section 4 as not requiring a Zoning or Special Permit.

4.5 Signs Permitted in any District

The following types of signs are permitted in any zone without a Zoning Permit provided that any such sign shall comply with other provisions of Section 4:

Type of sign	Maximum Number	Maximum Size/Area
1. Traffic control signs required or approved by the Woodbridge Traffic Authority or by the State of Connecticut	n/a	n/a
2. Names of buildings, dates of erection, monumental citations, commemorative tablets, and the like, when carved into or made of stone, wood, bronze, aluminum, or other permanent materials, and made an integral part of the construction.	n/a	n/a
3. Signs of a non-commercial nature and in the public interest, erected by, or on the order of a public official in the performance of a public duty, such as safety signs, memorial plaques or signs of a historical interest.	n/a	n/a
4. Temporary political signs	n/a	n/a
5. Real estate signs advertising the sale, rental or lease of premises, provided that the maximum height of said sign does not exceed five (5) feet	One (1) sign per premises	(a) In any residential district not more than four (4) square feet on each of two sides. (b) In any business or development district not more than twenty-five (25) square feet on each of two sides.
6. Signs for professionals, including but not limited to: carpenters, painters, roofers, etc, on the premises where the work is being performed, provided that: a. no such sign exceeds four (4) feet in height, and b. such sign is removed promptly upon completion of the work.	One (1) sign per premises	(a) In any residential district not more than four (4) square feet on each of two sides (b) In any business or development district not more than twenty-five (25) square feet on each of two sides.
7. Temporary street signs within subdivisions		n/a

prior to road acceptance.		
8. Signs no closer than 75 feet apart along the property line, bearing notification of restriction on trespassing, hunting, fishing, or dumping upon the premises on which it is located.		Not more than one square foot per side
9. Permanent signs erected and maintained by a church or civic or fraternal organization exempt from Federal income tax under the provisions of Section 501(C) of the Internal Revenue Code for the purpose of notifying the public of the presence in the Town of such church or organization.		
10. Temporary or permanent signs erected and maintained by the Town or any agency thereof pursuant to the performance of a government function.		

4.6. Signs Permitted in Residential Districts

4.6.1 The following types of signs are permitted for residential uses in a residential zone provided that such sign shall comply with other provisions of Section 4

Type of sign	Maximum Number	Maximum Size Area
1. A sign bearing the name and/or street address; and/or permitted residence office of the resident (no permit required)	One (1) for each permitted use or dwelling	Two (2) square feet in total area
2. A garage or tag sale sign, advertising a sale to be held within three (3) days following the erection of such sign, of personal property and effects which are owned by the owner or tenant of the premises and used for residential or domestic household purposes. Such sign shall be removed upon completion of the advertised event (no permit required)	One (1)	

4.6.2 The following types of signs are permitted for non-residential uses in any residential district (such as religious institutions, libraries, museums, art centers, historical societies, schools, municipal uses, non-profit agencies) provided that any such sign shall comply with other provisions of Section 4

Type of sign	Maximum Number	Maximum Size/Area
1. One or more wall signs provided that the total area of all wall signs does not exceed twenty (20) square feet (Zoning Permit required)	One (1) sign per street frontage	Twenty (20) square feet in total area
2. One or more wall signs when the	One (1) sign per street	As determined

total area of all wall signs exceeds twenty (20) square feet (Special Permit required)	frontage	by the Commission
3. A freestanding sign erected or placed perpendicular or parallel to the public street or highway to which the building or structure fronts or abuts provided that the sign does not exceed five (5) feet in height or forty (40) square feet in area (Special Permit required)	One (1) freestanding sign per street frontage	Twenty (20) square feet in total area per side
4. A sign for a nonconforming use (Special Permit required)	As determined by the Commission	As determined by the Commission
5. A temporary A-framed sandwich-board sign solely for use by business establishments established by special permit or as an existing non-conforming use in accordance with Section 5.1.1 of these Regulations. (Zoning Permit Required.)	One (1) temporary sandwich sign for advertising use per business or occupant which can be used up to six different times in one calendar year (January ~ December) for a cumulative total of no more than six weeks during a calendar year.	Six square feet in total area on each of two sides.

4.7. Signs Permitted in Non-Residential Districts

4.7.1 The following types of signs are permitted in a non-residential zone provided that any such sign shall comply with other provisions of Section 4

Type of sign	Maximum Number	Maximum Size/Area
1. One (1) wall sign displaying the name and/or street address of the owner or occupant of the premises and/or the activity conducted thereon (Zoning Permit required)	One sign per Tenant except as may be allowed by Subsection 4.5.1.3	One (1) square foot per lineal foot of facade of the tenant space but not more than twenty-five (25) square feet or not more than one (1) square foot per 1,000 square feet of gross floor area, whichever is greater
2. One projecting sign displaying the name of the owner or occupant of the premises and/or the activity conducted thereon (Zoning Permit) provided that there is at least fourteen (14) feet of clearance under the sign for vehicular traffic and at least seven (7) feet of clearance under the sign otherwise (Zoning	One sign per Tenant	Twelve inches (12”) by eighteen inches (18”) in total area on each of two sides.

Permit required)		
3. One (1) additional wall sign or projecting sign displaying the name of the owner or occupant of the premises (Special Permit required)	One additional sign	
4. An entrance identification sign for a rear entrance into a building or tenant space from a parking area (Zoning Permit required)	One sign	Four (4) square feet in area
5. Sign(s) identifying store hours and non advertising notices (no permit required)	n/a	One (1) square feet in total area per tenant space
6. For a residence in a non-residential zone, a sign bearing the name and/or street address; and/or permitted residence office of the resident (no permit required).	One (1) for each permitted use or dwelling	Two (2) square feet in total area
7. Permanent window sign(s) on store windows for a permitted use provided that a “permanent window sign” permit has been obtained (Zoning Permit required)	Two (2) window surfaces	Twenty-five (25) per cent of the window area where it is located. <i>Note: Signage for larger window area may be granted by the Commission by Special Permit for good cause shown.</i>
8. A freestanding sign erected or placed on the premises provided that the maximum height of such sign does not exceed ten (10) feet. The height of the sign must be proportional to the setback of the sign from the property line. (Special Permit required)	One (1) freestanding sign per premises	Twenty-four (24) square feet in total area on each of two sides.
9. Professional tenant directory sign, identifying tenants, shall be allowed. The sign shall be located away from the road frontage of the property. (Special Permit required)	One freestanding sign.	No portion of the sign shall be more than six (6) feet above the average level of the rough grade within a radius of ten (10) feet. Each tenant shall be allowed a 2 square foot sign on the directory sign, displaying only the tenant’s name. In addition to the names, the directory may contain a layout of the center which shall not exceed six (6) square feet.

<p>10. A temporary banner sign announcing special events directly related to the activity or use conducted within the premises provided that no more than four (4) permits per tenant for such special events signs shall be issued in any one calendar year (Zoning Permit required)</p>	<p>One (1) sign per business or occupant for up to two (2) weeks but no more than one (1) sign per property at any one time</p>	<p>Twelve (12) square feet in total area</p>
<p>11. Temporary window sign for a permitted conforming use (Zoning permit required), provided that: a. Such sign will not be displayed more than fifteen (15) consecutive days b. if such use has only one window and such window contains a permanent window sign, then the temporary sign shall not exceed fifteen (15) per cent of the total window surface.</p>		<p>Twenty-five (25) per cent of the window surface where it is located</p>
<p>12. Barber pole sign. (Zoning Permit required)</p>	<p>One per hair cutting establishment in addition to other permitted signs.</p>	<p>A barber pole may not exceed three (3) feet in height, excluding the supporting structure.</p>
<p>13. Awning signs, provided that the area of the sign shall be computed as part of the total sign area for the subject building and lot. (Zoning Permit required)</p>		
<p>14. Temporary A-frame sandwich-board signs. (Zoning Permit required)</p>	<p>One (1) temporary sandwich sign For advertising use per business or occupant which can be used up to six different times in one calendar year (January ~ December) for a cumulative total of no more than six weeks during a calendar year.</p>	<p>Six square feet in total area on each of two sides.</p>

<p>15. A directory sign on a Class A road established by Section 1.5.1. of these regulations, for businesses not on a Class A road. Proof must be provided that such a sign is in the public welfare, and that the applicant has the legal right to erect such a sign. (By Special Permit)</p>		
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4.8. Eleemosynary Signs Permitted

Subject to the general limitations prescribed in 4.8.1 through 4.8.4 eleemosynary signs may be located either on premises as the event to which they refer occurs or off premises from such site. Sign registration per Section 4.8.2 of these regulations is required for such signs.

4.8.1 Eleemosynary signs shall be:

- (1). Not posted for more than two (2) weeks before the event;
- (2) The event is limited to an activity scheduled for specific dates and not for continuous activities or on-going programs.
- (3) The sign(s) shall be removed within 48 hours of cessation of the event.
- (4) The area of any one side of the sign shall not exceed six (6) square feet

4.8.2 Eleemosynary signs shall be registered with the Zoning Enforcement Officer prior to their erection on a form prescribed by the ZEO which shall include the following information:

- (a) The name and address of the business, organization or enterprise
- (b) The name and phone number of the applicant and person responsible for removing said signs within the specified time limits
- (c) The date of submission
- (d) The overall sign design
- (e) The purpose of the event
- (f) The dates to be erected
- (g) The duration of the event
- (h) The location of the signs

4.9. Sign: Area, Location and Construction

4.9.1. Determination of Sign Area:

(1) The area of sign shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background different from the building whether painted or applied when it is designed as an integral part of and obviously related to the sign.

(2) When the sign consists of individual letters or symbols attached to, or painted on, a building wall or window, the area shall be considered to be that of the smallest rectangle which encompasses all of the letter or symbols.

(3) In the case of a free-standing sign, or a sign that can be seen from both sides, the area shall be determined from the outside dimensions of the sign, not including the vertical, horizontal or diagonal supports which affix the sign to the ground, unless such supports are evidently designed to be part of the sign.

4.9.2. No sign, other than official street or highway signs, shall be erected or maintained within street or highway rights-of-way.

4.9.3. No sign shall project over any private property line without the express written permission of the affected property owner

4.9.4. No sign shall be placed so as to:

a. interfere in any way with the vision of pedestrian or vehicular traffic, traffic signals or signs, or

b. endanger traffic on a street or public way by obscuring a clear view of, or by confusion with, official street signs, highway signs, or signals.

4.9.5. No sign shall be affixed to the roof of any building; nor shall any sign affixed to any wall of any building project above the top of said wall.

4.9.6. All signs shall be designed, constructed, erected and maintained in accordance with the standards specified in the state building code.

4.9.7. Permanent signs are encouraged to be carved.

4.9.8. No sign shall consist of, contain, or appear to contain rotating, vibrating or moving materials such as paper, cloth or metal, whether attached to a fixed sign or used independently thereof.

4.9.9. No sign shall be constructed, illuminated, or function in a way so as to appear to rotate, vibrate, move, or otherwise be animated.

4.10. Sign Illumination

4.10.1. The illumination of permitted signs shall be non-animated and non-flashing.

4.10.2. Neon signs are permitted by special permit.

- 4.10.3 No sign shall be illuminated by other than white incandescent or white fluorescent lights, unless specifically approved by the Commission.
- 4.10.3. Any internally illuminated sign shall consist of a dark or opaque background with lighter colored lettering unless specifically approved by the Commission.
- 4.10.4. Light sources shall be so located to preclude light trespass into the street or any adjoining property.
- 4.10.5. Spotlights or floodlights for signs shall be shielded so that:
 - a. the source of light shall not be visible from any point off the premises on which the sign, building or structure being illuminated is erected, and
 - b. only one (1) sign is directly illuminated thereby.

4.11. Sign Design and Review Procedure

- 4.11.1. All signs shall be designed so as to be harmonious and compatible with the architectural character of the building(s) or premises to which they refer and with due consideration to the protection and enhancement of Woodbridge historic character and tradition.
- 4.11.2 New free standing signs within the Woodbridge Gateway Project on Amity Road, shall be minimized in height so that no tree removal is required for them to be visible.
- 4.11.3 The Commission shall only issue a Special Permit for a sign after a public hearing has been held and upon showing of good cause for the sign and demonstration of conformity with Section 4.1 of these Regulations.

SECTION 5. NON-CONFORMING USE AND BULK.

5.1 Existing Non-Conforming Uses

5.1.1 Any building or use of land or building lawfully existing on the effective date of the amendments set forth in these Regulations, or any amendments thereto, or authorized by a lawful permit issued prior to such effective date, which does not conform to the provisions of these Regulation for the Use District in which it is located, is a non-conforming use and may be continued. Such use may not be extended, expanded or enlarged in scope, area or intensity except with the approval of the Zoning Board of Appeals. The only non-conforming use, existing on the effective date of the amendments set forth in these Regulations, which may be continued hereunder, is a use which was at the effective date of these Regulations (December 24,

1932) a valid non-conforming use by reason of existence prior to such effective date of these Regulations, or prior to the effective date of any amendment thereof which caused the use to become non-conforming, and which use continued to be such up to the effective date of the amendments set forth in these Regulations.

5.2 Destruction of Non-Conforming Use

5.2.1 Any non-conforming building or structure which is destroyed or damaged by fire or casualty may be reconstructed and structurally altered, provided the cost of such reconstruction or structural alteration is less than sixty (60) percent of the fair market value of such property and such reconstruction or alteration is commenced within 240 days of the dated of such damage or destruction. Nothing in these Regulations shall prevent the restoration of a wall or structural member declared unsafe by lawful authority.

5.3 Vacant Non-Conforming Use

5.3.1 A building, structure or portion thereof, or premises, non-conforming in use, which has not been, or hereafter is not, used for such non-conforming use for a continuous period of 240 days shall not be occupied except by a use which conforms to the use regulations of the district in which it is located.

5.4 Non-Conforming Use Reverting to Conforming Use or Change of Use

5.4.1 No non-conforming use which is changed to a conforming use shall revert to a non-conforming use.

5.5 Buildings with Non-Conforming Bulk

5.5.1 Normal maintenance and repair, structural alteration in, and moving or reconstruction of a building with non-conforming bulk may be permitted by the Commission if the same does not increase the degree of or create any additional non-conforming bulk in such building.

SECTION 6. OTHER BULK REGULATIONS.

6.1 Accessory Buildings

6.1.1 Accessory Buildings and Yard Requirements. No accessory building in any district shall be located in a front yard. No accessory building shall be located in any side yard nearer to the side lot line than the distance specified in Section 3.1.3, Column 9.

6.2 Front Yards

6.2.1 Required Front Yards. All required front yard depth in Section 3.1.3 shall be computed as the distance specified in said Column 6 plus a distance measured from the center line of the road as specified below for each classification established in Section 1.5 unless the required front yard depth from the road line results in a greater distance

ROAD CLASSIFICATION
In SECTION 1.5

REQUIRED DISTANCE
from ROAD CENTER LINE

A	50 Feet
B	40 Feet
C	25 Feet

6.3 High Pressure Pipe Lines

6.3.1 Building Set Back Requirement. No person, firm or corporation shall erect a building within a distance of forty (40) feet of any high pressure pipe line which is used for the transmission or distribution of natural or artificial gas or any other inflammable substance.

6.4 Soil Erosion and Sediment Control Requirements

Effective on: January 1, 1986

6.4.1 Public Act 83-388 of the General Statutes of the State of Connecticut entitled "An Act Concerning Soil Erosion and Sediment Control" provides that the Town adopt Soil Erosion and Sediment Control Regulations for Land Development in order to strengthen and extend soil erosion and sediment control activity and to reduce the danger from stormwater run-off, minimize non-point sediment pollution from land being developed and to conserve and protect the land, water, air and other environmental resources of the Town.

6.4.2 Basic Requirements. Land development covering cumulatively more than one-half acre in area may not be undertaken in any district unless certification therefore in compliance with the Soil Erosion and Sediment Control Requirements has first been obtained from the Commission or its appointed agent by the owner, or his duly authorized agent, of the land proposed to be developed.

6.4.3 Activities Requiring a Certified Soil Erosion and Sediment Control Plan. A soil erosion and sediment control plan shall be submitted by the owner, or his duly authorized agent, with any application for development when the disturbed area of such development is more than one half-acre.

6.4.4 Exemptions. A single family dwelling that is not part of a subdivision of land shall be exempt from these soil erosion and sediment control requirements.

6.4.5 Erosion and Sediment Control Plan.

6.4.5.1 To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to control erosion and sedimentation. For

methods and practices necessary for certification refer to the “2002 Connecticut Guidelines for Soil Erosion and Sediment Control”, as amended, published by the Connecticut Council on Soil and Water Conservation in cooperation with the Connecticut Department of Environmental Protection. Alternative principles, methods and practices may be used with prior approval of the Commission.

6.4.5.2 Said plan shall contain, but not be limited to:

- (a) A narrative report prepared by a professional engineer licensed to practice in the State of Connecticut describing:
 - 1. the development;
 - 2. the scheduled phasing for grading and construction activities including:
 - (a) start and completion dates;
 - (b) sequence of grading and construction activities;
 - (c) sequence for installation and/or application of soil erosion and sediment control measures;
 - (d) sequence for final stabilization of the project site;
 - 3. the design criteria for proposed soil erosion and sediment control measures and stormwater management facilities and construction details for proposed erosion and sediment control measures and stormwater management facilities;
 - 4. the developer’s operations and maintenance program for proposed soil erosion and sediment control measures and stormwater management facilities.
- (b) A site plan at a scale of one inch equals forty feet on sheets of either 18” x 24” or 24” x 36” in size prepared by a land surveyor licensed to practice in the State of Connecticut to show:
 - 1. the location of the proposed development and adjacent properties;
 - 2. the existing and proposed topography at 2’ = 0” contour intervals including soil types, wetlands, land subject to flooding, water courses and water bodies;
 - 3. the proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines;

4. the existing structures on the project site if any;
 5. the location and details for all proposed soil erosion and sediment control measures and stormwater management facilities;
 6. the sequence of grading and construction activities;
 7. the sequence and installation and/or application of soil erosion and sediment control measures;
 8. the sequence for final stabilization of the development site.
- (c) Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its appointed agent.

6.4.6 Issuance or Denial of Certification.

- 6.4.6.1 The Commission or its authorized agent shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of these requirements, or shall otherwise deny certification when the plan does not so comply.
- 6.4.6.2 Nothing in the Soil Erosion and Sediment Control Regulations shall be construed as extending the time limit for the approval of any application under Chapters 124 or 126 of the General Statutes of the State of Connecticut.
- 6.4.6.3 The Commission may forward a copy of the plan to the Southwest Conservation District or other agencies and/or advisors for review and comment. The Commission may obtain technical advice at the expense of the applicant, and payment in advance of such expense shall be a condition of further consideration of the application.

6.4.7 Conditions Relating to Soil Erosion and Sediment Control.

- 6.4.7.1 The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, shall be covered by a completion bond acceptable to the Commission to assure compliance with the plan and its completion. A cost breakdown forming the basis of the amount of bond to be posted shall be prepared and submitted to the Commission by the applicant with the application for a soil erosion and sediment control plan certification.
- 6.4.7.2 Development of a site shall not begin unless a soil erosion and sediment control plan is certified and those control measure and facilities in the plan scheduled for installation prior to site development are installed and functional and a completion bond therefore has been posted in a form and in an amount acceptable and approved by the Commission.

6.4.7.3 Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan. A change of the certified plan may be undertaken only with the prior approval of the Commission or its appointed agent.

6.4.7.4 All control measures and facilities shall be maintained in effective condition during and after installation as provided in Section 6.54 to ensure the continuing compliance with the certified plan or any amendment thereof.

6.4.8 Inspection and Release of Bond.

6.4.8.1 Inspections shall be made by the Commission or its designated agent during the development phases referred to in Section 6.54 to ensure compliance with the certified plan and that control measures and facilities are properly performed or installed and maintained. Forty-eight hour written advance notice for each inspection phase shall be given to the Commission or its appointed agent before proceeding to the next phase. The Commission may require that the applicant and his/her professional engineer certify through progress reports for each phase and prior inspection that soil erosion and sediment control measures have been performed or installed according to the certified plan and are being operated and maintained.

6.4.8.2 Upon completion of all work specified in the certified plan the applicant shall notify the Commission thereof and submit a written report, including maps as necessary, certified by a professional engineer licensed to practice in the State of Connecticut that the soil erosion and sediment control measures have been completed as approved or as may have been modified with the approval of the Commission. Upon receipt of the report and inspection of the site by the Commission or its appointed agent, the Commission shall release any bond posted upon the finding that the provisions of the certified plan have been complied with.

SECTION 7. EXCAVATION, REMOVAL, FILLING, GRADING AND PROCESSING OF EARTH PRODUCTS.

Effective on: June 30, 1987

7.1 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 7.1 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 7.4, which the Commission deems necessary to prevent damage to other property and to protect the public safety, health and general welfare.

7.2 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 7.4 shall continue to apply:

- (a) 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;
- (b) The construction of Road improvements in accordance with construction and grading plans approved by the Commission pursuant to the Subdivision Regulations of the Town;
- (c) The normal maintenance and repair of Road and driveways and the construction of new Roads by the Town or State of Connecticut;
- (d) Stockpiling or excavation of earth products for Road maintenance by the Town;
- (e) 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

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

7.3 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:

- (a) 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.).
- (b) 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 6.5 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.

(c) 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.

- (d) 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.

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

- (a) 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

- (b) 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

- (c) No screening, sifting, washing, crushing or other forms of processing shall be conducted on the land;
- (d) 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;
- (e) 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;
- (f) 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;
- (g) 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 reseeded until the area is stabilized;

- (h) 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.
- (i) 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;
- (j) 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;
- (k) 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;
- (l) 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;
- (m) 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;
- (n) No operations to create a manmade water area shall be conducted below the water level of the Lot, unless specifically authorized, as part of the Permit, by the Commission;
- (o) 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.

7.5 Joint Application. Where two (2) or more adjoining lots are to be considered, the Commission may treat a joint application as one (1) application where adequate slope and/or drainage agreements are provided to allow for the necessary coordination of any operations.

7.6 Procedure. Within sixty-five (65) days of the date of submission of an application for a Permit, the Commission shall hold a public hearing pursuant to Section 8-26e of the Connecticut General Statutes. Following the public hearing, and after the Commission verifies the operations will conform with the purposes, Standards and Conditions of these Regulations, the Commission may issue a Permit, subject to the following conditions:

- (a) The owner shall file with the Commission a cash or surety bond, or letter of credit, in form and amount as prescribed by the Commission, to ensure the performance and completion of the operation in accordance with this Section's provisions;
- (b) Any Permit granted under this Section shall expire one (1) year from the date of such grant, unless specifically granted for a shorter period of time;
- (c) No operations are permitted after the Permit expires. The commission may, however, renew the Permit for one (1) additional year without a public hearing provided the applicant submits an updated grading plan and a written report by a state licensed land surveyor or professional engineer certifying that the operation is in compliance with the Permit approved by the Commission. A written request for the permit renewal must be submitted to the Commission prior to the expiration of the initial permit. Notice of an application for renewal shall be published as a legal notice in a newspaper having general circulation in the Town;
- (d) The applicant and the owner shall carry out the operations in accordance with the Standards and Conditions as set forth in Section 7.5 and in accordance with such other limitations and conditions as the Commission may impose under this Section;
- (e) No permit shall be transferable by the applicant;
- (f) Under unusual weather condition, the Commission may extend the permit period for not more than thirty (30) days upon a showing by the applicant that the already completed work conforms with the approved Grading Plan and the applicable requirements of this Section;
- (g) Inspection and Compliance. During the term of a Permit and until the operation is completed, the Commission or the Zoning Enforcement Officer may, at any time, inspect the land to verify compliance with this Section. The Commission may require the applicant to submit periodic written reports, prepared by and bearing the seal of a licensed land surveyor or professional engineer, showing the status and progress of the operation.

7.7 Release of Bond. Upon completion of the operation authorized by a Permit and the restoration of the premises in accordance with the approved Grading Plan and applicable regulations and conditions, the applicant may apply, in writing, to the Commission for release of the bond filed. The bond shall not be released until the applicant's land surveyor or professional engineer has certified to the Commission by submitting "Record" plans showing that all improvements are in accordance with the plans, shall include as-built grading plans, details of restoration measures, and any modifications approved by the Commission. Four (4) paper prints and one (1) transparency of each plan shall be submitted to the Commission.

7.8 Existing Operation. Any existing operations, authorized by a permit issued under Zoning Regulations previous to these Regulations, may continue for the term of such permit, subject to all the requirements of such permit. Upon expiration of this time period, the existing or contemplated operation shall cease unless an application for a Permit is approved under this Section.

SECTION 8. ENFORCEMENT OF REGULATIONS AND PENALTIES.

8.1 Enforcement of Regulations

8.1.1 These Regulations shall be enforced by the Board of Selectmen or their authorized agent who shall be known as the Enforcement Officer. The Board of Selectmen or their agent is authorized to cause any building, structure, or premises, to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereon in violation of any of these regulations.

8.2 Penalties

8.2.1 The owner or agent of any building, structure or premises where a violation of any provision of these Regulations shall have been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation shall have been committed or shall exist, or the owner, agent, lessee or tenant of any part of the building or premises in which such violation shall have been committed or shall exist, or the agent, architect, builder, contractor or any other person who shall commit, take part or assist in any such violation or who shall maintain any building or premises in which any such violation shall exist, shall be fined not less than ten (\$10) nor more than one hundred dollars(\$100) for each day that such violation shall continue; but, if the offense be willful, the person convicted thereof shall be fined not less than one hundred dollars (\$100) nor more than two hundred fifty dollars (\$250) for each day that such violation shall continue, or imprisoned not more than ten (10) days for each day that such violation shall continue, or both; and the circuit court shall have jurisdiction of all such offenses, subject to appeal as in other cases. Any person who, having been served with an order to discontinue any such violation, shall fail to comply with such order within ten (10) days after such service, shall be subject to a civil penalty of two hundred and fifty dollars (\$250), payable to the Town of Woodbridge.

SECTION 9. APPLICATIONS AND PERMITS.

9.1 Application

9.1.1 No building or structure shall be erected, changed, or enlarged unless and until the owner of the property shall have obtained a permit from the Enforcement Officer. Except in the case of gardening or agricultural operations no new land use shall be undertaken not any existing land or building use enlarged or changed unless and until the owner of the property shall have obtained a permit from the Enforcement Officer. Nothing herein shall be construed to authorize the extension, expansion or enlargement in scope, area or intensity, of any non-conforming use.

9.1.2 The Enforcement Officer shall require that the application for a permit to use, change of use, erect, or enlarge a building, structure or premises shall be accompanied by a Site Plan of the land where the use, change of use, construction or enlargement is to take place. Said Site Plan shall be based on a survey done according to A-2 standards of accuracy prepared by a land surveyor licensed to practice in the state of Connecticut, at a scale of not less than 1"= 40'. He shall also require that the boundaries of the land be denoted on the land either by visible permanent natural features or by visible merestones or other suitable permanent markers. The map shall contain at least the following information:

1. Soil erosion and sedimentation control devices (approved as necessary by the Town Plan and Zoning Commission).
2. All property corner monuments must be set and noted.
3. The location of all existing and proposed buildings, accessory structures, swimming pools, tennis courts, etc., and their property line setbacks. In the case of a dwelling, the number of bedrooms must be shown.
4. Location of driveway (s).
5. Location of well or public water supply tie-in.
6. Location of septic system including the reserve area (approved as necessary by the Quinnipiack Valley Health District), or public sewer tie-in.
7. Location and size of oil tank.
8. Location of underground utilities.
9. Amount of fill to be brought to the site or excavation contemplated in cubic yards and square feet for driveway, septic system, regrading, etc., (approved as necessary by the Town Plan and Zoning Commission).
10. Existing water courses, wetlands (approved as necessary by the Town Plan and Zoning Agency), flood zones (approved as necessary by the Town Plan and Zoning Commission), existing and proposed easements.
11. Name and address of current owner in fee including the abutting owners and those across the street; north arrow and scale.

12. The Zoning District classification of a property.
13. Indicate in comparative tabular form the information required by Section 3.13 of the Zoning Regulations entitled "Table of General Bulk Regulations" showing: (a) existing dimensions; (b) standards required by Section 3.13 and (c) standards proposed by the applicant.
14. Variance if granted (show date and type).
15. Show in a Title Block in the lower right hand corner: (a) Name of the current owner, (b) Street address; (c) Name of Architect, Engineer and/or Land Surveyor; (d) Date, revision and scale)

The Zoning Enforcement Officer shall have the authority to waive any of the above requirements if in his opinion the nature of the work proposed does not warrant full compliance with the requirements of this section or the requirements can be met in other ways. Depending on the complexity of the application, additional information such as existing and proposed grades, landscaping, drainage, soil types, signs and lighting may be required.

Effective on: March 13, 1995

- 9.1.2.2 Before the actual pouring of concrete or placement of other material for the foundation of any building or structure, the owner or contractor shall notify the Enforcement Officer, and shall give him an opportunity to determine that the location of such foundation, or any part of the building to be erected thereon, will not encroach over the established building lines or in any way violate any of these Regulations, and shall obtain his written approval endorsed upon the permit.

9.1.3 Every application for a zoning permit for the erection of a residence or for a permit for any other use, change of use, building or enlargement shall be accompanied by 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. Such fees shall be collected by the Enforcement Officer and shall be remitted to the Treasurer of the Town.

Effective on: January 14, 1981

9.1.4 Any permit by the Enforcement Officer issued under this Section shall be valid for one year from the date of issue.

9.2 Pending Application for Building Permits

9.2.1 Nothing herein contained shall require any change in the plans, construction, site or designated use of a building (a) for which a zoning permit has been granted or (b) for which an acceptable application was on file with the Selectmen or their duly authorized agent before the effective date of these Regulations, and the construction of which shall be started within six (6) months after such date.

9.3 Certificate of Compliance

9.3.1 It shall be unlawful to use or permit the use of any building, structure or premises or part thereof hereafter changed or converted, altered or enlarged, wholly or partly, in its use or structure, until a Certificate of Compliance shall have been issued showing that such building, structure or premises or part thereof, and the proposed use thereof, are in conformity with the provisions of these Regulations. A certificate of Compliance shall be issued by the Enforcement Officer immediately upon the satisfactory completion of the building or establishment of a land use other than gardening or agricultural operations.

SECTION 10. ZONING BOARD OF APPEALS.

10.1 Powers and Duties

10.1.1 The Zoning Board of Appeals shall have the following powers and duties:

- (a) To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the Enforcement Officer in connection with the enforcement of these Regulations.
- (b) To hear and decide all matters including special exceptions upon which it is required to pass by the specific terms of these Regulations or any amendments thereof.
- (c) To determine and vary the application of these Regulations in harmony with their general purposes and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured.

10.2 Hearing Procedure

10.2.1 The Zoning Board of Appeals shall hold a public hearing on all appeals. Notice of the time and place of such hearing shall be published according to law and a copy of said notice and petition is to be forwarded to the Town Plan and Zoning Commission.

10.3 Approval Procedure

10.3.1 Before any exception or variance is granted, the Zoning Board of Appeals shall include a written finding in its minutes as part of the record in each case, stating specifically the

exceptional conditions, the practical difficulties, or unnecessary hardship involved. Any variance or exception in the use of buildings or land which is granted by the Zoning Board of Appeals shall be filed in the Office of the Town Clerk with a copy to the Town Plan and Zoning Commission.

SECTION 11. AMENDMENTS, VALIDITY, EFFECTIVE DATE.

11.1 Amendments

11.1.1 These Regulations may be amended, changed or repealed as provided by Chapter 124, of the Connecticut General Statutes, 1958 Revision, as amended from time to time.

11.1.2 Publication of Notice. Notice of the time and place of a hearing on a proposed amendment shall be published at least twice in a newspaper having a substantial circulation in the Town. Such publication shall be at intervals of not less than two days, the first not more than fifteen days nor less than ten days, and the last not less than two days before such hearing, and a copy of such proposed amendment shall be filed in the Office of the Town Clerk at least ten days before such hearing. Such additional notice shall be given as the Commission may prescribe.

11.1.3 Protest. If a protest against such change is filed at such hearing and such protest is signed by the owners of twenty percent or more of the area of the lots included in such proposed change or of the lots within five hundred feet in all directions of the property included in the proposed change such change shall not be adopted except by a vote of two-thirds of all the members of the Commission.

11.1.4 Application Requirements. No application for a change in zone boundaries shall be received unless accompanied by a map drawn to a scale by licensed engineer or land surveyor, showing the property or properties involved.

11.1.5 Application Fee. 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, shall be charged for each application to the Commission for a change of these Regulations or zoning boundaries and this fee must be paid at the time of submitting the application. All fees so collected shall be remitted to the Treasurer of the Town.

Effective on: January 14, 1981

11.2 Validity

11.2.1 If any section or provision of these Regulations as contained herein or as amended hereafter is declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of these Regulations as a whole or any other part thereof other than the part so declared to be invalid.

Appendix 1

Architectural Review Guidelines for the Woodbridge Village District

PURPOSE

Section 8-2j of the Connecticut General Statutes enables a zoning commission to enact regulations for the creation of “village districts” in areas of distinctive character, landscape or historic value that are specifically identified in the Plan of Conservation and Development. The Woodbridge Town Plan of Conservation and Development calls for the creation of such as district to create a thriving, diverse mixed-use residential and commercial community. The Woodbridge Village District is shown as districts GB, BI and DEV1 as delineated on the Zoning Map for the Town of Woodbridge. With this district in place, Woodbridge has the opportunity to realize this objective.

These guidelines should serve as both as a reminder to the community of what it is that has come to make the Woodbridge Village District (WVD) special, as well as providing assistance to those who propose to build new or upgrade existing property and/or buildings. These guidelines are not intended to replace the zoning regulations of the underlying districts, but to augment those documents by providing guidance that will help to preserve and strengthen the Woodridge Village District and to provide continuity with what is there.

WHY WOODBRIDGE NEEDS A VILLAGE DISTRICT

Section 8-2j of the Connecticut General Statutes enables a zoning commission to enact regulations for the creation of “village districts” in areas of distinctive character, landscape or historic value that are specifically identified in the Plan of Conservation and Development. Village districts are important zoning tools for protecting and enhancing designated areas and for fostering their unique sense of place. A Village District designation affords municipalities the ability to look beyond standard concerns of land use and building size and height to additionally address architectural and aesthetic characteristics. Local laws that establish a village district shall protect the distinctive character, landscape and historic resources within the district. In village districts, the zoning commission may regulate alterations and improvements to new construction, substantial reconstruction and rehabilitation of properties.

Development 1, General Business and Business and Industry districts have distinctive features and characteristics worthy of protection and enhancement, which fall within the language, meaning and the legislative intent of the statute in the following ways:

- A level landscape in the flood plain of the West River
- Beautiful vistas of West Rock Ridge State Park and Konolds Pond

- The only mixed-use area of the Town.
- Historic structures as identified in “The Historic Structures of Woodbridge”

GUIDELINES FOR IMPROVEMENTS

Buildings and architectural features

1. The Town of Woodbridge has rich and diverse architecture. One can find many styles throughout the community, including, but not limited to, Colonial, Victorian, Arts and Crafts, Contemporary and Greek Revival. All these styles fit together harmoniously through scale, massing, color, and the overall context of the streetscape. It is desirable to continue this tradition. Each style has its own set of architectural elements, such as rooflines, windows, entrances and materials. Details that might be found include moldings, mullion spacing, columns, porticos, porches, quoined corners and ornamentation. Some of these styles adapt well to larger scaled commercial structures and some do not, although it is possible to use some of these styles by breaking down the massing into more appropriately sized components. Care should be taken, especially if trying to translate one of Woodbridge’s residential styles, that the scale is appropriate, both to the building and its details.

It is important to use architectural elements that are appropriate and consistent with the style of the building and to provide the style’s distinctive details throughout the project. When proposing a structure different in style from the adjacent properties, find elements, such as materials, color, massing and landscaping, which can unify the different projects.

2. Buildings should be oriented with the front façade facing the street.
3. Flat-roofed buildings should be re-worked into a gable style roofline or façade.

Parking, roads, driveway and walkways

4. Parking areas within Woodridge Village District Woodbridge Village District should be landscaped with complementary trees, shrubs, flowers and grass areas. Encourage parking to be located to the side or rear of the building or lower in profile to the road. Parking on front of a building, or in place of a building(s), should be avoided wherever possible as this begins to break down the continuity of the building façades. The impact of parked cars from the street should be reduced as much as possible. Some options to achieve this include lowering the grade for parking areas,

gently grading up to a stone retaining walls, screening with plantings, constructing earth berms and installing fences.

5. Safety should be an important consideration of all entrances, exits and parking lot layouts.
6. Snow removal and snow dumping areas must be considered in any site design. They should not dictate the parking layout or eliminate planting areas.
7. Reduce the number of commercial driveways through consolidation. Reduce the width of driveways over 24 feet wherever possible.
8. Establish a continuous sidewalk network to enhance the Village District. At minimum sidewalks should connect the Village District along:
 - (a) The northern side of Lucy Street
 - (b) The western side of Litchfield Turnpike
 - (c) The southern side of Bradley Road
 - (d) The eastern side of Amity Road

Lighting and other design elements

9. The placement and overall aesthetics for all supporting site components must be considered as part of the application, including, but not limited to, lighting, grading/ screening, landscaping, signage, parking, site furniture and trash receptacles. Site plans should seek to integrate sidewalks, lighting, signage and other elements for the coordination of adjacent properties.
10. The style of lighting fixtures used should respect the architectural style of the building(s). In some instances, uplights may be proposed which highlight the features of the building. Care should be taken that the light type and intensity do not create light pollution. Lighting should not or spill over on to adjacent buildings, properties or residential neighbors. The use of sodium light fixtures is to be discouraged.

Signage

11. Signage in the Woodbridge Village District should be correctly proportioned to the scale of the surrounding structures.

12. Signs should reflect the buildings architectural style and be designed within the overall front or side elevation. Signs added as an afterthought usually detract from the proportions and details of the building. Care should be taken with freestanding signs that they do not block visibility into or out from the access drive.
13. Well-designed signs should not require foundation planting, but low evergreens, perennials or both may be added to protect uprights or the sign base from maintenance equipment.
14. Proper lighting adds to the charm and effectiveness of the sign. Lighting sources are preferred to be external and shielded (or louvered) so that glare and spillover are avoided. Internally lit signs are discouraged. In some cases, the lighting source can be built into or hung from the sign.

Landscaping

15. Begin a landscaping and shade tree planting program that establishes a basic framework for the entire area. The most important plant material for Woodridge Village District is its shade trees. Not only should existing trees be preserved and maintained, but also new shade trees should be an important element of any proposed site plan. At a minimum, trees should be planted along property lines, perpendicular to the road. Consideration should additionally be paid to landscaping along the sides of the roads. New development and substantial renovation plans would be required to adhere to these guidelines as part of their approval.

16. The shade trees from this list should be considered:

Large Shade Trees – 50’ or greater

Northern Red Oak (*Quercus rubra*)
 Green Ash (*Fraxinus pennsylvanica* seedless cultivars)
 Thornless Honeylocust (*Gleditsia triacanthos inermis* - seedless cultivars)
 *London Planetree (*Platanus acerifolia* Bloodgood or cultivars)
 *Red Maple (*Acer rubrum* varieties)
 Littleleaf Linden (*Tilia cordata*)
 American Beech (*Fagus grandifolia*)
 European Beech (*Fagus sylvatica*)
 Japanese Zelkova Village Green (*Zelkova serrata*)
 American Elm (*Ulmus* varieties that prove disease resistant)

Medium Shade Trees (30-50')

European Hornbeam (*Carpinus betulus*)
Katsura Tree (*Ceridiphyllum japonicum*)
Flowering Pear (*Pyrus calleryana* cultivars, except Bradford)
Goldenrain Tree (*Koelreuteria paniculata*)

*Most highly recommended varieties due to long life, durability, cleanliness, density and form.

17. The use of evergreen trees should also be encouraged for screening purposes. Species for consideration include, although are not limited to, the following list.

White pine
Canadian hemlock
Blue spruce
Colorado spruce
Norway spruce

Utilities

18. All utilities should be placed underground for new construction and substantial renovations representing sixty percent or more of market value. Any utilities that remain above ground, appropriate screening should be provided to reduce their prominence. Although shade trees are the single most effective way to diminish the impact of utility lines, care should be taken in placing the trees so that a mature tree should not impact the lines or cause the tree to be unnaturally pruned in the future.

Effective on: August 14, 2006

FLOOD HAZARD AREA REGULATIONS

SECTION 12. STATUTORY AUTHORIZATION, FINDING OF FACT, PURPOSE AND OBJECTIVES.

Effective on August 10, 1988

12.1 Statutory Authorization.

The legislature of the State of Connecticut has in Section 8-2 of the General Statutes delegated the responsibility to Zoning Commissions to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Town Plan and Zoning Commission of the Town of Woodbridge does hereby promulgate the following:

12.2 Finding of Fact.

12.2.1 The flood hazard areas of the Town of Woodbridge are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

12.2.2 These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

12.3 Statement of Purpose.

It is the purpose of these regulations to promote the public health, safety and general welfare and to minimize the public and private losses due to flood conditions in specific areas by provisions designed to:

12.3.1 Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

12.3.2 Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

12.3.3 Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;

12.3.4 Control filling, grading, dredging and other development which may increase erosion or flood damage, and;

12.3.5 Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

12.4 Objectives.

The objective of these Regulations are:

12.4.1 To protect human life and health;

12.4.2 To minimize expenditure of public money for costly flood control projects;

12.4.3 To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

12.4.4 To minimize business interruptions;

12.4.5 To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

12.4.6 To help maintain a stable tax base by providing for the sound use and development of prone areas in such a manner as to minimize flood blight areas, and;

12.4.7 To insure that potential home buyers are notified that property is in a flood area.

SECTION 13. DEFINITIONS.

13.1 Unless specifically defined below or in the Zoning Regulations of the Town of Woodbridge, words or phrases used in these regulations shall be interpreted so as to give them the meaning they have in common usage and to give these regulations it most reasonable application.

13.1.1 Addition (to an existing building). Any walled and roofed expansion to the perimeter of an existing building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing wall is new construction.

13.1.2 Appeal. A request for a review of the Town Plan and Zoning Commission's interpretation of any provision of these regulations or a request for a variance.

13.1.3 Area of Special Flood Hazard. The land in the flood plain within a community subject to one percent or greater chance of flooding in any given year.

13.1.4 Base Flood. The flood having a one percent chance of being equaled or exceeded in any given year.

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

13.1.6 Basement. Any area of a building having its floor subgrade (below ground level) on all sides.

13.1.7 Building. A walled and roofed structure which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

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

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

13.1.10 Elevated Building. A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.

13.1.11 Federal Emergency Management Agency (FEMA). The federal agency that administers the National Flood Insurance Program (NFIP).

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

13.1.13 Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. the overflow of inland water; or
2. the unusual and rapid accumulation or runoff of surface waters from any source.

13.1.14 Flood Insurance Rate Map (FIRM). An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

13.1.15 Flood Insurance Study (FIS). The official report by the Federal Emergency Management Agency (FEMA). The report contains flood profiles, as well as the Flood Insurance Rate Map (FIRM) and the water surface elevation of the base flood.

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

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

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

13.1.19 Highest Adjacent Grade. The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

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

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

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

13.1.23 Mean Sea Level (MSL). For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

13.1.24 Market Value. Market value of the structure shall be determined by the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring

13.1.25 New Construction. Structures for which the "start of construction" commenced on or after the effective date (July 18, 1980), the effective date of the Flood Hazard Area Regulations, and includes any subsequent improvements to such structures.

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

13.1.27 Start of Construction. (For other than new construction). Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations for the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

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

13.1.29 Substantial Damage. Damage of any origin sustained by a building or structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

13.1.30 Substantial Improvement. Any combination of repairs, reconstruction, alterations or improvements to a building or structure, taking place during the life of the building or structure, in which the cumulative cost equals or exceeds fifty percent of the market value of the building or structure. The market value of the building or structure should be (1) the appraised value of the building or structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the building or structure prior to the damage occurring. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building or structure commences, whether or not that alteration affects the external dimensions of the building or structure. The term does not however include any project for improvement of a building or structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

13.1.31 Variance. A grant of relief from the requirements of these regulations which permits construction in a manner otherwise prohibited by these regulations where specific enforcement would result in unnecessary hardship.

13.1.32 Violation. Failure of a building or structure or other development to be fully compliant with the Flood Hazard Area Regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is resumed to be in violation until such time as that documentation is provided.

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

SECTION 14. GENERAL PROVISIONS.

14.1 Lands to Which These Regulations Apply. These regulations shall apply to all areas of special flood hazard within the jurisdiction of the Town of Woodbridge.

14.2 Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard within the Town of Woodbridge are identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated December 17, 2010, accompanying Flood Insurance Rate Maps (FIRM), dated December 17, 2010, and other supporting data applicable to the Town of Woodbridge, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this ordinance it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

14.3 Establishment of the Floodplain Management. A zoning permit or subdivision plan approval shall be required in compliance with the provisions of the Zoning Regulations and/or Subdivision Regulations (including these Flood Hazard Area Regulations) prior to commencement of any development activities.

14.4 Compliance. No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of these regulations and other applicable regulations.

14.5 Abrogation and Greater Restrictions. These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restriction. However, where these regulations and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

14.6 Interpretation. In the interpretation and application of these regulations all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under state statutes.

14.7 Warning and Disclaimer of Liability. The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations shall not create liability on the part of the Town or by any officer or employee thereof for any flood damages that result from reliance on these regulations or any administrative decision lawfully made thereunder.

SECTION 15. ADMINISTRATION.

15.1 Designation of the Flood Plain Prevention Administrator. The Town Plan and Zoning Commission shall administer and implement the Flood Hazard Area Regulations.

15.2 Permit Procedures. Application for a flood hazard permit shall be made to the Town Plan and Zoning Commission on forms furnished by it prior to any development activity, and may include, but not be limited to, the following plans (in a number specified by the Commission) drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing and proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically, the following information is required:

15.2.1 Application Stage.

- (a) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures as required by Section 16.3.1 (a);

- (b) Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed as required by Section 16.3.1 (b) (2).
- (c) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
- (d) A statement as to whether or not proposed alterations to any existing structure meets the criteria of the substantial improvement definition defined in Section 13.1.30.
- (e) A statement as to whether there will be dry access to the structure during the 100 year storm event. Where applicable the following certifications by a registered engineer or architect are required, and must be provided to the Commission; “The design and methods of construction are in accordance with accepted standards of Practice, and with the provisions of Section 16.3 of the Flood Damage Prevention Regulations.”
- (f) Non-residential Flood Proofing – must meet the provision of Section 16.3.1 (b)
- (g) Enclosed Areas Below the Base Flood Elevation – if the minimum design criteria in Sections 16.3.2 (a) – 16.3.2 (c) are not used then the design and construction methods must be certified as explained in Section 16.3.2;
- (h) No increase in Floodway Heights may be allowed. Any development in a floodway must meet the provisions of Section 16.3.3;

15.2.2 Construction Stage. Upon completion of the applicable portion of construction, the applicant shall provide verification to the Commission of the following, as applicable, and pertaining to the lowest floor elevation. The applicant must provide elevation verification that:

- (a) the top of the lowest floor (including basement) in a building or structure located in an A Zone meets the elevation requirements of Section 16.3.1 (a);
- (b) a building or structure which has been floodproofed is the elevation to which the floodproofing is effective as required by Section 16.3.1 (b)

15.2.3 Deficiencies detected by the review of the above listed shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

15.3 Duties and Responsibilities of the Commission.

15.3.1 Duties of the Commission, or its appointed agent, shall include but not be limited to:

- (a) Review all permit applications to determine whether proposed building sites will be reasonable safe from flooding;

- (b) Review all development permits to assure that the permit requirements of these regulations have been satisfied;
- (c) Advise applicant that additional Federal or State Permits may be required, and if specific Federal or State Permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. Possible permits include, but are not limited to: Water Diversion, Dam Safety, Corps of Engineers 404;
- (d) Notify the Regional Planning Commission and the affected municipality at least 35 days prior to the public hearing if any change of the regulations or use of a floodplain zone will affect an area within 500 feet of another municipality;
- (e) Notify adjacent communities and the Department of Environmental Protection, Water Resources Unit prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency;
- (f) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;
- (g) Record the elevation (in relation to mean sea level) of the lowest floor (including basement of all new or substantially improved structures, in accordance with Section 16.3.1 (a);
- (h) Record the elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood-proofed, in accordance with Section 16.3.1 (b);
- (i) When Flood-proofing is utilized for a particular structure the Commission shall obtain certification from a registered professional engineer or architect, in accordance with Section 16.3.1(b);
- (j) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Commission shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided herein;
- (k) When base flood elevation data or floodway data have not been provided in accordance with Section 14.2 hereof, then the Commission shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source in order to administer the provisions of Section 16.
- (l) All records pertaining to the provisions of these regulations shall be maintained in the Office of the Zoning Enforcement Officer.

SECTION 16. PROVISIONS FOR FLOOD HAZARD REDUCTION.

16.1 General Standards. In all areas of special flood hazard the following provisions are required:

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

16.1.2 New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

16.1.3 New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

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

16.1.5 New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

16.1.6 New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

16.1.7 On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

16.1.8 In any portion of a watercourse which is altered or relocated, the flood carrying capacity shall be maintained.

16.1.9 A building or structure already in compliance with the provisions of these regulations shall not be made non-compliant by any alteration, repair, reconstruction or improvement to the building or structure.

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

16.1.11 Portion of Structure in Flood Zone. If any portion of a building or structure lies within any portion of an area of special flood hazard the entire building or structure is considered to be entirely located within the special flood hazard area. The entire building or structure must meet the construction requirements of the flood zone. For purposes of this regulation, a building or structure includes any attached additions, garages, decks, sunrooms, or any other building or structure attached to the main building or structure. Decks or porches that extend into a more

restrictive flood zone will require the entire building or structure to meet the standards of the more restrictive zone.

16.1.12 Structures in Two Flood Zones. If a building or structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire building or structure. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

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

16.2 Standards for Streams Without Established Base Flood Elevations and/or Flooding. Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, including data developed pursuant to Section 15.3.1 (k) of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Town's FIRM meet the standards of Section 16.3.1, 16.3.2, 16.3.3 and Section 17 hereof.

16.3 Specific Standards

16.3.1 In all areas of flood hazard A and AE where base flood elevation data has been provided, as set forth in Section 14.2 or 15.3.1 (k), the following provisions are required:

- (a) Residential Construction. New Construction or substantial improvement of any commercial, industrial, or non-residential structure located in Zone A and AE shall have the lowest floor, including basement, elevated at least to one (1) foot above the level of the base flood elevation; or
- (b) Non-Residential Construction.
 - 1. New construction or substantial improvement of any commercial, industrial, or non-residential structure located in Zone A or AE shall have the lowest floor, including basement, elevated at least to one (1) foot above the level of the base flood elevation; or
 - 2. Non-residential structures located in Zone A or AE may be flood-proofed in lieu of being elevated provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall review and/or develop structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with

acceptable standards of practice for meeting the provisions of this subsection.

16.3.2 Elevated Buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

- (a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - 1. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - 2. The bottom of all openings shall be no higher than one foot above grade; and,
 - 3. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- (b) Electrical, plumbing, and other utility connections are prohibited below the base flood elevation.
- (c) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

16.3.3 Base Flood Elevations Determined But Before Floodway is Designated. In A Zones where base flood elevations have been determined, but before a floodway is designated, require that no new construction, substantial improvement, or other development (including fill), be permitted which would increase base flood elevations more than one (1) foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.

16.3.4 Floodways. Located within areas of special flood hazard are areas designated as floodways on the Town's Flood Insurance Rate Map or which may have been determined in Section 15.3.1 (k). Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:

- (a) Prohibit encroachment, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineering

practice, that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge. Fences in the floodway must be aligned with the flow and be of an open design.

16.3.5 Standards for Watercourses Without Adopted Floodways. The Commission may request floodway data of an applicant for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the municipality's request or not), the Commission shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1.0) foot at any point within the community.

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

16.3.7 Equal Conveyance. Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the Town of Woodbridge, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the building or structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

16.4 Manufactured Homes and Recreational Vehicles (RVs)

16.4.1 Manufactured homes are expressly prohibited in any areas of special flood hazard within the Town of Woodbridge, as identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated December 17, 2010, accompanying Flood Insurance Rate Maps (FIRM), dated December 17, 2010, and other supporting data applicable to the Town of Woodbridge, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance.

16.4.2 Recreational vehicles placed on sites within an area of special flood hazard shall either be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or meet all the general standards of Section 16.1 and the elevation and anchoring requirements of

Section 16.4.2.1, 16.4.2.2, and 16.4.2.3. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions. Any recreational vehicle meeting the requirements of either (a) or (b) of this Section shall not be subject to the prohibition in Section 16.4.1.

- 16.4.2.1 In all areas of special flood hazard, any RV placed on the site for 180 consecutive days or more, shall be elevated at least one (1) foot above the base flood elevation (BFE).
- 16.4.2.2 In all areas of special flood hazard, any RV placed on the site for 180 consecutive days or more, shall be placed on a permanent foundation which itself is securely anchored and to which the RV is securely anchored so that it will resist flotation, lateral movement and hydrostatic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors.
- 16.4.2.3 In all areas of special flood hazard, any RV placed on the site for 180 consecutive days or more, shall be installed using methods and practices which minimize flood damage. Adequate access and drainage should be provided. Elevation construction standards include piling foundations placed no more than ten (10) feet apart, and reinforcement is provided for piers more than six (6) feet above ground level.

SECTION 17. STANDARDS FOR SUBDIVISION PROPOSALS.

- 17.1.1 Standards for Subdivision Proposals. In all special flood hazard areas the following
- 17.1.2 requirements shall apply:
- 17.1.3 All subdivision proposals shall be consistent with the need to minimize flood damage;
- 17.1.4 All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- 17.1.5 All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;
- 17.1.6 In Zone A, the BFE data shall be provided for subdivision proposals.

SECTION 18. VARIANCE PROCEDURES.

- 18.1 The Zoning Board of Appeals as established by the Town shall hear and decide appeals and requests for variances from the requirements of these regulations.

18.2 The Zoning Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Commission in the enforcement or administration of these regulations.

18.3 Any person aggrieved by the decision of the Zoning Board of Appeals or any person owning land which abuts or is within one hundred feet (100') of the land in question may appeal within fifteen (15) days after such decision to the Superior Court as provided in Section 8-8 of the General Statutes.

18.4 Specific Situation Variances.

18.4.1 Buildings on An Historic Register. Variance may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth or in the remainder of this section, except for Section 18.5.3 (a) – 18.5.3 (d), and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical character.

18.4.2 Existing, Small Lot Location. Variance may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with Section 18.5.3 (a) – 18.5.3 (d).

18.4.3 Floodway Prohibition. Variances shall not be issued within any designated floodway, if any increase in flood levels during the base flood discharge would result.

18.5 Considerations for Granting of Variances.

18.5.1 In passing upon such applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other Sections of these regulations, and:

- (a) The danger that materials may be swept onto other lands to the injury of others;
- (b) The danger to life and property due to flooding or erosion damage;
- (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (d) The importance of the services provided by the proposed facility to the community;
- (e) The necessity of the facility to waterfront location, in the case of a functionally dependent facility;
- (f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

- (g) The compatibility of the proposed use with existing and anticipated development;
- (h) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- (i) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (j) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters; and
- (k) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

18.5.2 Upon consideration of the factors listed above and the purposes of these regulations the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of these regulations.

18.5.3 Conditions of Variances.

- (a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief, and in the instance of a historical building, the determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
- (b) Variances shall only be issued upon (i) a showing of good and sufficient cause (ii) a determination that failure to grant the variance would result in exceptional hardship, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (c) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as \$25 for \$100 of insurance coverage.

18.6 Penalties for Violations. Violation of the provisions for these regulations or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates these regulations shall be subject to a fine as provided for by the General Statutes of the State of Connecticut and shall pay all costs and reasonable legal fees involved in the case. Nothing herein contained shall prevent the Town from taking such other lawful action as is necessary to prevent or remedy any violation.