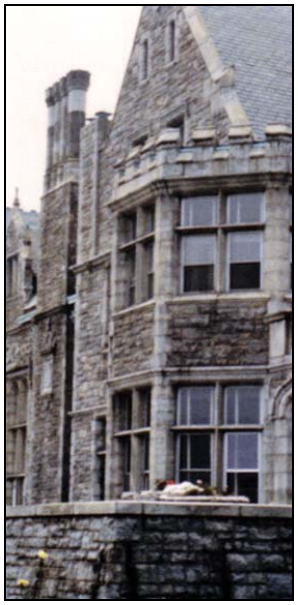
CITY OF GROTON

ZONING REGULATIONS



Planning and Zoning Commission

Effective – December 1, 2016

Welcome!

These Regulations have been organized in a way that will hopefully make it easy for you to find the information you are looking for.

One of the first things to do might be to determine the zoning district(s) that the property is located within. The zoning map can be found here:

http://www.cityofgroton.com/zoning.asp

Then, to help you find the information you seek, the Regulations are organized around the following major themes:

THEME	SECTIONS	DESCRIPTION
Regulatory Basics	**1. Regulatory Basics** **2. Words And Terms**	*Basic information about interpreting and applying the Regulations.*
Zones and Uses and Standards	**3. Residence Zones** **4. Business And Industrial Zones** **5. Special Zones** **6. Use-Related Provisions**	*Information specific to different zones and uses*
General Standards and Requirements	**7. Standards** **8. Special Provisions**	*Standards related to development activities*
Procedures	**9. Administrative Provisions**	*How applications will be processed*

Users of these Regulations may find the following resources helpful:

People

- Groton City Planner
- Building and Zoning Official
- Planning and Zoning Commission

Other Regulations / Maps

- Inland Wetlands Regulations
- Subdivision Regulations
- City Ordinances
- GIS mapping

Other Information

- City website
- Assessment information

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1. REGULATORY BASICS

1.1. Authority

The Planning and Zoning Commission of the City of Groton, Connecticut, in accordance with the provisions of Chapter 124 of the Connecticut General Statutes (CGS), as amended, has adopted and established the following Zoning Regulations for the City of Groton, Connecticut.

1.2. Purposes

In accordance with CGS Section 8-2, as amended, these Regulations are adopted to:

1. Promote the orderly development of the City in accordance with the Plan of Conservation and Development;

2. Lessen congestion in the streets;

3. Secure safety from fire, panic, flood and other dangers;

4. Promote health and the general welfare;

5. Provide adequate light and air;

6. Prevent the overcrowding of land;

7. Avoid undue concentration of population; and

8. Facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements.

1.3. Jurisdiction

These regulations apply to all areas within the jurisdictional limits of the City of Groton including all buildings, land and water areas, unless otherwise prohibited by federal or state law.

1.4. Zoning Districts And Zoning Map

1.4.A Zoning Map

1. In order to accomplish the purposes of these Regulations, the City is divided into zoning districts as enumerated within these Regulations.

2. The location and boundaries of said zones are set forth on the map entitled, "Zoning Map of the City of Groton" which is filed in the office of the City Clerk.

3. Such zoning map, with all explanatory matter thereon, is hereby declared to be a part of these Regulations as fully as if set out herein.

1.4.B Interpretation Of District Boundaries

1. The zone boundary lines are intended generally to follow the centerlines of streets and similar rights-of-way, rivers, lot lines, or City boundary lines, all as shown on the Zoning Map; but where a zone boundary line does not follow such a line, its position shall be determined by how such boundary is depicted on said Zoning Map.

2. In case of uncertainty as to the true location of a zone boundary line in a particular instance, the determination thereof shall be made by the Planning and Zoning Commission.

1.5. Construction Of Regulations

1.5.A Permitted And Prohibited Uses

1. No land, premises, building or structure shall be used or occupied, in whole or in part, for any purpose other than as permitted by these Regulations for the zone in which the land, premises, building or structure is located.

2. All uses or occupancy of land, premises, building or structure shall be in conformity with the Regulations for that zone in which such land, premises, building or structure is located.

3. Any use not permitted within a zoning district by these Regulations shall be deemed to be prohibited within such district.

1.5.B Permitted And Prohibited Buildings And Structures

1. No building or structure shall be erected, raised, moved, extended, enlarged, or altered for any purpose unless permitted by these Regulations for the zone in which the building or structure is located.

2. All construction shall be in conformity with the Regulations provided for that zone in which such building or structure is located.

3. Any building or structure not permitted within a zoning district by these Regulations shall be deemed to be prohibited within such district.

1.5.C Minimum Requirement

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

1.5.D Reduction Of Lot Area Or Dimension

1. No lot or parcel shall be divided, subdivided or re-subdivided unless all parcels and lots meet all of the requirements for the zone in which they are located.

2. No lot or parcel shall be so reduced, divided, or created that the area, width or other dimensions of any of the lots or parcels or any required yard setbacks or required open areas of any of the lots or parcels shall be less than prescribed by these Regulations.

3. No building or structure or other site improvement shall be established, altered, modified, or enlarged such that the building coverage or lot coverage exceeds that which is prescribed by these Regulations.

1.5.E In Case Of Conflict

1. These Regulations are not intended to interfere with:
   a. Any existing provisions of public law or ordinance;
   b. Any rules, regulations, or permits to the use of buildings or premises; or
   c. Any private easements, covenants or other agreements between parties.

2. However, where these Regulations impose a greater restriction upon the use of buildings or premises or upon the height of buildings or require larger yard setbacks, courts, or other standards than are imposed or required by other provisions of law or ordinance or by other rules, regulations or permits or by easements, covenants or agreements, the provisions of these Regulations shall control.

1.6. Validity And Severability

1. If any Section, paragraph, subdivision, clause or provision of these Regulations is adjudged to be invalid, such adjudication shall apply only to the Section, paragraph, subdivision, clause or provision so adjudged, and the remainder of these Regulations shall be deemed valid and effective.

2. All regulations and ordinances and parts thereof previously adopted for the City of Groton and in conflict herewith are hereby repealed.

1.7. Effective Date

1. Zoning Regulations were originally adopted in the City of Groton in 1975 and became effective on May 15, 1975.

2. These Regulations and any amendments hereto shall become effective, as provided by law, upon enactment by the Planning and Zoning Commission of the City of Groton, Connecticut.

2. WORDS AND TERMS

2.1. Basic Usage

2.1.A Basic Rules

2. In the construction, interpretation, application, use and enforcement of these Regulations, the rules, terms, and definitions contained in this Section shall be observed and applied, except where the context clearly indicates otherwise.

3. In the construction, interpretation, application, use and enforcement of these Regulations, words or terms not defined in this Section shall be interpreted by the Commission. In making any such interpretation, the Commission may:
   a. Consider the meaning that will give the regulation its most reasonable application;
   b. Consider the common meaning of the word or term; and/or
   c. Consult one or more of the following:
      i. The State Building Code, as amended.
      ii. The Connecticut General Statutes, as amended.
      iii. The Illustrated Book of Development Definitions (Rutgers University, Center for Urban Policy Research (Piscataway, NJ), as amended.
      iv. Black's Law Dictionary.
      v. A comprehensive general dictionary.

4. In the construction, interpretation, application, use and enforcement of these Regulations, the following rules shall apply:
   a. The word "shall" is mandatory and not discretionary.
   b. The word "may" is permissive.
   c. Words used in the singular may include the plural, and the plural the singular.
   d. Words used in the present tense may include the future tense.
   e. Words which are specifically masculine or feminine shall be interpreted as interchangeable.
   f. Any official, agency, commission, board or department identified in these Regulations is that of the City of Groton, unless otherwise specified.

2.1.B Common Terms

In the construction, interpretation, application, use and enforcement of these Regulations, commonly used terms shall be interpreted as follows:

1. The word "lot" includes the words "plot" and "parcel".

2. The words "zone", "zoning district", and "district" have the same meaning.

3. The phrase "used for" includes the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for", and vice versa.

4. The phrase "these Regulations" refers to the entire Zoning Regulations of the City of Groton.

5. The word "Section" refers to a section of these Regulations, unless otherwise specified.

6. The word "person" or "applicant" includes any individual, firm, partnership, corporation, association, organization or other legal entity.

7. The word "building" includes the word "structure", and any part thereof.

8. The word "built" includes the words "erected", "constructed", "reconstructed", "altered", or "enlarged".

9. The "City" means the City of Groton, Connecticut.

10. The "State" means the State of Connecticut.

11. The "Commission" means the Planning and Zoning Commission of the City of Groton, unless otherwise specified.

12. The phrase "Zoning Map" means the latest officially adopted Zoning Map of the City of Groton.

2.2. Definitions

For the purpose of these Regulations, except as otherwise stated or as the context may otherwise require, the following words shall be defined as follows:

Accessory - *See "Principal vs Accessory" in Section 2.2 of these Regulations.*

Agriculture – As defined in CGS Section 1-1(q), the cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. *See "Aquaculture", "Farm", and "Farming" in Section 2.2 of these Regulations.*

Amusement Center – A business establishment containing more than three amusement devices.

Amusement Device – A machine that is controlled and operated by the insertion of a coin or token or electronic remuneration and intended for the amusement or recreation of a patron, including, but not limited to, baseball and football games, pinball games, electronic video games, and other similar games. Such devices shall be considered accessory an establishment provided there are three or fewer devices.

Animal Hospital– Any lot on which four or more dogs or cats or other animals, six months or older, are available for sale, boarded for compensation, or kept for medical treatment.

Animated Sign– *See "Sign-Related Terms" in Section 2.2 of these Regulations.*

Antenna – A device used to receive or transmit telecommunications or radio signals. Such signals shall include, but not be limited to, radio, television, cellular telephone, paging, personal communication services (PCS), and microwave communications. Examples include panels, microwave dishes, and single poles known as whip antennae.

Apartment – A room or suite of two or more rooms within a multi-unit structure which is rented or occupied as the home or residence of an individual, family, or household.

Aquaculture – The farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. *See "Agriculture", "Farm", and "Farming."*

Assisted Living – *See "Institutional Residential Facilities" in Section 2.2 of these Regulations.*

Banners- *See "Sign-Related Terms" in Section 2.2 of these Regulations.*

Basement –*See "Story-Related Terms" in Section 2.2 of these Regulations.*

Bed and Breakfast Establishment – *See "Lodging Facilities" in Section 2.2 of these Regulations.*

Boarding House – *See "Residential Lodging Facilities" in Section 2.2 of these Regulations.*

Boarding, Rooming, or Lodging Unit – *See "Residential Lodging Facilities" in Section 2.2 of these Regulations.*

Board / Passenger / Vehicle Ferry – *See "Ferry and Boat-Related Terms" in Section 2.2 of these Regulations.*

Buffer or Buffer Strip – A strip of landscaped land along a property line which, with the exception of required utility installations, shall be free of any building or use.

Building vs Structure

Building –A structure having a roof supported by columns or walls which is permanently affixed to the ground for the housing or enclosure of persons, animals, or property. The definition shall include any independent units into which a building is divided by party walls.

- The connection of two buildings by means of an open porch, breezeway, passageway, carport, or other such open structure, with or without a roof, shall not be deemed to make them one building, except in the case of a private garage so attached to a dwelling.
- The term "building" shall not include mobile homes or trailers.

Structure –Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground. Except as otherwise indicated, "structures" as used in these Regulations shall be deemed to include buildings, swimming pools, open entries, pier signs, and fences or walls. *See Section 5.3.D of these Regulations for the definition of structure for floodplain management purposes.*

Building – *See "Building vs Structure" in Section 2.2 of these Regulations.*

Building, Accessory – *See "Principal vs Accessory" in Section 2.2 of these Regulations.*

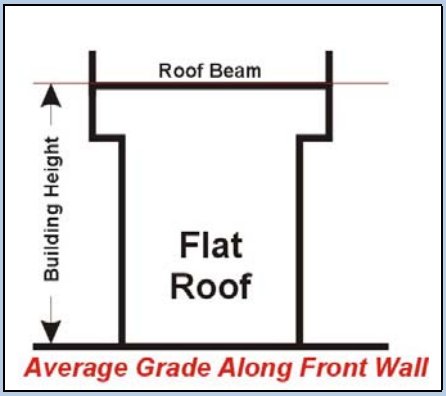
Building Group – Two or more principal buildings located on a single lot.

Building Height

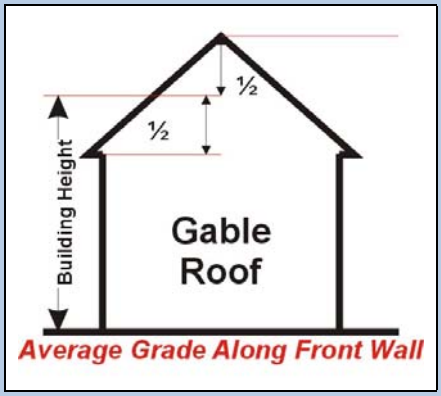
Building Height – The vertical distance measured from average level of the ground along the street facade of the building to:

- The highest point of the roof beams in the case of flat roofs;
- To the average height of the gable in the case of pitched roofs; or
- To the highest point of the building where no roof beams exist or there are structures wholly or partly above the roof.

Flat Roof



Pitched Roof



Building, Principal – *See "Principal vs Accessory" in Section 2.2 of these Regulations.*

Building Setback Line – *See "Setback" in Section 2.2 of these Regulations.*

Business Services – Establishments primarily engaged in rendering business-type services including but not limited to banks, credit unions, loan companies, and other financial institutions, real estate and insurance agencies, utility offices, government, and printers.

Cellar – *See "Story-Related Terms" in Section 2.2 of these Regulations.*

Certified Massage Therapy – In accordance with CGS Section 20-206a(d), as may be amended, the systematic and scientific manipulation and treatment of the soft tissues of the body:

- By use of pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means; and
- By a therapist certified by the state of Connecticut as having met at least one of the following requirements:
  - Successful completion of a course of study that provides 500 or more classroom hours at a school of massage therapy accredited by the American Massage Therapy Association; or
  - Successful completion of 70 classroom hours at a school of massage therapy accredited by the American Massage Therapy Association in addition to prior medical training including a Bachelor of Science degree in nursing, physical therapy, chiropractic science, osteopathy, or medicine.

Child Day Care Center – *See "Day Care-Related Terms" in Section 2.2 of these Regulations.*

Clubs, Lodges, and Associations – A recognized organization duly formed or existing under the laws of the State of Connecticut which has been established and is operated for a recreational, social, fraternal, religious, political, or athletic purpose whose facilities and activities are available only to the members and guests, and specifically excluding any organization whose chief activity is carried on primarily for business or gain unless specifically approved or authorized by the Commission.

Coastal Resources – As defined in CGS Section 22a-93, the coastal waters of the state, their natural resources, related marine and wildlife habitat and adjacent shorelands, both developed and undeveloped, that together form an integrated terrestrial and estuarine ecosystem.

Commission – The Planning and Zoning Commission of the City of Groton.

Community Residential Counseling Facility - *See "Institutional Residential Facilities" in Section 2.2 of these Regulations.*

Condominium – A form of ownership in which more than one owner has control over a certain property jointly with one or more persons.

Congregate Housing – *See "Institutional Residential Facilities" in Section 2.2 of these Regulations.*

Convalescent Home, Nursing Home, or Rest Home – *See "Institutional Residential Facilities" in Section 2.2 of these Regulations.*

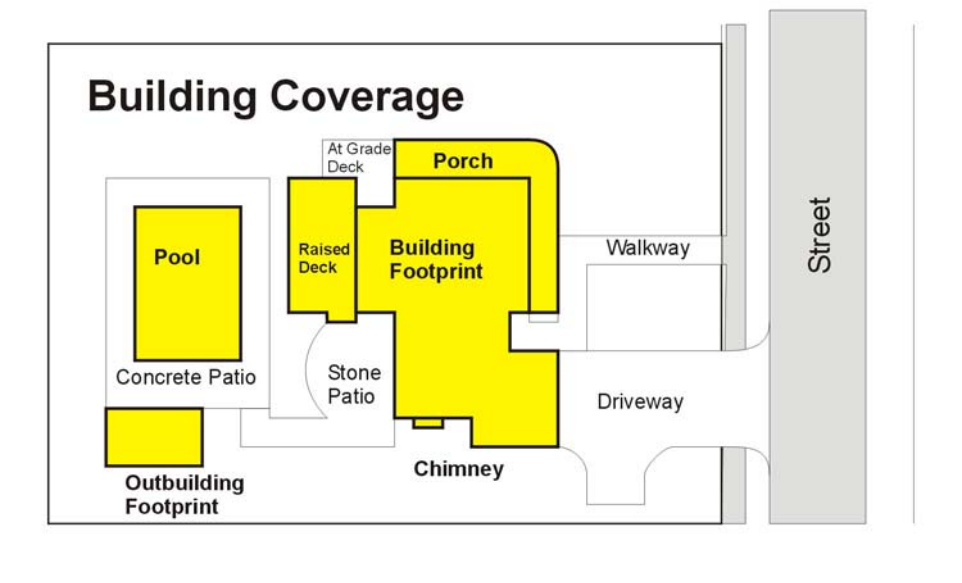
Cooperative – A form of ownership in which more than one stockholder of a corporation has control over a certain property jointly with one or more other stockholders.

Corner Lot– *See "Lot-Related Terms" in Section 2.2 of these Regulations.*

Coverage-Related Terms

Building Coverage – The portion or percentage of a lot occupied or intended to be occupied by all buildings and structures on such lot as enclosed by the walls of all buildings on a lot, together with the area enclosed by the columns of all covered porches and similar roofed structures. For the purposes of calculating building coverage, fences, landscape walls, and retaining walls shall not be included

Lot Coverage – *See "Building Coverage" in Section 2.2 of these Regulations.*



Day Care-Related Terms

Day Care –A program of supplementary care to people outside their own homes on a regular basis for a part of the twenty-four hours in one or more days in the week, generally excluding overnight hours.

Adult Day Care –Day care provided to adults unable to take care of themselves and/or in need of assistance.

Child Day Care –Day care provided to children, including nursery school and pre-school programs.

Day Care Center –A location which offers or provides day care to more than twelve related or unrelated people outside their own homes on a regular basis.

Family Day Care Home (Child) –A private family home caring for not more than six children, including the provider's own children not in school full time, where the children are cared for not less than three or more than twelve hours during a twenty-four-hour period and where care is given on a regularly recurring basis except that care may be provided in excess of twelve hours but not more than seventy-two consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, a maximum of three additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three children who are in school full time, all of the provider's children shall be permitted; This definition shall not be deemed to represent an intensification of use of a property.

Family Day Care Home (Adult) –A private family home caring for not more than six people, including the provider’s own adult relatives where the people are cared for not less than three or more than twelve hours during a twenty-four-hour period and where care is given on a regularly recurring basis.

Group Day Care Home –A location which offers or provides day care:

- to not fewer than seven or more than 12 related or unrelated people; or
- That meets the definition of a family day care home except that it operates in a facility other than a private family home.

Developable Land – With regard to limitations on the number of lots in a subdivision in a residential zone, the amount of developable land is determined by the following methodology:

1. Take the "gross area" of the property.
2. Deduct the area of easements, rights-of-way, and other areas restricted from development use to determine the "available area".
3. Calculate each of the following:

Resource-Restricted Area
Within the "available area", determine the amount of "resource area" by summing the area(s) on the property that are restricted due to the presence of any of the following resources: a. Inland wetlands; b. Tidal wetlands; c. Steep slopes (20 percent or steeper); or d. Coastal resources as defined by Section 22a- 93(7) of the Connecticut General Statutes, except shorelands, developed shorefronts and coastal flood hazard areas.
Determine the percentage that the "resource area" represents relative to the "available area."
Multiply the resource area by this percentage (for example, if the resource area represents 26 percent of the available area, take 26 percent of the resource area) to determine the resource deduction (expressed in square feet or acres).

Minimum Open Space Area
In accordance with Section 3.05.5 of the Subdivision Regulations, multiply the "gross area" of the property by the open space set-aside percentage. Express the result in square feet or acres.

4. Determine which result ("resource-restricted area" or "minimum open space area" is larger) and deduct this from the "available area" to result in "developable area."

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.

Drinking Establishment – An establishment where the primary activity is the sale of alcoholic beverages at retail for consumption on the premises under a permit from the Liquor Control Commission for a café or tavern.

Drive-In Establishment – A business establishment so developed that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to either serve patrons while in the motor vehicle or permits consumption in the motor vehicle of food or beverage obtained by a patron from said business establishment, (e.g., restaurants, service stations, cleaners, banks, theaters, etc.).

Drop Box – An outdoor receptacle used to receive donations or contributions which has not been specifically approved or authorized by the City Planner or by the Commission.

Dwelling-Related Terms

Dwelling – A building, or portion thereof, other than a Quonset hut, Nielson hut, or similar portable buildings used exclusively for residential occupancy, including one-family, two-family, and multi-family dwellings.

Dwelling Unit – A dwelling, or portion thereof, providing a single housekeeping unit with complete living, sleeping, cooking, and eating facilities, including bathroom facilities.

One-Family Detached Dwelling– A dwelling accommodating one dwelling unit and having no party walls or walls in common with an adjacent house or houses.

One-Family Semi-Detached Dwelling– A one-family dwelling having one vertical party wall in common with an adjacent house, the two houses together accommodating but two dwelling units, one on either side of the vertical party wall.

Two-Family Detached Dwelling– A dwelling accommodating two dwelling units and having no vertical party wall or walls in common with an adjacent house or houses.

Multiple-Family Dwelling– A dwelling in which three or more families dwell independently, each occupying one or more bedrooms and kitchen.

Eating Establishment – *See "Restaurant in Section 2.2 of these Regulations.*

Family – Any number of individuals occupying a dwelling unit and living and cooking together as a single not-for-profit housekeeping unit, with all rooms used in common. Occupants of an Institutional Residential Facility as that term is used in these Regulations shall not be considered to constitute a family.

Family Day Care Home – *See "Day Care-Related Terms" in Section 2.2 of these Regulations.*

Farm – A property used for farming including the farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoop-houses and other temporary structures or other farming structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities.

Farming – *See "Agriculture" in Section 2.2 of these Regulations.*

Ferry And Boat-Related Terms

Board / Passenger / Vehicle Ferry –A ferry boat which carries passengers and vehicles on trips which have separate origin and destination points, one or both of which are within the City of Groton.

Passenger Ferry –A ferry boat intended to carry passengers only and not vehicles on trips which have separate origin and destination points, one or both of which are within the City of Groton.

Tour / Sportfishing Boat –Boats which carry passengers on recreational trips, when the trip has an origin point within the City of Groton.

Flood-Related Terms

See "Flood-Related Terms" in Section 2.2 of these Regulations. in Section 5.3.D of these Regulations.

Floor Area – The floor area of a building is the sum of the gross horizontal areas of the several floors of all buildings on the lot, measured from the exterior faces of exterior walls or from the centerline of walls separating two buildings. Floor area shall include the area of basements when used for residential, commercial, or industrial purposes, but need not include a cellar or portion of a basement used for incidental storage or housing of mechanical or central heating equipment.

Functionally-Dependent Facility –*See "Water Dependent" in Section 2.2 of these Regulations.*

Garage, Private – An accessory building, or portion of a principal building, used for the storage of vehicles as an accessory use.

Garage, Vehicle Repair, and/or Service – A facility used for repairing, overhauling, removing, adjusting, replacing, assembling, or disassembling any parts of any motor, engine, or vehicle.

Gasoline Station – Any lot, building, or part thereof, used for the sale of gasoline or other petroleum, and which may include facilities for lubrication, washing, or otherwise servicing vehicles, but not including any painting.

Grandfathered – *See "Non-Conforming-Related Terms" in Section 2.2 of these Regulations.*

Group Day Care Home – *See "Day Care-Related Terms" in Section 2.2 of these Regulations.*

Habitable Room – A room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding kitchenettes or dining bays less than 60 square feet in area, bathrooms, water closet compartments, laundries, pantries, foyers, or communicating corridors, closets, storage spaces, and basements.

Halfway House – *See "Institutional Residential Facilities" in Section 2.2 of these Regulations.*

Half-Story –*See "Story-Related Terms" in Section 2.2 of these Regulations.*

Home-Based Business

Home-Based Business -- The use of a portion of a dwelling for business purposes by the resident occupants which use is clearly incidental and secondary to the use of such dwelling unit for dwelling purposes when such use does not change the residential character thereof.

Home Office -- The use of a dwelling for occasional business use (as part of employment typically occurring elsewhere) or a home-based business involving no employees and minimal visits to the premises by non-residents.

Home Occupation, Minor -- The use of a dwelling for a home-based business (which shall not involve more than one (1) non-resident employee) involving no more than five (5) patron, client, or associate visits per week.

Home Occupation, Major -- The use of a dwelling for a home-based business when it involves:

- Two (2) or more non-resident employees;
- Or six or more patron, client, or associate visits per week; or
- Classroom, studio, or outdoor teaching activity not normally permitted in the district.

A home-based business might include dressmaking and millinery, or might include consultation by such professions as physicians, dentists, lawyers, clergymen, architects, musicians, engineers, teachers, insurance agents, or real estate brokers.

Barbershops; beauty parlors; beauticians; manufacturing; commercial woodworking; animal hospitals; dance studios; mortuaries; tea rooms; restaurants; metal working; automobile, boat or other vehicle repair or painting; and other uses as may be determined by the Commission are specifically excluded from the definition of home-based business.

Hospital – A building licensed by the State Department of Health having facilities, medical staff, and all necessary personnel to provide diagnosis, care, and treatment of a wide range of acute conditions or chronic disease, including injuries.

Hotel – *See "Lodging Facilities" in Section 2.2 of these Regulations.*

Institutional Residential Facilities

Assisted Living - A residential environment consisting of private residential units and/or a managed group living environment primarily for persons who are fifty-five years of age or older where nursing services and assistance with activities of daily living is provided to help maintain a maximum level of independence.

Community Residential Counseling Facility - A residential building or group of buildings in which counselors and staff members provide counseling, rehabilitation, evaluation, and/or other supportive services to a maximum of sixteen resident persons in lodging units, excluding dependents, seeking to arrest, reverse, or ameliorate a problem or disorder, including the compulsive use of alcohol or drugs, pursuant to an organized and structured program.

Included in this definition are facilities for women and/or children who have suffered physical abuse in a domestic relationship, as well as those facilities not exempted under CGS Section 8-3e.

This definition shall not include correctional institutions, halfway houses, group homes, or other community correction programs under the jurisdiction of the State of Connecticut Department of Correction pursuant to CGS Section 18-100, as may be amended, or court-ordered treatment programs under CGS Sections 19a-127e through 19a-127h, as may be amended.

Congregate Housing - A residential environment consisting of independent living assisted by congregate meals, housekeeping and services for residents, for persons sixty-two years old or older, who have temporary or periodic difficulties with one or more essential activities of daily living such as feeding, bathing, grooming, dressing or mobility.

Convalescent Home, Nursing Home, or Rest Home –.An institution licensed by the State Department of Health having facilities and all necessary personnel to provide services of a personal nature, nursing care under medical supervision, and direction to carry out non-surgical treatment, and dietary procedures for chronic diseases or convalescent stages of acute disease or injuries.

Halfway House –A building or group of buildings containing a residential or non-residential program, as the case may be, in which counselors and staff members provide supervision, counseling, rehabilitation, evaluation, and/or other support services to a maximum of sixteen resident persons under the jurisdiction of the State of Connecticut Department of Correction, the State of Connecticut Judicial Department, or the State of Connecticut Department of Health and Addiction Services, pursuant to the Connecticut General Statutes.

Junkyard or Motor Junk Business – The term "junk yard" shall be construed to include any "junkyard," "motor vehicle junk business," and "motor vehicle junk yard," as defined in State Statutes, any place of business or of outside storage or deposit, whether in connection with another business or not, which has stored or deposited two or more unregistered vehicles which are no longer intended or in condition for legal use on the public highways, or used parts of vehicles or old iron, metal, glass, paper, cordage, or other waste material or discarded second-hand material which has been a part, or intended to be a part, of any vehicle, the sum of which parts or material shall be equal in bulk to two or more vehicles. Said term shall also include any place of business or of outside storage or deposit of vehicles for parts or for use of the metal for scrap and where it is intended to burn materials which are part of a vehicle or cut up of the parts thereof.

Landscaped / Landscaping – The term landscaped or landscaping shall mean an area appropriately graded and with the exception of ledge and natural rock outcropping shall be at least covered with grass, ground cover, evergreen plantings, and any additional plantings required by the Regulations or the Commission. *See "Buffer or Buffer Strip" See "Screening, Complete Visual" in Section 2.2 of these Regulations.*

Licensed Medical Marijuana Dispensary - A pharmacist licensed pursuant to Chapter 400j of the Connecticut General Statutes, who the Department of Consumer Protection has licensed to acquire, possess, distribute, and dispense marijuana pursuant to sections 1 to 15, inclusive, of "An Act Concerning the Palliative Use of Marijuana".

Licensed Medical Marijuana Producer - A person or organization that is licensed as a producer by the Connecticut Department of Consumer Protection under section 10 of an "An Act Concerning the Palliative Use of Marijuana and whose purpose is to cultivate marijuana for palliative use and selling, delivering, transporting or distributing such marijuana only to licensed dispensaries under sections 1 to 15, inclusive of the above Act.

Lodging Facilities

Bed and Breakfast Establishment – An owner-occupied building and property (i.e., the principal residence of the owner) having six or fewer guest rooms without separate kitchen facilities, in which overnight accommodations and breakfast only are provided to guests for a fee.

Hotel – A building providing transient lodging for the general public with or without meals and intended for public accommodation, and so designed that normal access and egress are controlled from a central point, and further, that no provisions are made for cooking in any lodging room.

Motel – A building or group of buildings providing transient lodging for the general public, having a private outside entrance for each room or suite of rooms, and for each of which rooms or suite of rooms off-street parking spaces are provided on the premises, and further, that no provision is made for cooking in any lodging room.

Lot-Related Terms

Lot – A plot or parcel of land:

- under the same ownership,
- occupied or capable of being occupied by a principal building (or group of principal buildings, where so allowed) and the accessory buildings or uses customarily incident thereto, and
- including such areas, setbacks, and yards as are required by these Regulations.

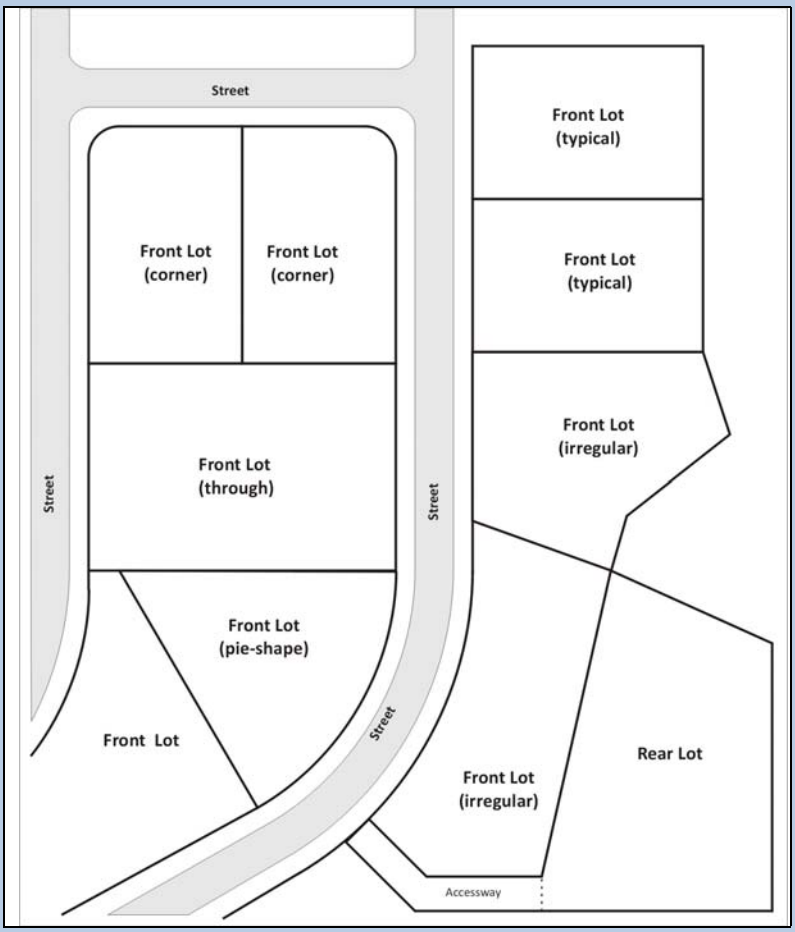
Lot-Types

Corner Lot–A front lot abutting upon two or more streets at their intersection.

Front Lot–A lot having the required lot width on a street.

Rear Lot–A lot in which the buildable area is located generally to the rear of other lots having frontage on the same street.

Through Lot–A lot, other than a corner lot, which has frontage on two or more streets.



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Lot Line Locations

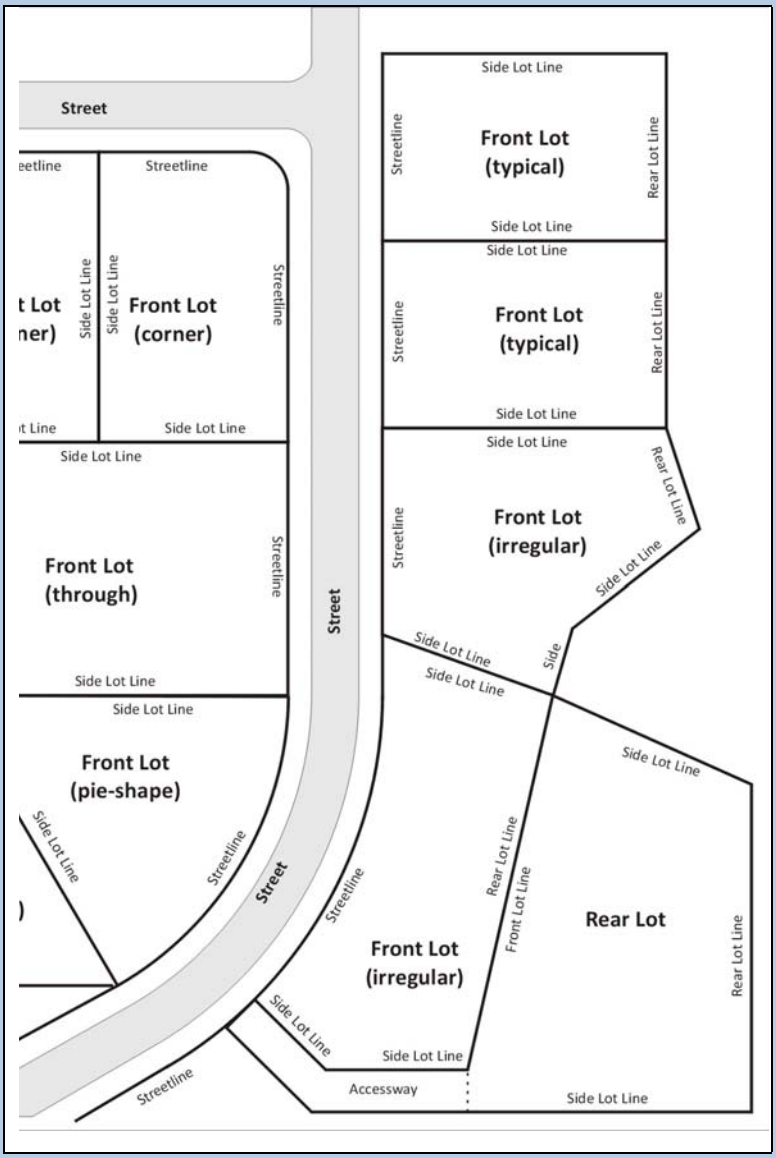
Lot Line – Any property line bounding a lot.

Street Line –The dividing property line between a street accepted by the City of Groton or approved by the Planning and Zoning Commission under the Subdivision Regulations and the lot.

Front Lot Line –On a rear lot, the lot line which is adjacent to the accessway leading to the rear lot and which is most closely parallel to the street providing access.

Rear Lot Line –The lot line generally opposite to the street line; if the rear lot line is less than 10 feet in length, or if the lot comes to a point in the rear, the rear lot line shall be deemed to be a line parallel to the street line, not less than 10 feet in length, lying farthest from the street line.

Side Lot Line –A lot line other than a "street line" or a "rear lot line."



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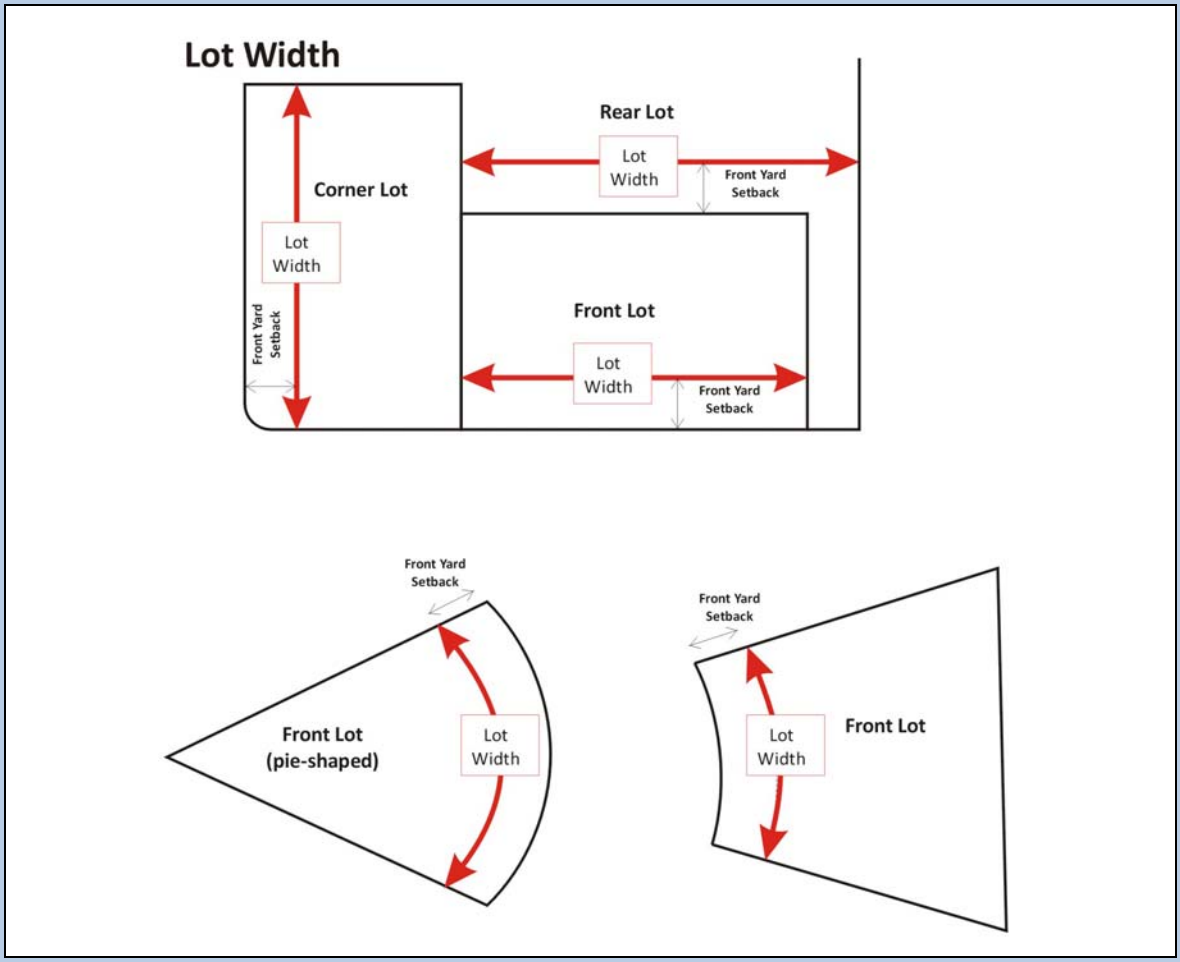
Lot Measurements

Lot Area – The gross horizontal area contained within the property lines of the lot.

Lot Coverage –*See "Coverage-Related Terms" in Section 2.2 of these Regulations.*

Lot Depth – The mean distance from the street line of the lot measured in the general direction of the sidelines of the lot.

Lot Width – The horizontal distance between side lot lines measured parallel to the street line and along the front yard setback line.



Mean High Watermark – The average height of the tide measured and recorded during any given day or cycle period.

Micro-Brewery-Distillery-Winery - A facility manufacturing and/or producing beer, wine, and/or spirits and including the packaging of such alcoholic beverages for consumption on the premises for retail or wholesale sales, or a combination thereof.

Motel – *See "Lodging Facilities" in Section 2.2 of these Regulations.*

Nightclub / Lounge / Dance Hall – A space in a building providing facilities for dancing and/or entertainment, and which may or may not be operated in conjunction with a restaurant / eating establishment or a drinking establishment.

Non-Conforming-Related Terms

Non-Conforming –A condition or situation that is not in conformance with a requirement of these Regulations.

Pre-Existing Non-Conforming – A condition or situation which existed lawfully on the effective date of these Regulations or any amendment thereto, and which fails to conform to one or more of the applicable provisions or requirements of these Regulations or such amendment thereto.

"Grandfathered" –A term used to describe a pre-existing non-conforming situation.

Non-Conforming Lot – A lot which does not conform to these Zoning Regulations for any prescribed lot requirements, such as lot area, width, or depth.

Non-Conforming Structure – A structure or building which does not conform to these Zoning Regulations for any prescribed structure or building requirement, such as front, side, or rear yard setback; building height, or building coverage; lot area per dwelling unit; dwelling units per building; parking and loading spaces; etc.

Non-Conforming Use – A use, whether of a building, structure, or lot, or combination thereof, which does not conform to the use regulations of the zoning district in which it is located.

Open Space – An area of land which is either naturally vegetated, is landscaped, or is developed and maintained for recreation or conservation purposes.

Open Space, Usable – That portion of the ground space on the same lot and contiguous to the principal building which is either landscaped or developed and maintained for recreation or conservation purposes. Usable open space shall not include those portions of a lot that are utilized for off-street parking or loading, driveway or building purposes. Usable open space shall not include those portions of a lot deemed unusable for recreation or conservation purposes by the Planning and Zoning Commission because of severe or dangerous topographic or soil conditions. *(as used in the "Multi-Family Standards" section of the Regulations)*

Parking Lot – An area other than a street used for the parking of registered vehicles.

Passenger Ferry – *See "Ferry and Boat-Related Terms" in Section 2.2 of these Regulations.*

Personal Services – Establishments primarily engaged in providing services involving the care of a person or their personal goods or apparel including but not limited to barbershops, beauty salons, shoe repair, health clubs, certified massage therapy, laundromats, tailor, dressmaking, and millinery.

Premises – A lot, plot, or parcel of land, including the buildings or structures thereon.

Principal vs Accessory

Principal Use – The primary or predominant use or activity of a lot, building, structure, or property. *See also "Accessory Use"*

Accessory Use – A use of land, building, or structure which is clearly incidental to, and customarily in connection with and located on the same lot with the principal building or use. *See also "Principal Use"*

Parameters For Being "Accessory"

Customary – Something commonly practiced, used, or observed such that it is considered conventional and typical rather than unusual.

Incidental - Something likely to ensue as a minor consequence of another activity or something that happens as a minor part or result of something else.

Subordinate – Something inferior, smaller, fewer, and of less importance or impact or something placed in or occupying a lower class, rank, or position.

Principal Building / Structure – A building in which is conducted the main or principal use of the lot on which said building is located. The connection of another building or structure to the principal building or structure by means of an open porch, breezeway, passageway, carport, or other such open structure, with or without a roof, shall not be deemed to make such other building or structure part of the principal building or structure, except in the case of a private garage so attached to a dwelling. *See also "Accessory Building/Structure" in Section 2.2 of these Regulations.*

Accessory Building / Structure – A building or structure which is customarily incidental and clearly subordinate to the principal building and/or use on the same property. The connection of a building or structure to the principal building or structure by means of an open porch, breezeway, passageway, carport, or other such open structure, with or without a roof, shall not be deemed to make such other building or structure part of the principal building or structure, except in the case of a private garage so attached to a dwelling. *See also "Principal Building" in Section 2.2 of these Regulations.*

Rear Lot– *See "Lot-Related Terms" in Section 2.2 of these Regulations.*

Rear Lot Line – *See "Lot-Related Terms" in Section 2.2 of these Regulations.*

Recreational Vehicle – A vehicle which is: a) built on a single chassis; b) measures 400 square feet or less at the largest horizontal projections; c) designed to be self-propelled or permanently towable; and, d) designed primarily not for use a permanent dwelling, but a temporary living quarters for recreational, camping, travel, or seasonal use.

Repair Services – Establishments providing repair of electronic devices, office equipment, furniture, and similar items including but not limited to radio, television, and electrical appliances, upholstery shops, and shoe repair shops, but excluding automotive repair or services, major repair of boats or marine equipment, or machinery repair.

Residential Lodging Facilities

Boarding House –A dwelling providing unsupervised and uncounseled living situations in which meals, or rooms and meals, are provided for compensation to more than one, but fewer than sixteen persons other than members of the family of the proprietor.

Boarding, Rooming, or Lodging Unit –A building or portion thereof providing a single housekeeping unit in an unsupervised and uncounseled setting, with living and sleeping facilities, including bathroom facilities, but excluding cooking and eating facilities.

Rooming House –A building providing unsupervised and uncounseled living situations in which rooms are rented for compensation to more than one (1), but fewer than sixteen (16), persons other than members of the family of the proprietor. The serving of meals or provision for cooking is prohibited.

Restaurant / Eating Establishment – An establishment in a permanent building, kept, used, maintained, and advertised as a place where meals are regularly served to the general public.

Retail Business – An establishment engaged in selling goods or merchandise to the general public for personal or household consumption. This may include but is not limited to apparel stores, drug stores, grocery, meat and seafood stores, antique shops, music shops, sporting goods stores, hobby shops, gift shops, and book, stationery, magazine, candy and tobacco shops; but excludes the sale of gasoline, motor vehicles, and heavy equipment.

Rooming House – *See "Residential– Lodging Facilities" in Section 2.2 of these Regulations.*

Screening, Complete Visual – A type of screening which affords a year-round effect and through which the screened object is totally obscured. Complete visual screening should consist of fences, walls, screen planting, or combinations, such as compact evergreen planting designed to provide 80% or more continuous opacity beginning at least twelve months after installation, when viewed horizontally from between 2 and 10 feet above average ground level provided such plants are maintained to provide such opacity on an on-going basis.

Setback – The minimum horizontal distance from any street or lot line to any building, structure, or use, measured in a straight line from and perpendicular to such street or lot line (i.e. – from the property line inward). *See also "Yard" in Section 2.2 of these Regulations.*

SF – Square feet.

Sign-Related Terms

Sign –An illustration or display of any kind, attached or erected in any manner and displayed out-of-doors in view of the general public for recognized advertising purposes. The term sign shall include a directly illuminated sign erected inside the window display area of a building, as well as outside flags or banners, but shall not include a non-illuminated, on-premises sign erected inside the window display area of a building.

Animated Sign–Any sign or source of light, or part thereof, which flashes, alternates, rotates, moves, or in any way simulates motion, exclusive of time and temperature signs.

Banners- Attention generating devices of various shapes, sizes and colors that are typically made of, but not limited to, flexible materials such as fabric, cloth, nylon, canvas, that do not typically include a rigid frame and are intended to hang overhead from a pole, bracket, or similar device attached to a fixed object such as a light pole or building.

Commercial Advertising or Off-Premises Sign – Any sign owned or operated by any person, firm, or corporation engaged in the business of outdoor advertising for compensation for the use of such signs, or any sign advertising a commodity or activity not sold, produced, or conducted on the premises.

Directional Sign – A sign intended to direct the way to a place or activity or to point toward a place or activity.

Double-Face Sign– A sign containing the same advertisement on both sides of the supporting structure.

(continued)

Sign-Related Terms (continued)

Flashing Sign– Any sign, the illumination of which is not kept constant in intensity at all times, and/or which exhibits sudden or marked changes in such light intensity or color effect, exclusive of time and temperature signs.

Ground or Free-Standing Sign– A sign supported by one or more uprights or braces in or above the ground.

Illuminated Sign – A sign which is illuminated by either internal or external lighting devices or sources.

Indirectly Illuminated Sign– A sign which is illuminated by external lighting devices or sources only.

Identification, On-Premises, or Point-of-Sale Sign – Any sign advertising a commodity sold or produced on or a business conducted on the premises where the sign is located.

Projecting Sign – A sign which is affixed to an exterior wall of any building and extending more than 15 inches beyond the building walls or parts thereof.

Wall Sign – A sign which is affixed to the exterior walls of any building and projecting not more than 15 inches from the building wall or parts thereof. Wall signs shall also include illuminated signs erected inside window display areas of a building.

Sign Area – The number of square feet contained within a single contiguous perimeter enclosing the extreme limits of the actual sign surface. Structural members and supports required by the Building Code and not bearing advertising matter and not forming an integral part of the display shall be excluded from the sign area. The allowable area of a double face sign shall be computed on the one side only.

Number Of Signs– For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to for a unit. Where matter is displayed in a random manner without organized relationship of elements or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.

Specialized Classrooms - Classroom or instructional space intended to provide instruction in specific subjects, including, but not limited to, engineering, drafting, accounting, or trades for adults not involving any offensive odor, noise, vibration, smoke, particulate matter, dust or other objectionable effects, and other studio-style classrooms for the purpose of providing instruction in dance, art, theater, yoga, martial arts, music, etc. No meal service, overnight activities, or outdoor activities shall occur on-site. Office and storage space that supports the primary instructional use is allowed.

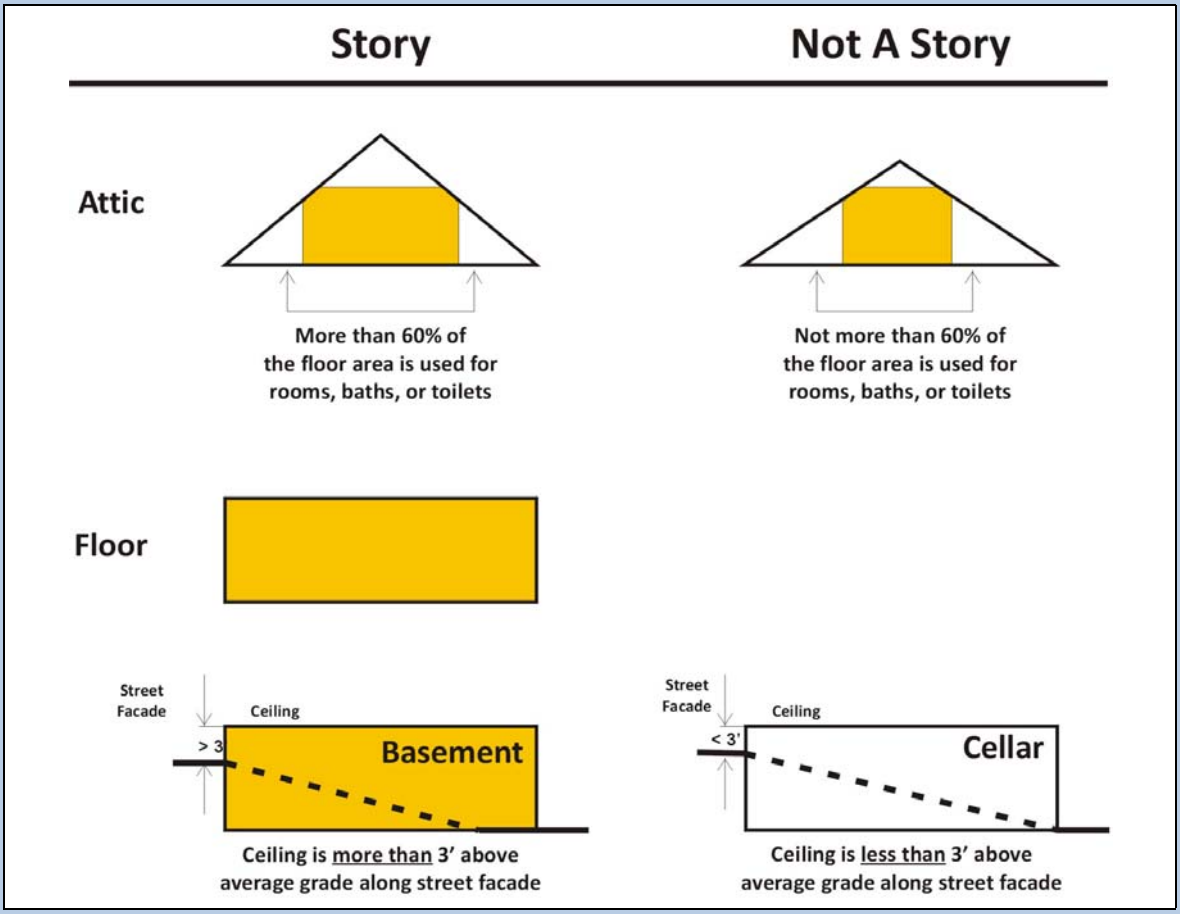
Story-Related Terms

Story – That part of a building between any floor and the floor above, or in its absence, the ceiling or roof above unless such part is a cellar or a half-story. (*Note that a basement is a story but a cellar is not a story. See Section 5.3.D of these Regulations for the definition of basement for floodplain management purposes.)*

Cellar – A portion of a building located partly or wholly underground where the ceiling is not more more than 3.0 feet above the average level of finished grade adjoining the exterior walls of the street façade.

Half-Story - – Any area under the pitched roof at the top of a building where:

- The floor is not more than 2 feet below the plate; and
- Less than 60% of the area of the floor is used for rooms, baths, or toilets.



Street – Any right-of-way used for streets, roads, highways, avenues, boulevards, lanes, or other vehicular access ways.

Street, Private – Any street other than a public street.

Street, Public – Any street officially accepted by the City of Groton, as approved by the Planning and Zoning Commission under the Subdivision Regulations of the City of Groton.

Street Facade – The exterior wall surface of a building which is visible from and generally parallel to the street providing access and/or the mailing address.

Street Line – *See "Lot-Related Terms" in Section 2.2 of these Regulations.*

Structure – *See "Building vs Structure" in Section 2.2 of these Regulations.*

Structural Alteration – Any change in or addition to the structural or supporting members of a building, such as bearing walls, columns, beams, or girders.

Swimming Pool – Any "swimming pool" as defined and regulated in "The Public Health Code of the State of Connecticut," as amended.

Taxi Services Facility – A commercial site where licensed taxis are parked and maintained and from which are dispatched only from site.

Telecommunication Facility - Towers and/or antennae and accessory structures and equipment used in receiving or transmitting telecommunications or radio signals from a mobile communication source and transmitting those signals to another wireless site, and other communication source or receiver or to a central switching computer which connects the mobile unit with land based telephone lines.

Terrace – A structure not more than 18 inches in height above average grade on any side and located on the ground with no structural supports other than a subsurface base material.

Through Lot– *See "Lot-Related Terms" in Section 2.2 of these Regulations.*

Tour / Sportfishing Boat – *See "Ferry and Boat-Related Terms" in Section 2.2 of these Regulations.*

Use – The specific purpose for which a lot or building is designed, arranged, intended to be used, or for which it is or may be occupied or maintained. The terms permitted use, special use, or its equivalent shall not be deemed to include any non-conforming use. *See "Principal vs Accessory"*

Use, Accessory – *See "Principal vs Accessory" in Section 2.2 of these Regulations.*

Usable Open Space – *See "Open Space, Usable" in Section 2.2 of these Regulations.*

Vehicle – Any motor vehicle as defined by the General Statutes of the State of Connecticut, as amended.

Vehicle Dealership – A facility or lot primarily used for merchandising vehicles.

Vocational Training Facility - A facility established to provide instruction and training for school to work transition to physically and developmentally disabled persons (14 years or older) providing school to work transition programs and instruction and guidance in one or more of the following areas: daily living, personal and social adjustment, self-care, work habits and skills, speech and language development. Such a facility shall not provide any residential or overnight care or accommodations or medical treatment facility providing inpatient or outpatient services of any kind. Such a facility may offer a recreational program involving activities that are social, athletic or purely diversionary in nature.

Water Dependent-Related Terms

Water-Dependent– Uses or facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland, including, but not limited to, marinas, recreational and commercial fishing and boating facilities, waterfront dock and port facilities, water-based recreational uses, navigation aids, basins and channels, industrial uses dependent upon waterborne transportation, or requiring large volumes of cooling or process water which cannot reasonably be located in an inland site and uses which provide general public access to marine or tidal waters.

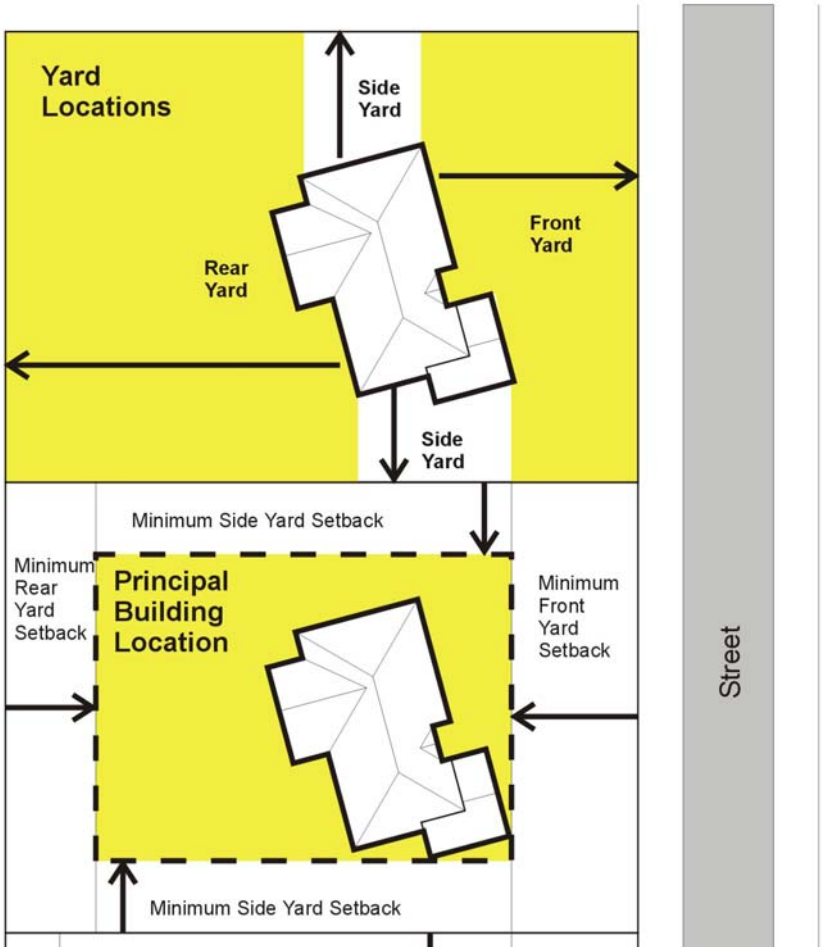
Functionally-Dependent Facility – A facility which cannot be used for its intended purpose unless it is located in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities. *See "Water Dependent" in Section 2.2 of these Regulations.*

Yard– An area on the same lot with a principal building or buildings extending outward from the building to the property line or street line of the lot. *See also "Setback" in Section 2.2 of these Regulations.*

Yard, Front – The yard between any street façade(s) of the principal building or buildings and any street line of the lot, extending across the full width of the lot. For a corner lot in a residential zone, each street frontage shall be considered a front yard.

Yard, Rear – The yard between the rear wall of the most rear principal building and the rear line of the lot, extending across the full width of the lot. For a corner lot in a residential zone, one yard, other than a front yard, shall be deemed to be a rear yard and any other yards shall be deemed to be side yards.

Yard, Side – The yard between the principal building or buildings and the side line(s), extending between the front yard and the rear yard or, where no rear yard is required, to the rear line of the lot.



Zoning / Building Permit – A review process conducted by the Zoning and Building Official to determine whether a building, structure, use, or activity meets the requirements of these Regulations at the time the review is conducted.

3. RESIDENCE ZONES

3.0. Overview

Each of the uses listed in Section 3 of these Regulations is also subject to the requirements of Section 7 of these Regulations including but not limited to:

1. Parking;
2. Signage;
3. Earth removal and filling;
4. Access drives and corner visibility; and
5. Performance standards.

3.1. Purpose

1. The various residential districts within the City are intended to provide suitable areas for residential use and development appropriate to the environmental characteristics of the land and the character of the neighborhood.

2. The differentiation among the residential districts is intended to provide for variety in the size and density of residential neighborhoods and a diversity of housing opportunities after consideration of soil types, terrain, and infrastructure capacity.

3. The residential districts may allow for certain non-residential uses when it can be demonstrated that they are compatible with nearby residential uses and preserve neighborhood character and property values.

3.2. Permitted Principal Buildings, Structures And Uses

The following tables identify which uses are permitted in which residential zoning districts by which type of permit.

The locations of the zoning districts are depicted on the zoning map. The abbreviations used for the zoning districts are as follows:

- R-12 R-12 Residence Zone
- R-8 R-8 Residence Zone
- R-5.1 R-5.1 Residence Zone
- R-5.2 R-5.2 Residence Zone
- RM Multi-Family Residence Zone

The "checkmark" symbol in the table indicates that the use is allowed in that zone by the type of permit indicated in accordance with the standards outlined in these Regulations. ☑

No "checkmark" means the use is not permitted in that zone by that type of permit. Check the other tables since a use may be permitted through a different type of permit. ☐

3.2.A No Permit Required

	R-12	R-8	R-5.1	R-5.2	RM
1. Open space land or conservation areas.	☑	☑	☑	☑	☑
2. Parks and playgrounds.	☑	☑	☑	☑	☑

3.2.B Zoning / Building Permit Required (Staff)

	R-12	R-8	R-5.1	R-5.2	RM
1. One-family detached dwelling.	☑	☑	☑	☑	☑
2. One-family semi-detached dwelling.				☑	☑
3. Two-family detached dwellings.				☑	☑

3.2.C Site Plan Approval Required (Commission)

	R-12	R-8	R-5.1	R-5.2	RM
1. Telecommunication Facilities, subject to the requirements of Section 6.12 of these Regulations.	☑	☑	☑	☑	☑

3.2.D Special Permit Approval And Site Plan Approval Required (Commission)

	R-12	R-8	R-5.1	R-5.2	RM
1. Multi-family dwellings and multi-family dwellings in groups subject to the requirements of Section 6.1 of these Regulations.					☑
2. Rooming, boarding or lodging houses.					☑
3. Congregate housing and/or assisted living facilities.					☑
4. Convalescent, nursing or rest homes.					☑
5. Hospitals.					☑
6. Day care centers subject to the requirements of Section 6.4 of these Regulations.			☑	☑	
7. Public and private schools.	☑	☑	☑	☑	☑
8. Public utility rights-of-way and structures.	☑	☑	☑	☑	☑
9. Public building or facility.	☑	☑	☑	☑	☑
10. Churches and places of religious worship.	☑	☑	☑	☑	☑
11. Cemeteries.	☑	☑	☑	☑	☑
12. Club, lodge or association.	☑				
13. Boat clubs, beach clubs and marinas subject to the requirements of Section 6.11 of these Regulations.	☑				
14. Vocational Training Facilities for persons with physical and developmental disabilities subject to the requirements of Section 6.9 of these Regulations.				☑	☑
15. Community Residential Counseling Facilities, subject to the requirements of Section 6.8 of these Regulations					☑
16. Halfway houses, subject to the requirements of Section 6.7 of these Regulations					☑

3.3. Permitted Accessory Buildings, Structures And Uses

3.3.A General Provisions

1. No accessory building or structure shall be built on any lot on which there is not a principal building.

2. Accessory buildings or structures in all residential districts shall be subject to the following:
   a. No accessory building or structures shall be permitted in any front yard or any required side yard setback.
   b. All accessory buildings and structures shall be located at least 6 feet from any principal building situated on the same lot.
   c. Accessory buildings, structures, or uses in any rear yard shall not be closer than 4 feet from any side or rear property line.
   d. The total of all accessory buildings and structures shall not occupy more than 40% of the required rear yard setback wherein they are located.
   e. No free-standing accessory building or structure shall exceed 15 feet in height, unless otherwise permitted by these Regulations.

3.3.B No Permit Required

	R-12	R-8	R-5.1	R-5.2	RM
1. Accessory uses that are customary, subordinate, and incidental to a principal use permitted by Section 3.2.A or Section 3.2.B.	☑	☑	☑	☑	☑
2. The keeping of domesticated animals as pets but not an animal hospital.	☑	☑	☑	☑	☑
3. The keeping of horses or similar livestock animals with one such animal permitted per three acres of land.	☑	☑	☑	☑	
4. Home office when conducted in accordance with Section 6.3.	☑	☑	☑	☑	☑
5. Family day care home.	☑	☑	☑	☑	☑
6. Retaining walls less than three feet (3') in height.	☑	☑	☑	☑	☑
7. Other fences or walls not over 7 feet in height (yard setbacks shall not apply but shall comply with corner visibility requirements).	☑	☑	☑	☑	☑
8. Sale of alcoholic beverages when accessory to an approved club, lodge or association.	☑				
9. Special events when accessory to an authorized club, lodge or association provided that any state or local permits are obtained.	☑	☑	☑	☑	

3.3.C Zoning / Building Permit Required (Staff)

	R-12	R-8	R-5.1	R-5.2	RM
1. Accessory structures that are customary, subordinate, and incidental to a principal use permitted by Section 3.2.A, Section 3.2.B, Section 3.2.C, or Section 3.2.D.	☑	☑	☑	☑	☑
2. Private garages for up to three motor vehicles.	☑	☑	☑	☑	
3. Tool shed, garden house, playhouse, tennis court, or swimming pool.	☑	☑	☑	☑	
4. Tennis court fences	☑	☑	☑	☑	☑
5. Minor home occupations when conducted in accordance with Section 6.3.	☑	☑	☑	☑	☑
6. Retaining walls three feet (3') or more in height.	☑	☑	☑	☑	☑

3.3.D Site Plan Approval Required (Commission)

	R-12	R-8	R-5.1	R-5.2	RM
1. Group daycare homes to subject to the requirements of Section 6.4.				☑	☑

3.3.E Special Permit Approval And Site Plan Approval Required (Commission)

	R-12	R-8	R-5.1	R-5.2	RM
1. Major home occupations or any home-based business not conducted in accordance with Section 6.3.	☑	☑	☑	☑	☑
2. Bed and breakfast establishments, subject to the requirements of Section 6.5 of these Regulations.	☑	☑	☑	☑	☑
3. Private garages for more four or more motor vehicles.	☑	☑	☑	☑	☑
4. Fences or free-standing walls over 6 feet in height which do not meet yard setback or corner visibility requirements.	☑	☑	☑	☑	☑
5. The keeping of horses or similar livestock animals on a parcel with less than three acres of land per animal.	☑	☑	☑	☑	
6. Buildings, structures and uses accessory to multi-family residential use including but not limited to a laundry center, community meeting room, resident mail room.					☑

3.4. Dimensional Standards

3.4.A R-12 District

	R-12 District	
	Permitted Uses	**Special Permit Uses**
Minimum Lot Area	12,000 square feet	100,000 square feet
Maximum Number Of Lots In A Subdivision	Developable Land / 12,000 SF	Limited by minimum lot size
Minimum Lot Width	100 feet	150 feet
Minimum Lot Depth	no requirement	200 feet
Minimum Front Yard Setback	30 feet	50 feet
Minimum Side Yard Setback	10 feet	50 feet, but not required for a side yard abutting navigable water
Minimum Rear Yard Setback	30 feet	50 feet, but not required for a rear yard abutting navigable water
Maximum Building Coverage (Note 2)	20%	20%
Maximum Bldg. Height	35 feet	35 feet

Notes -
1. Section 8.3 of the Regulations may provide flexibility related to some of these dimensional standards.
2. See Section 6.2 for requirements related to rear lots

3.4.B R-8 District

	R-8 District
Minimum Lot Area	8,000 square feet
Maximum Number Of Lots In A Subdivision	Developable Land / 8,000 SF
Minimum Lot Width	75 feet
Minimum Front Yard Setback	25 feet Or Average setback line observed by buildings on same side of street between two intersecting streets, whichever is lesser
Minimum Side Yard Setback	8 feet
Minimum Rear Yard Setback	25 feet Or 25% of lot depth, whichever is lesser
Maximum Building Coverage (Note 2)	25%
Maximum Building Height	35 feet

Notes -
1. Section 8.3 of the Regulations may provide flexibility related to some of these dimensional standards.
2. See Section 6.2 for requirements related to rear lots

3.4.C R-5.1 District

	R-5.1 District
Minimum Lot Area	5,000 square feet
Maximum Number Of Lots In A Subdivision	Developable Land / 5,000 SF
Minimum Lot Width	50 feet
Minimum Front Yard Setback	25 feet Or Average setback line observed by buildings on same side of street between two intersecting streets, whichever is lesser
Minimum Side Yard Setback	4 feet
Minimum Rear Yard Setback	25 feet Or 25% of lot depth, whichever is lesser None required where rear yard Abuts navigable waters
Maximum Building Coverage (Note 2)	25%
Maximum Building Height	35 feet

Notes -
1. Section 8.3 of the Regulations may provide flexibility related to some of these dimensional standards.
2. See Section 6.2 for requirements related to rear lots

3.4.D R-5.2 District

	R-5.2 District
Minimum Lot Area	5,000 square feet per dwelling unit
Maximum Number Of Lots In A Subdivision	Developable Land / 5,000 SF
Minimum Lot Width	50 feet
Minimum Front Yard Setback	25 feet Or Average setback line observed by buildings on same side of street between two intersecting streets, whichever is lesser
Minimum Side Yard Setback	4 feet
Minimum Rear Yard Setback	25 feet Or 25% of lot depth, whichever is lesser
Maximum Building Coverage	25%
Maximum Building Height	35 feet

Notes -
1. Section 8.3 of the Regulations may provide flexibility related to some of these dimensional standards.
2. See Section 6.2 for requirements related to rear lots

3.4.E R-M District

	RM District
Minimum Lot Area	40,000 square feet Or 4,000 square feet per dwelling unit, whichever is greater When calculating the minimum lot requirements of a project, no more than 30% of the lot area can be made up of regulated wetlands or steep (over 20%) slopes.
Maximum Number Of Lots In A Subdivision	Determined by minimum lot size
Minimum Lot Width	100 feet
Minimum Front Yard Setback	25 feet
Minimum Side Yard Setback	25 feet
Minimum Rear Yard Setback	25 feet
Maximum Building Coverage	25%
Maximum Building Height	35 feet

Notes - 1. Section 8.3 of the Regulations may provide flexibility related to some of these dimensional standards.

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4. BUSINESS AND INDUSTRIAL ZONES

4.0. Overview

Unless otherwise specified herein, each of the uses listed in Section 4 of these Regulations is also subject to the requirements of Section 7 of these Regulations including but not limited to:

1. Parking;
2. Signage;
3. Earth removal and filling;
4. Access drives and corner visibility; and
5. Performance standards.

Thames Street

Five Corners

Industrial / Technology

Technology Campus

4.1. WBR – Waterfront Business Residence District

4.1.A Purpose And Objectives

The Waterfront Business Residence District as delineated on the Zoning Map is intended to encourage a mixture of land uses that will enhance the unique qualities of the Thames Street area with emphasis on waterfront access and water-dependent and related uses and retention of the historic character and scale of the "Groton Bank." The overall intent is to promote and enhance this area as a walkable, pedestrian-friendly area with a variety of uses on sites and in buildings contributing to a vibrant village atmosphere. Due to the unique characteristics if this area and the varying property configurations, the Regulations are intended to allow for flexibility in a number of regulatory standards provided that the development objectives and design guidelines are achieved.

Development within the Waterfront Business Residence District shall be consistent with the following objectives:

1. Public access to the Thames River is a major consideration in the Waterfront Business Residence District and establishment / extension of a continuous riverfront walkway is encouraged as is establishment of boat slips.

2. Preservation and creation of views from public access to the riverfront strongly is encouraged.

3. Maintenance of the character and ambience of the area is strongly encouraged. Rehabilitation of structures, where feasible, is encouraged to preserve and enhance the historic and diverse qualities of the Thames Street area.

4. Water-dependent uses are specifically encouraged to locate along the river as primary uses or in combination with other permitted uses.

5. Development within the Waterfront Business Residence District shall be consistent with the City of Groton Plan of Conservation and Development and the Thames Street Study as adopted by the Planning and Zoning Commission.

4.1.B Village District Declared

In accordance with CGS Section 8-2j and as recommended in the 2008 Plan of Conservation and Development, the Waterfront Business Residence District is hereby declared to be a "village district" in order to protect the distinctive character, landscape and historic structures within the district.

4.1.C Principal Uses Permitted By Site Plan Approval (Commission)

1. Any use permitted by Site Plan approval (Commission) in the R-5.2 Residence Zone subject to the same restrictions and controls of the R-5.2 Residence Zone.

2. Retail businesses as defined in these Regulations.

3. Restaurants and eating establishments including on-premises drinking of alcoholic beverages when accessory to an eating establishment.

4. Business services.

5. Business and professional offices.

6. Personal service establishments as defined in these Regulations.

7. Dry cleaning and laundry pickup stations where the processing is done elsewhere.

8. Repair services as defined in these Regulations but specifically excluding boat repair, marine repair, machinery repair, outside repair, and the like.

9. Retail sale or rental of boating, fishing, diving, and bathing supplies and equipment provided that any outside storage or display of products or equipment is expressly approved by the Commission.

10. A sail loft or ships chandlery.

11. Telecommunication facilities, subject to the requirements of Section 6.12 of these Regulations.

12. Artist's studios and galleries.

13. Mixed use building(s) containing a combination of dwelling units and permitted businesses and service uses provided that, in a mixed-use building fronting on a public street, dwelling units shall be limited to areas above the first floor.

4.1.D Principal Uses Permitted By Special Permit Approval And Site Plan Approval (Commission)

1. Any use permitted by Special Permit Approval and Site Plan Approval (Commission) in the R-5.2 Residence Zone subject to the same restrictions and controls of the R-5.2 Residence Zone.

2. Hotels and motels on lots having a minimum area of 20,000 square feet and a minimum width of 100 feet.

3. Bed and breakfast establishments, subject to the requirements of Section 6.5 of these Regulations.

4. Mortuary and funeral homes.

5. Multi-family dwellings subject to the requirements of Section 6.1 of these Regulations.

6. Yacht clubs and marinas.

7. Boat docks, slips, piers and wharves for yachts and pleasure boats or for boats for hire carrying passengers on excursions, pleasure, or fishing trips, or for vessels engaged in fishery or shell fishery.

8. Dockside facilities for dispensing fuel, restroom and laundry facilities to serve overnight patrons.

9. Boat and marine engine sales and display provided that any outside storage or display of products or equipment is expressly approved by the Commission.

10. The rental of boats provided that the location of any outside storage is expressly approved by the Commission.

11. Museums with nautical themes.

12. Public building or facility.

13. Principal or accessory buildings and facilities for the storage, distribution, and wholesale or retail sale of fresh seafood, subject to the following requirements:
    a. The use shall be water dependent.
    b. No outside storage or handling of seafood or waste products shall be permitted, other than delivery and loading.
    c. No canning, drying or other type of industrial-type processing of seafood shall be permitted.
    d. The use shall be an integral component of a commercial seafood operation, comprised of, but not necessarily limited to, seafood handling, commercial fishing, small marine/boat landing, and such other related and permitted uses.
    e. A minimum lot size of 1 acre shall be required.

4.1.E Permitted Accessory Buildings, Structures And Uses

1. Accessory buildings and uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety, and welfare.

2. Temporary outdoor events subject to approval by the City Planner and Police Department and provided that placement of merchandise or other objects does not obstruct the sidewalk, affect public safety, or unreasonably reduce parking.

4.1.F Additional Requirements

1. Permitted uses do not include drive-in establishments or uses with drive-in facilities.

2. A building may contain a combination of permitted uses, however; if one of the uses is residential, then such residential use is limited to areas above the first floor.

3. Any building to be converted, expanded, or modified shall be in (or improved to) an acceptable state of repair and modernization, including landscaping and paving.

4.1.G Dimensional Standards

	WBR District
Minimum Lot Area	4,000 square feet per lot or 5,000 square feet per dwelling unit, whichever is greater
Minimum Lot Width	40 feet
Minimum Front Yard Setback	10 feet or the average setback line observed by buildings on same side of street between two intersecting streets, whichever is less.
Minimum Side Yard Setback	No requirement but there shall be a minimum side yard setback of 10 feet where: • The property is used for a residential use other than a mixed use building; • The property is used for a business use and abuts a single-family residential lot or a residential district.
Minimum Rear Yard Setback	There shall be a minimum rear yard setback of 20 feet. New construction at the foundation line shall be at least 20 feet from the Thames River at mean high water level.
Maximum Building Coverage	50%
Maximum Building Height	25 feet (May be modified as provided in Section 4.1.H.)
Maximum Building Width	The total cumulative width of building, structure, fences, or walls more than 42 inches in height above the finished grade which are located adjacent to the Thames River shall not occupy more than 40% of the width of a parcel as measured along a line parallel to and 20 feet from the river (May be modified as provided for in Section 4.1.H.)

Notes - 1. Section 8.3 and Section 4.1.I of the Regulations may provide flexibility related to some of these dimensional standards.

4.1.H Possible Modifications to Dimensional Standards

1. **Building Height** - The Commission may, by Special Permit, allow for an increase of maximum building height up to a maximum of 35 feet when doing so will help to achieve the purposes, objectives, and design considerations in the Waterfront Business Residence District.

2. **Building Width** – The Commission may, by Special Permit, allow for an increase of maximum building width when doing so will help to achieve the purposes, objectives, and design considerations in the Waterfront Business Residence District.

4.1.I Parking and Loading Requirements

Since the Waterfront Business Residence District is important to the city's character and because its physical integrity must be enhanced, and further because it is desirable to utilize existing buildings as fully and as efficiently as possible, parking for uses within the District may be provided as follows:

1. The Commission may, by Special Permit, reduce the parking requirements in Section 7.1 of these Regulations by up to 50 percent for uses within the Waterfront Business Residence District if the developer provides such spaces either:
   a. On-street in locations deemed acceptable to the Commission; or
   b. On the subject property in a configuration which makes such spaces available to the general public; or
   c. On other property in the vicinity provided such spaces are:
      - Subject to a deed restriction binding the owner and his/her heirs and assigns to maintain the required number of spaces either (1) throughout the existence of the use to which they are accessory, or (2) until such spaces are provided elsewhere, and
      - Configured to make such spaces available to the general public.

2. If such spaces are reserved for a specific use or are not configured to make such spaces available to the general public, the Commission may allow the parking required by Section 7.1 of these Regulations to be provided either:
   a. On the site which they serve; or
   b. On other property in the vicinity provided that:
      - Said spaces are within 750 feet walking distance of the lot or use which they serve.
      - Such spaces shall be in the same ownership as the use which they serve or shall be subject to a deed restriction binding the owner and his/her heirs and assigns to maintain the required number of spaces either (1) throughout the existence of the use to which they are accessory, or (2) until such spaces are provided elsewhere.

3. Payment of a fee-in-lieu of parking to the City to be put into a dedicated fund for the creation of parking within the Thames Street area.

4. A combination of the above.

4.1.J Design Considerations

As part of the review of any application in the Waterfront Business Residence District, the Commission shall consider:

1. The purposes of this Section;

2. The design considerations set forth in Section 8.5 of these Regulations, especially since the WBR District has been designated as a "village district" as authorized by CGS Section 8-2j;

3. Any design considerations set forth in the Special Permit review (Section 9.4) section of these Regulations;

4. Any design guidelines set forth in the Municipal Coastal Program adopted by the Commission; and

5. Additional considerations shall include:
   a. The extent to which new buildings and additions or modifications to existing buildings are harmonious with the overall character of the district and the heritage of Groton Bank and its seaside New England presence in terms of scale, massing, articulation, and architectural features.
   b. The extent to which views from adjacent public streets through the property to the water are protected or enhanced.
   c. The extent to which the design of buildings as viewed from the water and the relationship of development to the waterfront enhances the overall area.
   d. The extent to which public access to the river's edge, including new bulkheading or docking facilities, is provided or facilitated.
   e. The extent to which the configuration of traffic circulation, parking, sidewalks, landscaping, signage, and other improvements contribute to the maintenance and enhancement of an attractive, inviting, and pedestrian-friendly area.

4.2. FCD – Five Corners District

4.2.A Purpose

The purpose of the Five Corners District as delineated on the Zoning Map is to reinforce and enhance the Five Corners area as a mixed-use and pedestrian-friendly focal point within the City of Groton, to establish opportunities for new development at an appropriate scale and intensity, and to provide for appropriate transitions to adjacent uses and neighborhoods.

4.2.B Village District Declared

In accordance with CGS Section 8-2j and as recommended in the 2008 Plan of Conservation and Development, the Five Corners District is hereby declared to be a "village district" in order to protect and promote a distinctive character and landscape within the district.

4.2.C Principal Uses Permitted By Site Plan Approval (Commission)

1. Mixed use building(s) containing a combination of dwelling units and permitted businesses and service uses provided that, in a mixed-use building fronting on a public street, dwelling units shall be limited to areas above the first floor.

2. Buildings containing a combination of business and/or service uses permitted by Site Plan Approval.

3. Retail businesses as defined in these Regulations.

4. Eating and/or drinking establishments.

5. Business service establishments.

6. Business and professional offices.

7. Personal service establishments as defined in these Regulations.

8. Dry cleaning and laundry pickup stations where the processing is done elsewhere.

9. Artist's studios and galleries.

10. Telecommunication facilities, subject to the requirements of Section 6.12 of these Regulations.

4.2.D Principal Uses Permitted By Special Permit Approval And Site Plan Approval (Commission)

1. Multi-family buildings provided that any such buildings do not front directly on a street and are located to the rear of a building fronting directly on a street and containing business uses on the street level.

2. Parking lots and garages in accordance with Section 7.1.

3. Clubs, lodges, or associations.

4. Public buildings.

5. Public utility buildings and facilities.

6. Mixed use building(s) that allow dwelling units in conjunction with any principal use permitted by Section 4.2.B and or 4.2.C ("live - work" opportunities) provided that dwelling units shall be limited to areas above the first floor.

4.2.E Permitted Accessory Buildings, Structures And Uses

1. Accessory buildings and uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety, and welfare.

2. Micro-brewery-distillery-winery as an accessory use to a restaurant or drinking establishment provided that:
   a. Such use shall only be authorized through Special Permit Approval and Site Plan Approval by the Commission.
   b. The combined gross floor area of the principal use and the accessory use shall not exceed 3,000 SF.
   c. The area devoted to production shall not exceed twenty-five (25%) percent of the gross floor area.
   d. Parking for both the principal use and the accessory use shall be established in accordance with Section 7.1.
   e. The Commission may limit the hours that the micro-brewery-distillery-winery operation is open to the public to the same hours as the principal use.
   f. Production shall be limited to not more than 10,000 barrels annually in the case of beer, and/or not more than 10,000 gallons annually of wine or spirits, or a combination thereof.
   g. Prior to a zoning compliance permit being issued, the Applicant shall demonstrate compliance with State and Federal laws and regulations, and shall have obtained all permits required thereunder.

3. Temporary outdoor events subject to approval by the City Planner and Police Department and provided that placement of merchandise or other objects does not obstruct the sidewalk, affect public safety, or unreasonably reduce parking.

4.2.F Dimensional Standards

	FCD District
Minimum Lot Area	4,000 square feet
Minimum Lot Width	No requirement
Minimum Front Yard Setback	No requirement except there shall be a minimum sidewalk width of 10 feet from the edge of the curb.
Maximum Front Yard Setback	10 Feet
Minimum Side Yard Setback	8 feet where the lot abuts a residential zone Otherwise no requirement.
Minimum Rear Yard Setback	15 feet where the lot abuts a residential zone Otherwise no requirement.
Maximum Building Coverage	50%
Maximum Building Height	45 feet

Notes - 1. Section 8.3 of the Regulations may provide flexibility related to some of these dimensional standards.

4.2.G Parking and Loading Requirements

Since the Five Corners District is important to the city's character and because its physical integrity must be enhanced, and further because it is desirable to utilize new and existing buildings as fully and as efficiently as possible, parking for uses within the District may be provided as follows:

1. On street parking is encouraged and the Commission may, by Special Permit, reduce the parking requirements in Section 7.1 of these Regulations by up to 50 percent for non-residential uses within the Five Corners District if the developer provides such spaces on-street in locations deemed acceptable to the Commission.

2. Off-street parking, when provided, shall be located to the side and rear of buildings and shall be buffered or shielded from the sidewalk by a solid wall or hedge.

3. The Commission may, by Special Permit, reduce the parking requirements in Section 7.1 of these Regulations by up to 33 percent for non-residential uses within the Five Corners District if the developer provides such spaces either:
   a. On the subject property in a configuration which makes such spaces available to the general public; or
   b. On other property in the vicinity provided such spaces are:
      - Subject to a deed restriction binding the owner and his/her heirs and assigns to maintain the required number of spaces either (1) throughout the existence of the use to which they are accessory, or (2) until such spaces are provided elsewhere, and
      - Configured to make such spaces available to the general public.

4. If such spaces are reserved for a specific non-residential use or are not configured to make such spaces available to the general public, the Commission may allow the parking required by Section 7.1 of these Regulations to be provided either:
   a. On the site which they serve; or
   b. On other property in the vicinity provided that:
      - Said spaces are within 500 feet walking distance of the lot or use which they serve.
      - Such spaces shall be in the same ownership as the use which they serve or shall be subject to a deed restriction binding the owner and his/her heirs and assigns to maintain the required number of spaces either (1) throughout the existence of the use to which they are accessory, or (2) until such spaces are provided elsewhere.

5. Payment of a fee-in-lieu of parking to the City to be put into a dedicated fund for the creation of parking within the Five Corners area.

6. A combination of the above.

4.2.H Design Guidelines

As part of the review of any application in the Five Corners District, the Commission shall consider:

1. The purposes of this Section;

2. The design considerations set forth in Section 8.5 of these Regulations especially since the FCD has been designated as a "village district" as authorized by CGS Section 8-2j;

3. Any design considerations set forth in the Special Permit review (Section 9.4) section of these Regulations; and

4. The extent to which:
   a. The design of new buildings and additions or modifications to existing buildings shall be harmonious with the desire to create a mixed-use and pedestrian-friendly focal point reflecting Groton' overall architecture and its seaside New England presence in terms of scale, massing, articulation, and architectural features.
   b. The configuration of traffic circulation, parking, sidewalks, landscaping, signage, and other improvements contribute to the desire to create a mixed-use and pedestrian-friendly focal point reflecting Groton' overall architecture and its seaside New England presence.
   c. Drive-in establishments or uses with drive-in facilities and any entrance or exit driveways interrupt the creation of a pedestrian-friendly street.

4.3. GC – General Commercial Zone

4.3.A Purpose

The purpose of the General Commercial Zone is to maintain and enhance areas containing commercial uses that help to meet the needs of people who live, work, and visit Groton.

4.3.B Principal Uses Permitted By Zoning / Building Permit (Staff)

1. Farmer's market as a temporary use, a seasonal use, or a permanent use.

4.3.C Principal Uses Permitted By Site Plan Approval (Commission)

2. Retail businesses as defined in these Regulations.

3. A licensed medical marijuana dispensary.

4. Automotive supply stores.

5. Eating and/or drinking establishments including the serving of alcoholic beverages, either as a principal or accessory use.

6. Business services, including but not limited to banks, credit unions, loan companies and other financial institutions, real estate and insurance agencies, utility offices, government.

7. Business and professional offices.

8. Personal service establishments as defined in these Regulations.

9. Dry cleaning and laundry pickup stations where the processing is done elsewhere.

10. Group daycare homes and child daycare centers subject to the requirements of Section 6.4.

11. Repair services as defined in these Regulations but specifically excluding boat repair, marine repair, machinery repair, outside repair, and the like.

12. Computer centers.

13. Telecommunication facilities, subject to the requirements of Section 6.12 of these Regulations.

14. Artist's studios and galleries.

4.3.D Principal Uses Permitted By Special Permit Approval And Site Plan Approval (Commission)

1. Hotels and motels.

2. Boarding, rooming, or lodging houses.

3. Bed and breakfast establishments, subject to the requirements of Section 6.5 of these Regulations.

4. Gasoline stations, motor vehicle dealerships, and motor vehicle repair and/or service garages, and other similar automotive uses, as defined by State Statute subject to the conditions set forth in Section 6.6 of these Regulations.

5. Drive-in type establishments, including but not limited to, restaurants, car washes, beverage distributors, banks, theaters, and other similar establishments primarily designed to provide drive-in facilities.

6. Retail sale of alcoholic liquor.

7. Commercial recreation and entertainment facilities, including but not limited to billiard rooms, bowling alleys, skating rinks, swimming pools, night clubs, theaters, amusement centers, and other similar facilities.

8. Mixed use buildings containing dwelling units and permitted businesses and services provided business and service uses, excluding offices, shall only be permitted on the first floor and/or basement levels; and no mixed building shall contain more than two dwelling units.

9. Parking lots and garages in accordance with Section 7.1 of these Regulations.

10. Clubs, lodges, or associations.

11. Public buildings.

12. Public utility buildings and facilities.

13. Mortuary and funeral homes.

14. A boatyard for building, storing, repairing, selling, or servicing boats which may include the following as an accessory use: office for the sale of marine equipment or products, dockside facilities for dispensing fuel, restroom and laundry facilities to serve overnight patrons. Furthermore, adequate lanes must be provided to allow access and egress throughout the boatyard for fire trucks.

15. Docks and other marine-related facilities.

16. Taxi services facility.

17. Community Residential Counseling Facilities, in accordance with Section 6.8 of these Regulations.

18. Halfway houses, in accordance with Section 6.7 of these Regulations.

19. Vocational Training Facilities for persons with physical and developmental disabilities in accordance with Section 6.9 of these Regulations.

20. Micro-brewery-distillery-winery as a principal use provided that:
    a. Such use(s) shall not occupy more than 3,000 SF of floor area for production.
    b. Such facility may include a tasting/retail area in total not to exceed twenty-five percent (25%) of the gross floor area.
    c. The Commission may limit the hours that the micro-brewery-distillery-winery operation is open to the public.
    d. Production shall be limited to not more than 10,000 barrels annually in the case of beer, and/or not more than 10,000 gallons annually of wine or spirits, or a combination thereof.
    e. The facility shall maintain production records which shall be subject to inspection by the Zoning and Building Official for compliance with the foregoing provisions.
    f. Prior to a zoning compliance permit being issued, the Applicant shall demonstrate compliance with State and Federal laws and regulations, and shall have obtained all permits required thereunder.

4.3.E Permitted Accessory Buildings, Structures And Uses

1. Other accessory buildings and uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety, and welfare.

2. Accessory accommodations for watchmen, caretakers, or custodians in conjunction with a principal use on the same premises.

3. Assembling, converting, altering, finishing, cleaning, or other similar processing of products which is clearing incidental and customarily subordinate to a principal use, and where goods so produced and/or processed are sold from or used on the premises; provided the area used for such purposes shall be within a completely enclosed building.

4. Accessory outside storage of equipment, merchandise, materials, and supplies which is clearly subordinate and customarily incidental to a principal use and where goods so stored are sold from or used on the premises; provided that the area used for outside storage shall be effectively screened by appropriate structures, fencing, walls, or landscaping of suitable type, density, and height.

5. Micro-brewery-distillery-winery as an accessory use to a restaurant or drinking establishment provided that:
   a. Such use shall only be authorized through Special Permit Approval and Site Plan Approval by the Commission.
   b. The combined gross floor area of the principal use and the accessory use shall not exceed 3,000 SF.
   c. The area devoted to production shall not exceed twenty-five (25%) percent of the gross floor area.
   d. Parking for both the principal use and the accessory use shall be established in accordance with Section 7.1.
   e. The Commission may limit the hours that the micro-brewery-distillery-winery operation is open to the public to the same hours as the principal use.
   f. Production shall be limited to not more than 10,000 barrels annually in the case of beer, and/or not more than 10,000 gallons annually of wine or spirits, or a combination thereof.
   g. The facility shall maintain production records which shall be subject to inspection by the Zoning and Building Official for compliance with the foregoing provisions.
   h. Prior to a zoning compliance permit being issued, the Applicant shall demonstrate compliance with State and Federal laws and regulations, and shall have obtained all permits required thereunder.

6. Temporary outdoor events subject to approval by the City Planner and Police Department and provided that placement of merchandise or other objects does not obstruct the sidewalk, affect public safety, or unreasonably reduce parking.

4.3.F Dimensional Standards

	General Commercial District
Minimum Lot Area	4,000 square feet
Minimum Lot Width	
Minimum Front Yard Setback	No requirement, except when provided, there shall be a minimum front yard setback of 15 feet.
Minimum Side Yard Setback	No requirement, except 8 feet where the lot abuts a residential zone
Minimum Rear Yard Setback	15 feet where the lot abuts a residential zone Otherwise no requirement, except when provided, there shall be a minimum rear yard setback of 15 feet
Maximum Building Coverage	70%
Maximum Building Height	35 feet

Notes - 1. Section 8.3 of the Regulations may provide flexibility related to some of these dimensional standards.

4.4. IT – Industrial / Technology Zone

4.4.A Purpose

The purpose of the Industrial / Technology Zone is to provide for appropriate locations and standards for industrial-type uses and technology-related uses.

4.4.B Principal Uses Permitted By Site Plan Approval (Commission)

1. Scientific and research laboratories and similar uses devoted to research design and/or experimentation.

2. Computer centers and similar technology-related uses.

3. Offices for business, financial, professional, and similar office-type uses.

4. The manufacturing, fabricating, assembling or processing of goods and products.

5. Warehousing and wholesaling and storage.

6. Building equipment, merchandise, material and supply business.

7. Printing and publishing establishments.

8. Metal, woodworking and other similar shops.

9. Repair services as defined in these Regulations but specifically excluding boat repair, marine repair, machinery repair, outside repair, and the like.

10. Stone and monument works.

11. Parking garages and lots in accordance with Section 7.1 of these Regulations.

12. Telecommunications facilities, subject to the requirements of Section 6.12 of these Regulations.

13. Licensed medical marijuana producer.

14. Other use similar to a permitted use or uses.

4.4.C Principal Uses Permitted By Special Permit Approval And Site Plan Approval (Commission)

1. Principal outside storage yards and uses, including, but not limited to, petroleum storage facilities, building and contractors' equipment, merchandise, materials and supplies, but not including junkyards; provided that the area used for outside storage shall be completely visually screened.

2. Trucking terminal facilities for handling freight or material with or without maintenance facilities, including accessory trucking facilities; provided that such facilities, including any truck entrance, exit, driveways, maneuvering, parking or loading area, shall not be located or operated within a distance of 500 feet of any Residential Zone measured in a straight line between such facility and said boundary. Trucking terminal facilities shall not be construed to include clearly subordinate and customary incidental delivery department or off-street loading facilities operated by business concerns for their own use.

3. Public buildings, use and facilities.

4. Public utility buildings and facilities.

5. Railroad rights-of-way and stations.

6. Gasoline stations, motor vehicle dealerships, and motor vehicle repair and/or service garages, and other similar automotive uses, as defined by State Statute subject to the conditions set forth in Section 6.6 of these Regulations.

7. Docks and other marine-related facilities.

8. A boatyard for building, storing, repairing, selling, or servicing boats which may include the following as an accessory use: office for the sale of marine equipment or products, dockside facilities for dispensing fuel, restroom and laundry facilities to serve overnight patrons. Furthermore, adequate lanes must be provided to allow access and egress throughout the boatyard for fire trucks.

9. Vocational Training Facilities of persons with physical and developmental disabilities subject to the requirements of Section 6.9 of these Regulations.

10. Mixed use building(s) that allow dwelling units in conjunction with any principal use permitted by Section 4.4.B and or 4.4.C ("live - work" opportunities) provided that dwelling units shall be limited to areas above the first floor.

4.4.D Permitted Accessory Buildings, Structures And Uses

1. No accessory building or structure shall be built on any lot on which there is not a principal building.

2. Garages for storage and maintenance and utility shops for the upkeep and repair of buildings and structures and service; central heating and power plants for furnishing heat and electricity energy; training schools for employees, buildings for the storage of documents, records and personal property; communication facilities and clinics; and dining and recreational facilities, to be used for company purposes only and not by the general public.

3. Any accessory buildings and uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing uses shall be permitted in the same manner as the principal building.

4. Group day care and child day care subject to Site Plan approval and Section 6.4 of these Regulations.

4.4.E Dimensional Standards

	Industrial / Technology District	
Minimum Lot Area	40,000 square feet	
Minimum Lot Width	100 feet	
Minimum Lot Depth	200 feet	
Minimum Front Yard Setback	30 feet	Where the required yard setback line is adjacent to or across from the street from any residential zone, each yard setback shall be equal to the height of the outer face wall of any building adjacent to the subject yard
Minimum Side Yard Setback	15 feet, not required for the portion of the lot abutting navigable water	
Minimum Rear Yard Setback	30 feet, not required for the portion of the lot abutting navigable water	
Minimum Buffer Strip	Unless modified by the Commission by Special Permit due to the provision of comparable screening, a landscaped strip 25 feet wide providing complete visual screening shall be provided along lot lines that abut or are across the street from any residential zone.	
Maximum Building Coverage	70%	
Maximum Building Height	75 feet The Commission may, by Special Permit, authorize a building height above 75 feet when such additional height is needed for a specific manufacturing process or operational consideration.	

Notes - 1. Section 8.3 of the Regulations may provide flexibility related to some of these dimensional standards.

4.5. TC – Technology Campus Zone

4.5.A Purpose

The purpose of the Technology Campus Zone is to provide for appropriate locations and standards for office and research-type uses with some other light industrial uses allowed in appropriate areas.

4.5.B Principal Uses Permitted By Site Plan Approval (Commission)

1. Research centers and laboratories and similar uses whose principal activity shall be for any type of research, engineering testing, laboratory work and pilot development, devoted to design and/or experimentation, and processing and fabricating incidental thereto providing no materials or finished products shall be manufactured, processed or fabricated on said premises for sale, except such as are incidental to said research, design, or experimentation conducted on said premises.

2. Computer centers and similar technology-related uses.

3. Business, financial, professional or governmental offices.

4. Parking garages and lots in accordance with Section 7.1 of these Regulations.

5. Telecommunication facilities, subject to the requirements of Section 6.12 of these Regulations.

6. Other use similar to a permitted use or uses.

4.5.C Principal Uses Permitted By Special Permit Approval And Site Plan Approval (Commission)

1. Light manufacturing, fabricating, finishing, processing and assembly where such use or activities shall be confined within completely enclosed buildings with the exception of off-street parking and loading spaces.

2. Warehousing and storage.

3. Building equipment, merchandise, material and supply businesses.

4. Public buildings, uses and facilities.

5. Public utility buildings and structures.

6. Railroad rights-of-way and stations.

7. Mixed use building(s) that allow dwelling units in conjunction with any principal use permitted by Section 4.5.B and or 4.5.C (“live - work” opportunities) provided that dwelling units shall be limited to areas above the first floor.

4.5.D Permitted Accessory Buildings, Structures And Uses

1. No accessory building or structure shall be built on any lot on which there is not a principal building.

2. Any accessory buildings and uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing uses shall be permitted in the same manner as the principal building or use.

3. Eating establishments accessory to a permitted principal use.

4. Garages for storage and maintenance and utility shops for the upkeep and repair of buildings and structures and service; central heating and power plants for furnishing heat and electrical energy; training schools for employees; buildings for the storage of documents, records and personal property; communication facilities to be used for company purposes only and not by the general public.

5. Group day care and child day care s accessory to a permitted principal use subject to Site Plan approval and Section 6.4 of these Regulations.

4.5.E Dimensional Standards

	Technology Campus District	
Minimum Lot Area	80,000 square feet	
Minimum Lot Width	200 feet	
Minimum Lot Depth	300 feet	
Minimum Front Yard Setback	50 feet	Where the required yard setback line abuts or is across from the street from any residential zone, each yard setback shall be equal to the height of the outer face wall of any building adjacent to the subject yard
Minimum Side Yard Setback	15 feet	
Minimum Rear Yard Setback	50 feet	
Minimum Buffer Strip	Unless modified by the Commission by Special Permit due to the provision of comparable screening, a landscaped strip 25 feet wide providing complete visual screening shall be provided along lot lines that abut or are across the street from any residential zone.	
Maximum Building Coverage	40%	
Maximum Building Height	75 feet	

Notes - 1. Section 8.3 of the Regulations may provide flexibility related to some of these dimensional standards.

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5. SPECIAL ZONES

5.0. Overview

Each of the uses listed in Section 5 of these Regulations may also subject to the requirements of Section 7 of these Regulations including but not limited to:

1. Parking;
2. Signage;
3. Earth removal and filling;
4. Access drives and corner visibility; and
5. Performance standards.

Eastern Point Beach

Shennecossett Golf

Coastal Area

Floodplain

5.1. ROS – Recreation Open Space

5.1.A Purpose

The Recreation Open Space zone is intended to provide for recreation and open space uses and to allow for public buildings and uses in appropriate areas.

5.1.B Permitted Uses

1. Nature trails, arboretums, land reserves, and other areas of natural scenic beauty.

2. Parks, playgrounds and recreation facilities including, but not limited to, public swim or beach club, golf course and/or athletic field.

3. Officially designated historic sites or buildings.

5.1.C Principal Uses Permitted By Special Permit Approval And Site Plan Approval (Commission)

1. Municipal and other public buildings, including educational institutions with 2,000 square feet or more floor area.

2. Restaurants, snack bars, concession stands, or any other facilities for the dispensing of food and/or non-alcoholic beverages, provided that they are accessory to a permitted principal use.

3. Telecommunication facilities, subject to the requirements of Section 6.12 of these Regulations.

5.1.D Permitted Accessory Uses

1. Swimming pools, bleachers, grandstands, and other permanent recreational facilities, provided that such facilities shall be located at least 100 feet from the nearest residence zone.

2. Offices and buildings for the storage and use of equipment necessary to maintain the principal use.

3. Bathrooms and other public facilities provided that such facilities are accessory to and necessary for the principal use.

4. Parking only as an accessory to the principal use.

5.1.E Dimensional Standards

	ROS District (1)
Minimum Lot Area	40,000 square feet
Minimum Lot Width	100 feet
Minimum Front Yard Setback	50 feet
Minimum Side Yard Setback	50 feet
Minimum Rear Yard Setback	50 feet except that a rear yard setback shall not be required for the portion of the lot abutting navigable water
Maximum Building Coverage	10%
Maximum Building Height	35 feet

Notes - 1. Section 8.3 of the Regulations may provide flexibility related to some of these dimensional standards.

5.2. CAM - Coastal Area Management Overlay Zone

5.2.A Purpose

This Section of the Regulations is adopted for the purpose of managing activities within the coastal area and implementing the provisions of Chapter 444 of the Connecticut General Statutes (CGS Sections 22a-90 through 22a-115).

5.2.B Zone Location

The Coastal Area Management Overlay Zone applies to all areas within the coastal boundary, as defined by CGS Section 22a-94, and as adopted and delineated on the Coastal Boundary Map for the City of Groton on file in the office of the City Clerk.

5.2.C Applicability

Except as may be exempted in Section 5.2.E below, all buildings, uses and structures fully or partially within the Coastal Area Management Overlay Zone shall be subject to the coastal site plan review requirements and procedures in:

- These Regulations; and
- CGS Sections 22a-105 through 22a-109.

5.2.D Coastal Resource Setback

1. No new building construction, including minor additions to or modifications of existing buildings, such as garages, utility sheds, pools, tennis courts or parking lots, shall be permitted within 25 feet of any tidal waterbody or watercourse or of the following coastal resource areas: tidal wetlands, coastal bluffs, escarpments, beaches or dunes, as defined by Chapter 444, Section 22a-93(7) of the Connecticut General Statutes or shown on the map entitled, “Coastal Resource Map” on file in the office of the City Clerk.

2. This setback shall apply to all lots within the Coastal Area Management Overlay Zone, in addition to the requirement of lot, building and yard setback requirements in the underlying zoning district ,except that it shall not apply to:
   a. Section 4.1 Waterfront Business Residence Zone District, or
   b. Water-dependent uses as defined by Chapter 444, Section 22a-93(16) of the Connecticut General Statutes.

5.2.E Coastal Site Plan Review Exemptions

Pursuant to CGS Section 22a-109(b), the following activities are exempt from coastal site plan review requirements for the applications specified in Section 5.2.F of these Regulations:

1. Gardening, grazing and the harvesting of crops;

2. Minor additions to or modifications of existing buildings or detached accessory buildings, such as garages and utility sheds;

3. Construction of new or modification of existing structures incidental to the enjoyment and maintenance of a one- or two-family residential property, including, but not limited to, walks, terraces, driveways, swimming pools, tennis courts, docks, and detached accessory buildings;

4. Construction of the following new or modifications of the following existing on premise structures: fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs, and such other minor structures as will not substantially alter the natural character of coastal resources, as defined by CGS Section 22a-93(7) or restrict access along the public beach;

5. Construction of an individual single family residential structure, except in or within 100 feet of the following coastal resource areas, as defined by CGS Section 22a-93(7):
   - Tidal wetlands;
   - Coastal bluffs and escarpments;
   - Beaches; and
   - Dunes;

6. Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal and water resources.

7. Interior modifications to buildings;

8. Minor changes in use of a building, structure, or property except those changes occurring on property adjacent to or abutting coastal waters.

5.2.F Effect of Coastal Site Plan Review Exemptions

The exemptions from coastal site plan review requirements as provided in Section 5.2.E above shall apply to the following applications:

1. Site plan applications submitted to the Commission in accordance with CGS Section 22a-109 and Section 9.3 of these Regulations;

2. Application for a Special Permit submitted to the Commission in accordance with CGS Section 8-2 and Section 9.4 of these Regulations.

3. Applications for a variance submitted to the Zoning Board of Appeals in accordance with CGS Section 8-6(3) and Section 9.7 of these Regulations; except that a use variance shall not be exempt from coastal site plan review.

4. A referral of a proposed municipal improvement project to the Commission in accordance with CGS Section 8-24.

5.3. FP - Flood Protection Overlay Zone

5.3.A Purpose

The provisions of this Section are adopted to fulfill requirements for participation by the City of Groton in the National Flood Insurance Program.

5.3.B Applicability

1. The provisions of this Section, as well as those of City Ordinance #73 concerning floodplain management, shall apply to the areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated August 5, 2013, and accompanying Flood Insurance Rate Maps (FIRM), dated August 5, 2013. The FIS and accompanying FIRMs, and other supporting data applicable to the City of Groton, and any subsequent revisions thereto, are adopted by reference and declared to be a part of these Regulations.

2. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area.

3. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA.

5.3.C Caveat

1. The degree of flood protection required by this regulation is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes.

2. This regulation does not imply or guarantee that land outside the Special Flood Hazard Area or uses permitted in such areas will be free from flooding and flood damages.

3. This regulation shall not create liability on the part of the City of Groton or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made thereunder. The City of Groton, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the City of Groton.

5.3.D Definitions

For the purposes of this Section of the Regulations, the following words and terms shall be interpreted and applied as defined below:

Area of Special Flood Hazard – The land in the flood plain within a community subject to one percent (1%) or greater chance of flooding in any given year. 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. Special flood hazard areas shall be those identified on the Official Flood Insurance Rate Map (FIRM) of the City of Groton.

Basement – For floodplain management purposes, a basement is any area of the building having its floor sub grade (below ground level) on all sides. S*ee "basement" for the general definition of basement.*

Base Flood – The flood having a one (1) percent chance of being equaled or exceeded in any given year, also referred to as the one hundred (100) year flood, as published by the Federal Emergency Management Agency (FEMA) as part of a Flood Insurance Study (FIS) and depicted on a Flood Insurance Rate Map (FIRM).

Base Flood Elevation (BFE) – The water-surface elevation of the base flood in relation to a standard set of geographic data in Areas of Special Flood Hazard. BFEs provided on a Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the Flood Insurance Study for the City of Groton.

Breakaway Wall –A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

Building – See definition for "Structure".

Coastal High Hazard Area –The area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity waters caused by, but not limited to, hurricane wave wash. The area is designated on the FIRM as Zone VE.

Cost - As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written estimate by a licensed contractor. 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.

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.

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 (posts and piers), shear walls, or breakaway walls.

Existing Manufactured Home Park or Subdivision - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before April 21, 1980, the effective date of the floodplain management regulations adopted by the community.

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

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

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.

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

Floodproofing –Any combination of structural and nonstructural additions, changes, or adjustments to properties and structures, primarily for the reduction or elimination of flood damage to lands, water, and sanitary facilities, structures, and contents of buildings.

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 1 foot.

Flood, 100 Year –A 100-year flood is a flood of such magnitude as can reasonably be expected to be equaled or exceeded on an average of once every 100 years; the term also means the level of flooding having a 1% probability of occurrence in any year.

Flood Hazard Area –The maximum area of the flood plain which is likely to be flooded by a 100-year flood, or any area for which mudslides can reasonably be anticipated.

Flood Insurance Rate Map (FIRM) –An official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the Special Flood Hazard Areas and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) –The official report by the Federal Emergency Management Agency (FEMA), which contains flood profiles, the water surface elevation of the base flood, and other flood data.

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.

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.

Lowest Floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for the parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor provided that such an area meets the design requirements specified in Section 5.3.G.4 of this regulation.

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.

Manufactured Home Park or Subdivision – A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

Market Value – As related to substantial improvement and substantial damage, the estimated market value of the structure as determined by the Assessor or an independent appraiser as the appraised value of the structure:

- Prior to the start of the initial repair or improvement; or
- prior to the damage occurring.

Mean Sea Level –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 are referenced.

Mobile Home – A transportable, single-family home, which may be towed on its own running gear, and which may be temporarily or permanently affixed to real estate, used for non-transient residential purposes, and constructed with the same, or similar, electrical, plumbing, and sanitary facilities as immobile housing. Any mobile home which remains on any lot within the limits of this City for more than forty-eight hours within any six-month period shall be construed to be a dwelling, and as such, shall be subject to the Zoning Regulations of the City of Groton. *See "Building"*

North American Vertical Datum (NAVD) – As corrected in 1988, this is a vertical control used as a reference for establishing varying elevations within the floodplain.

New Construction – Structures for which the "start of construction" commenced on or after April 21, 1980, the effective date of these Floodplain Regulations and includes and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after April 21, 1980, the effective date of the floodplain management regulation adopted by the community.

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.

Sand Dunes – Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Start of Construction – Includes substantial improvement, and means the date that the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the building permit date (should the permittee fail to being work within this time frame, a new permit shall be required). The actual start means the first placement of permanent construction of a structure 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. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. 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.

Structure –For floodplain management purposes, 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. *See "Building vs Structure" for the general definition of structure.*

Substantial Damage – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. "Substantial Damage" also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial Improvement – Any combination of repairs, reconstruction, alteration, or improvements to a structure taking place during a one-year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the "start of construction" of the initial repair or improvement; or (2) in the case of damage, the value of the 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 commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

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

Variance, Floodplain– A grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

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

5.3.E General Requirements

In all areas of special flood hazard, the following provisions shall apply in addition to those set forth elsewhere in these Regulations:

1. A Floodplain Development Permit shall be required in conformance with the provisions of this Section prior to the commencement of any development activities and permits issued under this Section shall expire if actual construction of a permitted structure does not commence within one hundred and eighty (180) days of the permit approval date.

2. All applications for building permits within the flood hazard area shall include with the application the base flood elevation data from the FIRM for that portion of the activity located within the flood hazard area.

3. The Commission shall review plans for new developments requiring Site Plan approval or Special Permit in order to determine whether such development is consistent with the need to minimize flood damage within the flood prone areas and to determine whether proposed developments and building sites will be reasonably safe from flooding. Special consideration shall be given to the placement of public utilities and the provision of adequate drainage to reduce exposure of flood hazards.

4. In riverine situations, the Planning and Zoning Commission shall notify adjacent communities and the Connecticut Department of Energy and Environmental Protection (DEEP) prior to approving any activity involving alterations or relocation of the watercourse and submit copies of such notice to the Federal Emergency Management Agency. In any portion of a watercourse that is altered or relocated, the flood carrying capacity must be maintained.

5. All building permits for new construction, substantial improvements (including placement of prefabricated buildings), or other development shall require, as a condition of building permit approval, confirmation by the Zoning and Building Official that the development is designed and constructed so as to minimize flood damage.

6. The Zoning and Building Official shall record the as-built elevation (in relation to mean sea level) of the lowest floor (including basement) of all new construction or substantially improved structures and shall record the elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood proofed. In coastal high hazard areas (VE zones), the Zoning and Building Official shall record the elevation of the bottom of the lowest horizontal structural member for all new construction and substantial improvements to structures. All records pertaining to the provisions of these Regulations shall be maintained on file.

7. 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.

8. New construction and substantial improvements shall be constructed with materials resistant to flood damage.

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

10. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

11. New and replacement sanitary sewage systems shall be designated to minimize or eliminate infiltration of floodwaters into the systems and discharges from the system into flood waters.

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

13. All manufactured homes to be placed within Zone A, AE and VE on the City's FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

14. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

15. When base flood elevation data or floodway data have not been provided, the Planning and Zoning 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 this regulation.

5.3.F Building Permit Requirements

On all building permit applications for development in the special flood hazard areas, the following information is required:

1. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures;

2. Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed;

3. Description to the extent to which any watercourse will be altered or relocated as a result of proposed development;

4. Assurances that the flood carrying capacity of any watercourse and its related flood plain is maintained;

5. Copies of all applicable Federal and State permits shall be included with the building permit.

5.3.G Requirements In Zones A and AE

1. **Residential** - All new construction and substantial improvements to residential structures shall have the lowest floor, including the basement, elevated to or above the base flood elevation plus one foot, as determined on the FIRM or as determined in accordance with Section 5.3.E.15.

2. **Non-Residential** - All new construction and substantial improvement of non-residential structures shall have the lowest floor, including the basement, elevated, dry flood-proofed, or wet flood-proofed to or above the base flood elevation plus one foot, as determined on the FIRM or as determined in accordance with Section 5.3.E.15.

3. **Dry Flood-proofing** – For dry flood-proofing, the areas of the non-residential structure below the base flood elevation, together with all attendant utilities and sanitary facilities, shall be 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 Section. Such certification shall be provided to the Zoning and Building Official.

4. **Wet Flood-proofing** - All new construction and substantial improvements that are fully enclosed areas below the lowest floor shall be usable solely for parking of vehicles, building access or storage and shall have permanent openings designed to allow the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls (wet flood-proofing). Designs for complying with this requirement must either be certified by a registered professional engineer or architect, or meet the following minimum criteria listed below:
   a. Provide a minimum of two (2) openings (hydraulic flood vents) having a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding. These hydraulic openings must be located on at least two different walls. Only the area (square footage) that lies below the base flood elevation can be used in the calculation of net area of vents required. If the structure has more than one enclosed area, openings must be installed in the exterior walls of each enclosed area so that flood waters can enter directly from the outside;
   b. The bottom of all openings shall be no higher than one (1) foot above the finished grade adjacent to the outside of the foundation wall. At least one entire side of the structure's fully enclosed area must be at or above grade. Fill placed around the foundation walls must be graded so that the elevation inside the enclosed area is equal to or higher than the adjacent outside elevation on at least one side of the building. The finished floor of the enclosed area shall be no lower than the bottom of the foundation openings. The foundation slab of a residential structure, including the slab of a crawlspace, must be set equal to the outside finished grade on at least one side of the building;
   c. The openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic entry and exit of flood waters in both directions without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means. These coverings must not block or impede the automatic flow of floodwaters into and out of the enclosed area. Other coverings may be designed and certified by a registered professional engineer or approved by the Zoning and Building Official;
   d. The area cannot be used as finished living space. Use of the enclosed area shall be the minimum necessary and shall only be used for the parking of vehicles, building access or limited storage. Access to the enclosed area shall be the minimum necessary to allow for the 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). The enclosed area shall not be used for human habitation or partitioned into separate rooms;
   e. All interior walls, floor, and ceiling materials located below the base flood elevation shall be unfinished and resistant to flood damage.
   f. Electrical, plumbing, HVAC ductwork, machinery or other utility equipment and connections that service the structure (including, but not limited to, furnaces, oil or propane tanks, air conditioners, heat pumps, hot water heaters, ventilation, washer and dryer hook-ups, electrical junction boxes, circuit breaker boxes and food freezers) are prohibited in the fully enclosed area below the base flood elevation. Utilities or service equipment located in this enclosed area, even if elevated above the base flood elevation in the space, will subject the structure to increased flood insurance rates.

g. Garages

- A residential building with a structurally attached garage having the floor slab below the base flood elevation is considered an enclosed area below the BFE and must meet the standards of Sections 5.3.G.4.a through f.
- A garage attached to a residential structure, constructed with the garage floor slab below the base flood elevation, must be designed to allow for the automatic entry and exit of floodwaters in both directions.
- Flood openings or vents are required in the exterior walls of the garage or in the garage doors. Garage doors that must be manually opened do not meet the flood vent opening requirements in Section 5.3.G.4.a through c.
- In addition to the automatic entry of floodwaters, the areas of the garage below base flood elevation must be constructed with flood resistant materials.
- Garages attached to non-residential structures must also meet the aforementioned requirements or be dry flood-proofed as per the requirements of Section 5.3.G.3.

5.3.H Requirements In Zone VE (Coastal High Hazard Areas)

1. The provisions of Section 5.3.G shall also apply in the VE zone unless specifically modified by this Subsection.

2. All new construction or substantial improvement shall be located landward of the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.

3. All new construction or substantial improvement shall be elevated so that the bottom of the lowest supporting horizontal member (excluding pilings or columns) is located above the base flood elevation plus one foot, with all space below the lowest supporting member open as not to impede the flow of water.

4. All new construction or substantial improvement shall be securely anchored on pilings or columns.

5. All pilings and columns and the attached structures shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. The anchoring and support system shall be designed with wind and water-loading values which equal or exceed the one hundred year mean recurrence interval (1% annual chance floods and winds).

6. 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, specifications and plans for construction are in accordance with acceptable standards.

7. There shall be no fill used as structural support. Non-compacted fill may be used around the perimeter of a building for landscaping/aesthetic purposes provided the fill will wash out from storm surge (thereby rendering the building free of obstruction) prior to generating excessive loading forces, ramping effects, or wave deflection. The Zoning and Building Official shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an engineer, architect and/or soil scientist, which demonstrates that the following factors have been considered:
   a. Particle composition of fill material does not have a tendency for excessive natural compaction;
   b. Volume distribution of fill will not cause wave deflection to adjacent properties; and
   c. Slope of fill will not cause wave run-up or ramping.

8. Non-supporting breakaway walls, lattice work or mesh screening shall be allowed below the base flood elevation provided it is not part of the structural support of the building and is designed so as to break away under abnormally high tides or wave action without damage to the structural integrity of the building on which it is to be used and provided the following specifications are met:
   a. Design safe loading resistance of each wall shall be not less than 10 nor more than 20 pounds per square foot; or
   b. If more than 20 pounds per square foot, a registered professional engineer or architect shall certify that the design wall collapse would result from a water load less than that which would occur during the base flood event, and the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components during the base flood event.

   Maximum wind and water loading values to be used in this determination shall each have 1% chance of being equaled or exceeded in any given 100-year mean recurrence interval.

9. If breakaway walls, lattice work or screening are utilized, the resulting enclosed space shall not be designed to be used for human habitation, but shall be designed to be used only for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.

10. Prior to construction, plans for any structures that will have breakaway walls, lattice work or screening must be submitted to the Zoning and Building Official for approval.

11. Any alteration, repair, reconstruction or improvement to a structure shall not enclose the space below the lowest floor except with breakaway walls, latticework, or screening, as provided in Section 5.3.G.4.

12. There shall be no alteration of sand dunes (naturally occurring accumulations of sand in ridges or mounds landward of the beach) which would increase potential flood damage.

5.3.I Requirements for Floodways

1. Within areas designated as floodways on the FIRM or other available source, encroachments, including fill, new construction, substantial improvements, and other developments, are prohibited unless certification with supporting technical data, by a Connecticut registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that the encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge.

2. Fences in the floodway must be aligned with the flow and be of an open design.

3. The City 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 City's request or not), the City 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 1 foot at any point within the community.

4. In Zone A when base flood elevations become available and in Zone AE when base flood elevations have been determined, but before a regulatory floodway is designated, no new construction, substantial improvement, or other development (including fill) shall be permitted which will increase the water surface elevation of the base flood elevations more than 1 foot at any point the community when all existing and anticipated development is considered cumulatively with the proposed development.

5.3.J Additional Provisions

1. **Equal Conveyance**
   a. Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation).
   b. 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.

2. **Compensatory Storage**
   a. The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced.
   b. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain.
   c. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body.
   d. Storage shall be:
      - Provided on-site, unless easements have been gained from adjacent property owners;
      - Provided within the same hydraulic reach and a volume not previously used for flood storage;
      - 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.
   e. Compensatory storage can be provided off-site if approved by the municipality.

3. **Aboveground Storage Tanks** - Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must:
   a. 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;
   b. Have the top of the fill pipe extended above the BFE, and
   c. Have a screw fill cap that does not allow for the infiltration of flood water.

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

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

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

7. **Manufactured Homes (Existing Park)** - Manufactured homes placed or substantially improved in an existing manufactured home park within A, AE, and VE zones shall be elevated so that:
   a. The lowest floor is at or above the base flood elevations;
   b. The chassis is supported by reinforced piers no less than 36 inches above grade and securely anchored; and
   c. The installation meets the requirements of Section 5.3.E.12.

8. **Manufactured Homes (Other Locations)** - Manufactured homes placed or substantially improved within A, AE, and VE zones shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation plus one foot and meet the requirements of Section 5.3.E.13 if situated in one of the following locations:
   a. Outside a manufactured home park or subdivision;
   b. In a new manufactured home park or subdivision;
   c. In an expansion to an existing manufactured home park or subdivision;
   d. On a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood.

9. **Recreational Vehicles** - In A, AE, and VE zones , all recreational vehicles to be placed on a site must:
   a. Be elevated and anchored, meeting the requirements of Section 5.3.E.13; or
   b. Be on the site for less than 180 consecutive days, be fully licensed, and be ready for highway use as evidenced by:
      - Being on its wheels or a jacking system, is
      - Being attached to the site only by quick disconnect type utilities and security devices, and
      - Having no permanently attached additions.

5.3.K Floodplain Variances

1. A floodplain variance shall not be granted if the Zoning Board of Appeals determines that:
   a. No exceptional hardship would result from failure to grant the variance;
   b. Granting the variance would result in increased flood heights, additional threats to the public safety, extraordinary public expense, or creation of a nuisance.
   c. Within any designated floodway, an increase in flood levels during the base flood discharge would occur as a result of such variance.

2. A floodplain variance may be issued for new construction and substantial improvement and other development necessary for the conduct of a functionally-dependent use provided the structure or other development is protected by methods that minimize flood damage and create no additional threat to public safety.

3. An applicant for a floodplain variance to this Section 5.3 shall be notified by the Zoning and Building Official that the issuance of a floodplain variance to construct a structure below the base flood elevation will result in increased rates for insurance coverage, and that a record of all flood protection variance action and resulting construction shall be maintained.

4. Any applicant to whom a floodplain 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 risk resulting from the reduced lowest floor elevation up to amounts as high as $25.00 for $100.00 of insurance coverage.

5. The Zoning and Building Official shall maintain a record of all flood protection variance actions, including justification for their issuance, and biennial report such variances issued in the annual report submitted to the Federal Emergency Management Agency

6. USE-RELATED PROVISIONS

6.0. Overview

Each of the uses listed in Section 6 of these Regulations is subject to:

1. The requirements listed below for that use, and
2. The regulations for the particular zoning district, unless otherwise specifically provided for in this Section.
3. The requirements of Section 7 of these Regulations including but not limited to:
   a. Parking;
   b. Signage;
   c. Earth removal and filling;
   d. Access drives and corner visibility; and
   e. Performance standards.

6.1. Multi-Family Standards

Multi-family dwellings, as defined in these Regulations, are subject to the following conditions:

1. **Density** - No multi-family development shall exceed a density of one unit per 4,000 square feet of site area, not including wetlands, watercourses, slopes in excess of 15 percent, and 100-year floodplain.

2. **Size of Buildings** - No building shall exceed 160 feet in horizontal dimension or section.

3. **Floor Area Of Units** - The minimum required floor area for each dwelling unit shall be based on the number of habitable rooms as follows:

Habitable Rooms	Floor Area (square feet)
1	300
2	400
3	550
4	700
5 or more	850

4. **Basement Apartment** - No dwelling units shall be permitted in basements or cellars.

5. **Distance Between Buildings** - All minimum distances required below shall be measured in a straight line between the points of the building(s), which are nearest each other.
   a. Facing Walls – The minimum distance between any two front or rear facing walls (long dimension) of any principal building(s) shall not be less than the sum of the heights of the affected buildings or 50 feet, whichever is greater.
   b. Facing and End Walls – The minimum distance between any end wall (short dimension) of any principal building(s) and any front or rear facing wall (long dimension) of any principal building(s) shall not be less than 75% of the sum of the heights of the affected buildings or 35 feet, whichever is greater.
   c. End Walls – The minimum distance between any two end walls (short dimension) of any principal buildings shall be not less than 50% of the sum of the heights of the affected buildings or 20 feet, whichever is greater.
   d. Minimum Distances – In all instances, the minimum distance between any walls or corners of any principal or accessory building(s) shall not be less than 20 feet.

Illustration Of Separation Distance Between Buildings With Facing Walls
Minimum Separation = Height 1 + Height 2
50' minimum

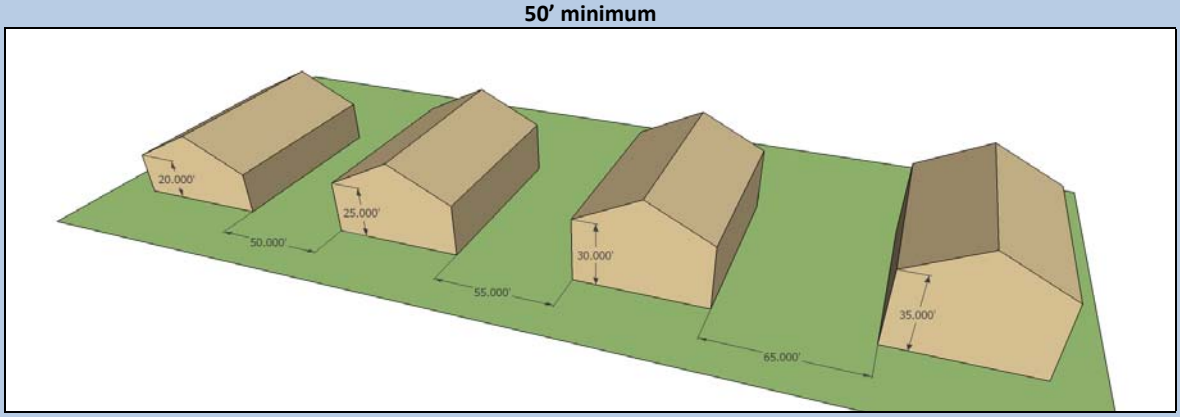


Illustration Of Separation Distance Between Buildings With Facing Walls And End Walls
Minimum Separation = (Height 1 + Height 2) x 75%
35' minimum

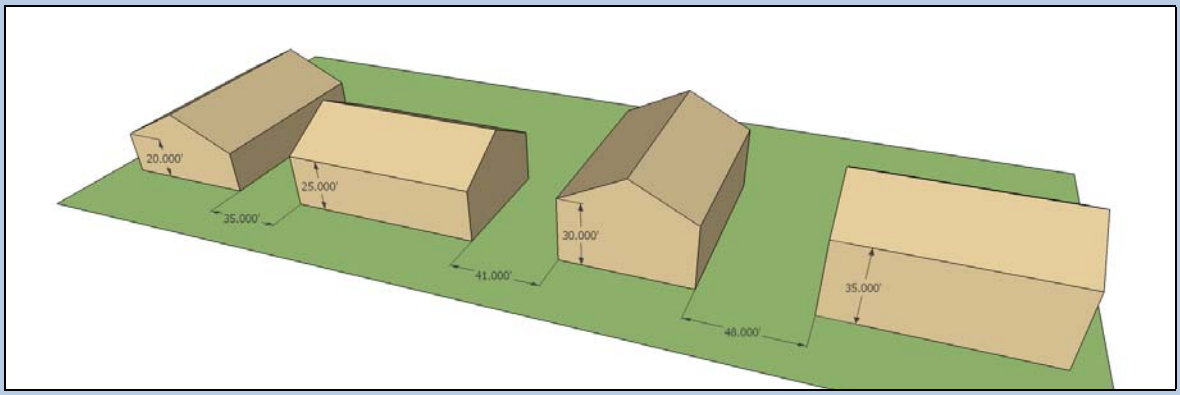
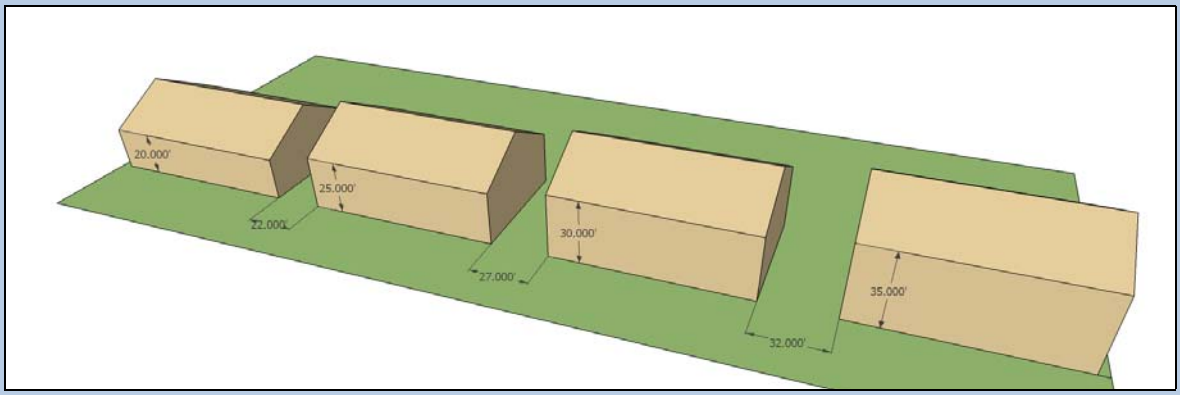


Illustration Of Separation Distance Between Buildings With End Walls
Minimum Separation = (Height 1 + Height 2) x 50%
20' minimum



6. **Screens** - Outdoor clothes drying areas and rubbish areas shall be surrounded with complete visual screening.

7. **Rubbish** - Separate rubbish containers shall be provided for recycling items and so denoted on the plans.

8. **Usable Open Space** -
   a. Usable open space area(s) shall be located on the lot in such a way as to provide easy access from all dwelling units on the lot.
   b. A minimum of 400 square feet of usable open space shall be provided per dwelling unit.
   c. Indoor or accessory roof space may be substituted for not more than 25% of the required usable open space, provided such space is developed as a recreational area and is accessible and available to all occupants of the dwellings.
   d. The minimum dimension of a usable open space area shall not be less than 25 feet.
   e. At least 25% of the required usable open space shall be developed for and equipped with recreation facilities such as playgrounds, ball fields, tennis courts, or bocce courts, depending on the age group served by the housing.
   f. All required recreation facilities shall be complete or bonded for by the time Certificates of Occupancy have been issued for 50% of the units.
   g. If the required recreation facilities are not complete or bonded for at that time, no further Certificates of Occupancy shall be issued until the required recreation facilities are complete.

9. **Garages** - For every ten required parking spaces that shall be provided in a separate garage or under a residential building, one additional dwelling unit above the maximum number of units permitted by Section 3.4.E shall be permitted on the lot provided that:
   a. The garage is enclosed on all sides by walls; and
   b. The additional dwelling units have a floor area no greater than the average dwelling unit proposed on the lot; and
   c. The required parking for any additional dwelling units so created shall also be in enclosed garages or under residential buildings.

10. **Private Streets** - Private streets shall be constructed to the following standards:
   a. Pavement width shall be a minimum of 24 feet where street parking is not allowed. An additional 8 feet shall be added on each side of the street where parking is allowed.
   b. Pavement shall be a minimum of 2-inch bituminous concrete on a 4-inch process gravel base on an 8-inch bank run gravel sub base.
   c. A 4-inch bituminous lip curb shall be provided along both sides of the street and around parking and turning areas.
   d. A 4-foot wide concrete sidewalk shall parallel the street or parking lot and shall provide access to the building. Said sidewalks shall be separated from the pavement by at least a 3 ½-foot wide grass strip.
   e. Stop signs shall be installed at all intersections of City or State highways.

6.2. Rear Lots

Rear lots, as defined in these Regulations, are subject to the following conditions:

1. A rear lot shall contain at least twice the minimum lot area as required for the zoning district where it is located.

2. Rear Lots shall have a landscaped buffer along each property line excluding the driveway access to the property.

3. The landscaped buffer is intended to provide visual screening between the rear lot and adjacent properties and shall include a mix of plantings with a minimum of 10’ width strip of evergreen plantings.

4. Building coverage for rear lots shall be a maximum of 12.5 percent of the rear lot area, not including the accessway.

5. No side yard setback associated with a rear lot shall be less than ten (10) feet.

6.3. Home-Based Businesses

Home-based businesses, as defined in these Regulations, are subject to the following conditions:

1. The home office or home occupation shall not occupy more than 25% of the gross floor area or 50% of one floor of the dwelling unit, whichever is less.

2. The home office or home occupation shall not change the exterior residential character of the dwelling in any visible manner and shall not have any outside storage or parking of commercial vehicles unless specifically approved by the Commission.

3. The home office or home occupation shall be clearly incidental to the residential use.

4. The home office or home occupation shall not offer, display or advertise any commodity or service for sale on the premises other than a sign permitted in accordance with Section 7.2, nor shall any materials or products be stored outside of a building.

5. The home office or home occupation shall not create any noise, traffic, odor, vibrations, smoke, gas, fumes, radiation, electromagnetic interference or unsightly conditions noticeable off the lot.

6. A home office or minor home occupation shall be restricted to those occupations that serve clients, patients, customers or patrons by appointment only and that not more than two clients, patients, customers or patrons would be on the premises at any given time.

7. The number of on-site parking spaces shall not be increased for clients, patients, customers or patrons unless specifically approved by the Commission.

6.4. Day Care

Day care operations, as defined in these Regulations, are subject to the requirements listed below and other applicable regulations.

1. For any child day care operation, a graded and suitably fenced play area, including a minimum of 75 square feet of play space for each child who would be using the play area at any one time, shall be provided.
   a. The minimum required play area shall be free of hazards and regulated wetland soils, provide a suitable play surface, and shall be a minimum of 1% but not in excess of 3% in grade.
   b. Where the existing topography and conditions present unique circumstances which will not compromise child safety, the Planning and Zoning Commission may, by Special Permit, increase the maximum play area grade requirement to 5%.
   c. Active play areas, defined as areas containing playground equipment, including, but not limited to, swings and other apparatus, shall not exceed 1% in grade.
   d. Outdoor play activities shall only take place within the hours of 8:30 a.m. and 6:00 p.m.

2. For any adult day care operation, a suitably graded and fenced outdoor area of at least 75 square feet for each person who would be using the area at any one time shall be provided.

3. Group day care homes and child day care centers shall provide a buffer strip within the boundaries of the lot with appropriate fencing and landscaping of suitable type, density and height to effectively screen the daycare activities from the neighboring properties.
   a. The width of the buffer strip shall be at least as follows:

Residential Districts:	10 feet
Commercial Districts:	15 feet
Industrial Districts:	25 feet

   b. The buffer area shall be designed to mitigate impacts from adjacent uses as well, particularly in cases where centers are located in commercial and industrial districts.
   c. This buffer requirement shall typically be applied to the portion of the site dedicated to day care use including such items as play area(s).
   d. The play area or areas shall not be located within the designated buffer area.
   e. The Commission may, by Special Permit, reduce the width requirement of the buffer area where:
      - existing topography, landscaping, and/or other features provide an adequate buffer and screening, or
      - lot size and shape or existing structures make it infeasible to comply with the minimum widths required above, provided screening (planting, fences, berms, etc.) or other methods are utilized to ensure the buffer area meets the intent of the Regulations.

4. Child day care centers in the R-5.1 zone shall be developed only on sites which contain a minimum of five acres (5.0) and include a public or private elementary school.

5. Unless otherwise specifically approved by the Commission, day care operations shall only operate from 6:00 AM to 8:00 PM.

6. The applicant shall accommodate all pedestrian and vehicular traffic to and on the site, and shall provide an acceptable area for dropping off children or patrons on site. To the extent possible, parking stalls for public use shall be located so as to preclude pedestrian crossing of interior drives.

7. All State and/or local licensing and permit requirements/standards shall be met including special or coastal flood hazard area development standards to demonstrate to the Commission's satisfaction that hazards to life and property are minimized.

6.5. Bed and Breakfast Establishments

Bed and breakfast establishments, as defined in these Regulations, are subject to the following conditions which are intended to balance the desire to provide for short-term overnight accommodations in a residential setting for travelers and visitors to this area while helping to ensure that bed and breakfast establishments are as unobtrusive as possible, i.e., that they are commenced and maintained with little or no impact upon the existing character and appearance of the neighborhoods in which they are located.

1. Bed and breakfast establishment shall generally be accommodated within an existing building.
   a. Exterior alterations may be made to existing buildings or structures in order to preserve a valuable historic property, promote adaptive reuse of buildings, or comply with local or State health and safety code requirements.
   b. No building addition or freestanding building shall be constructed in order to accommodate or otherwise make room for the bed and breakfast establishment, except for additions or structures required under local or State health and safety codes.
   c. An existing outbuilding may accommodate rooms, but shall not be added onto or enlarged, provided it conforms to the minimum yard setback requirements of the respective zone in which it is located.
   d. However, in all cases, such alterations must be considered minimal exterior modifications of the building or structure which are compatible with the character of the area, ensure the residential character of the buildings, and preserve the existing features of the building.

2. The gross floor area of that portion of the residence containing the bed and breakfast establishment shall not equal more than 50% of the total gross floor area of the entire building, said bed and breakfast area being defined as guestrooms, dining areas, and bathroom areas used by guests. This provision shall not apply to outbuildings used as part of the bed and breakfast establishment; however, under no circumstances shall an outbuilding contain more guestrooms than the owner occupied principal residence.

3. No guest shall be accommodated for more than seven nights in any two-week period.

4. Minimum parking space requirements shall be as stated in Section 7.1 of these Regulations. In addition, all spaces shall be on-site, and no guest parking spaces shall be located in any required front yard setback area of the subject property.

5. All parking and loading areas and other outdoor recreational and/or service activities associated with the Bed and Breakfast Establishment that are located within a residential zone or abut or are located across the street from property within a Residential Zone shall be effectively screened and bordered on all sides by a 10-foot-wide buffer strip; however, the Planning and Zoning Commission may, by Special Permit, reduce the buffer dimension requirement where:
   a. existing topography, landscaping, and/or other features provide an adequate buffer and screening, or
   b. where lot size and shape or existing structures make it infeasible to comply with the buffer width required above, provided screening (planting, fences, berms, etc.) or other methods are utilized to ensure the buffer area meets the intent of these Regulations.

6. All applicable fire, building, health and safety codes and requirement shall be met prior to commencement of operations, and in the cases where proposed sites are located in A and V zones of designated coastal flood areas, the applicant shall demonstrate to the Commission's satisfaction at the time of application that hazards to life and property are being minimized.

7. No more than two non-resident staff shall be employed on any single shift.

8. Access to each guestroom shall be via a main entrance, lobby or foyer within the building. No guestroom shall have a separate exterior access except as may be required by fire or building codes.

9. The owner of the Bed and Breakfast Establishment shall maintain a Guest Book to record lengths of stay.

10. The owner of the Bed and Breakfast Establishment shall make the Guest Book available to the City within ten days of receipt of written request for same from the City Planner or the Zoning and Building Official.

6.6. Gasoline Stations, Vehicle Dealerships, Vehicle Repair and Service

Gasoline stations, vehicle dealerships, vehicle repair and/or service garages, and similar automotive uses, as defined in these Regulations or by State Statute, are subject to the following conditions:

1. In addition to any approvals required from the Commission, location approval shall be obtained from by the Zoning Board of Appeals as required by CGS Section 14-54.

2. There shall be a minimum lot area of 15,000 square feet and a minimum lot width of 120 feet for gasoline stations, vehicle repair and/or service garages. There shall be a minimum lot area of 30,000 square feet and a minimum width of 150 feet for new and used vehicle dealerships.

3. The storage of petroleum products in underground tanks shall not exceed 40,000 gallons and the storage of fuel oils in above-ground tanks shall not exceed 275 gallons.

4. Provisions shall be made for entering and leaving the lot in such a manner that traffic hazards are minimized. Driveway aprons shall be a minimum distance of 25 feet from any street intersection and 10 feet from any adjacent lot line.

5. Fuel pumps and above-ground fuel storage tanks shall be located 25 feet from any street line or adjacent lot line.

6. Servicing, other than retail sale of gasoline and oil and minor services customarily incidental thereto, shall be conducted within a building. No repair work, except of an emergency nature, will be performed out-of-doors. No servicing or storage of any vehicle shall take place on any adjacent public street or sidewalk. Outside storage and display of vehicles shall be restricted to areas no closer than 10 feet from any street line or adjacent lot line.

7. Adequate area for parking, storage and servicing shall be provided on private property.

8. Outdoor lighting shall be in accordance with Section 7.6 and the following:
   a. Appropriate and necessary lights shall be installed and maintained.
   b. All free-standing lights shall be indirectly illuminated and shall not exceed 18 feet in height.
   c. No free-standing light shall be permitted in any required rear or side yard setback adjacent to a residential district.

9. Appropriate landscape and screening of suitable type, density and height shall be installed and suitably maintained.

10. No application for Approval of Location for any gasoline station, vehicle dealership or vehicle repair and/or service garage, shall be accepted by the Zoning Board of Appeals unless and until the Planning and Zoning Commission has previously approved the Site Plan and authorized the issuance of a Special Permit.

6.7. Halfway Houses

Halfway houses, as defined in these Regulations, are subject to the following conditions:

1. A halfway house shall not be permitted on any lot or parcel which is within 800 feet of any lot or parcel containing a duly licensed or authorized public or private school, park, playground or day care facility.

2. A halfway house shall not be permitted on any lot or parcel which is within 1,500 feet of any lot or parcel containing an existing and duly licensed or authorized halfway house.

3. A halfway house shall not expand, enlarge, add on to, intensify or otherwise increase the scope and services of the program authorized by the Commission (such as by adding or taking in more residents or clients) without first receiving approval from the Commission. At the time of application for any approval, the applicant shall:
   a. Submit a written description of the proposed scope and services of its program, including, but not limited to, security precautions, meals, transportation arrangements and recreation.
   b. State the maximum number of residents to be served by the facility and the number of staff.

4. The applicant shall present, at the time of application for approval, written authorization from the State of Connecticut to conduct the proposed program, as stated under the definition of "halfway house" in these Regulations, at the proposed site.

5. A staff member shall be on-site at the facility at all times.

6. No halfway house shall be operated without first obtaining all licenses and permits as required by State and federal law.

7. Within the General Commercial zone only, a halfway house may provide counseling services to non-residents as well as residents, providing that the Commission has approved such use and providing the facility includes a separate waiting room and separate meeting room for such non-resident services.

6.8. Community Residential Counseling Facilities (CRCFs)

Community Residential Counseling Facilities (CRCFs), as defined in these Regulations, are subject to the following conditions:

1. A CRCF shall not be permitted on any lot or parcel which is within 800 feet of any lot or parcel containing a duly licensed or authorized public or private school, park, playground or day care facility.

2. A CRCF shall not be permitted on any lot or parcel which is within 1,000 feet of any lot or parcel containing an existing and duly licensed or authorized CRCF.

3. A CRCF shall not expand, enlarge, add on to, intensify or otherwise increase the scope and services of the program authorized by the Commission (such as by adding or taking in more residents or clients) without first receiving approval from the Commission. At the time of application for any approval, the applicant shall:
   a. Submit a written description of the proposed scope and services of its program, including, but not limited to, security precautions, meals, transportation arrangements and recreation.
   b. Shall state the maximum number of residents to be served by the facility and the number of staff.

4. A staff member shall be on-site at the facility at all times.

5. No CRCF shall be operated without first obtaining all licenses and permits as required by State and federal law.

6. Within the General Commercial zone only, a CRCF may provide counseling services to non-residents, as well as residents provided that the Commission has approved such use and providing the facility includes a separate waiting room and separate meeting room for such non-resident services.

6.9. Vocational Training Facility

Vocational Training Facilities (VTF) as defined in these Regulations, are subject to the following conditions:

1. Vocational Training Facilities shall be developed only on sites that contain a minimum of five (5) acres.

2. A VTF shall not be permitted on any lot or parcel that is within 1,000 feet of another VTF.

3. Unless otherwise specifically approved by the Commission, a VTF shall only operate between the hours of 6:00 AM to 8:00 PM.

4. The applicant shall accommodate all pedestrian and vehicular traffic to and on the site, and shall provide an acceptable area for dropping off participants on site.
   a. To the extent possible, parking stalls dedicated to the public shall be located so as to preclude pedestrian crossing of interior drives.
   b. No overnight storage of more than four multi-passenger vehicles used to transport participants shall be allowed on site.
   c. Any overnight vehicle storage shall be located in the rear yard of the property and shall be screened appropriately from public view as determined by the Planning and Zoning Commission.
   d. Any areas designated for overnight vehicle storage shall not count toward the minimum parking spaces required pursuant to Section 7.1.

5. All State and/or local licensing and permit requirements/standards shall be met including special or coastal flood hazard area development standards to demonstrate to the Commission's satisfaction that hazards to life and property are minimized.

6. A VTF shall not expand, enlarge, add on to, intensify or otherwise increase the square feet of use or the scope and services of the program(s) authorized by the Commission (such as by taking on additional participants) without first receiving approval from the Commission. At the time of application for any approval, the applicant shall:
   a. Submit a written description of the proposed scope and services of all programs, including, but not limited to, services, training, educational, meals, transportation arrangements, any outside participants, agencies served either full or part -time whether permanent or temporary.
   b. shall state the maximum number of participants to be served at the facility, the number of staff and the total square feet of the facility including all areas to be utilized by the VTF.

7. A VTF may provide for recreational activities on site.
   a. Said recreational area shall be a minimum of one-half (0.5) acre, free of hazards and regulated wetland soils and contain a suitable surface for the proposed activities at no more than 3% slope.
   b. The recreational area shall have suitable lighting and fencing and screening to ensure the safety of the users and to mitigate any impacts both to and from adjacent properties as determined by the Commission.
   c. In the R-5.1, R-5.2 and RM zones outdoor recreational activities shall only take place between the hours of 8:30 AM and 6:00 PM.

8. A VTF shall provide a buffer strip within the boundaries of a lot as follows:
   a. appropriate fencing and landscaping of suitable type, density and height shall be located and maintained in a buffer strip of the following width to effectively screen the facility activities from the neighboring properties:
      - Residential Districts: 25 feet
      - Commercial Districts: 25 feet
      - Industrial Districts: 25 feet
   b. The buffer area shall be applied to the portion of the site dedicated to vocational facility uses including associated parking, accessory buildings and recreational areas.
   c. The recreational area shall not be located within the buffer area.
   d. The buffer area shall include scattered plantings of mixed height of both evergreen and deciduous trees and bushes.
   e. The Planning and Zoning Commission may, by Special Permit, reduce the width requirement of the buffer area where
      - existing topography, landscaping, and/or other features provide an adequate buffer and screening, or
      - lot size and shape or existing structures make it infeasible to comply with the minimum widths required above, provided screening (planting, fences, berms, etc.) or other methods are utilized to ensure the buffer area meets the intent of these Regulations.

6.10. Specialized Classrooms

Specialized Classrooms, as defined in these Regulations are subject to the following conditions:

1. Specialized Classrooms shall be entirely located within a building and shall not include any activities, other than parking, outside the building.
   a. The parking areas and entrances to the building shall be of a suitable surface and have adequate lighting to ensure the safety of users.
   b. The parking lot and exterior of the building shall be suitably fenced and screened to mitigate any impacts both to and from adjacent properties, as determined by the Commission, particularly when the Specialized Classrooms are located in a building adjacent to a residential use or zone.
   c. Lighting, to the extent feasible, shall be downward directed and confined to the site.

2. Specialized Classrooms shall not expand, enlarge, add on to, intensify, or otherwise increase the square feet of use or scope in services of programs authorized by the Commission (such as by taking on additional participants or subjects) without first receiving approval from the Commission, as appropriate. At the time of application for any approval, the applicant shall submit a written description of the proposed scope of services and all programs, including, but not limited to, the subject matter to be taught, the maximum number of students, the maximum number of instructors and supporting staff, the number and size of classrooms to be occupied, as well as the hours of operation, the internal floor layout, and the total square footage of the areas utilized.

3. The applicant shall accommodate all pedestrian and vehicular traffic to and on the site to the extent possible.
   a. Specialized Classrooms will not provide overnight parking for any vehicles.
   b. If the applicant will provide transportation to the site for students, instructors, or staff, it will submit a description of the mode and frequency of transportation. Further, it shall show on the site plan designated drop-off and pick-up sites that are safe and accessible for all vehicles and riders.

4. Specialized Classrooms shall provide a buffer strip within the boundaries of a lot, which is in or adjacent to a residential district or use, and shall maintain appropriate fencing and landscaping of suitable type, density, and height to effectively screen the facility activities from neighboring residential zones or properties.
   a. Said residential buffer strip shall be 25 feet in width.
   b. The buffer shall include scattered plantings of mixed height of both evergreen and deciduous trees and bushes.

c. The Commission may, by Special Permit, reduce the width requirements of the buffer area where
   - existing topography, landscaping, and/or other features provide an adequate buffer and screening, or
     - lot size and shape or existing structures make it infeasible to comply with the minimum widths required above, provided screening (planting, fences, berms, etc.) or other methods are utilized to ensure the buffer area meets the intent of these Regulations.

6.11. Boat Club, Beach Club and Marina

Boat clubs, beach clubs and/or marinas, as defined in these Regulations, are subject to the following conditions:

1. Properties used for boat clubs, beach clubs and/or marinas shall have at least 150 feet of water frontage.

2. Boat clubs, beach clubs and/or marinas shall comply with all applicable provisions of the State and City Building, Housing, Health, Sanitation, and Environmental Protection Codes and Ordinances, as approved by the proper official.

3. Adequate toilet facilities shall be provided on the lot and shall be located so as to be easily accessible to patrons and guests.

4. The following uses and structures are hereby recognized as being accessory to boat clubs, beach clubs and/or marinas:
   a. A boat way, ramp or dock.
   b. Fuel filling facilities for boats.
   c. Storage garage for boats.
   d. Repair and/or service garage for boats.
   e. A boat storage yard.
   f. Buildings to house storage lockers and related shower facilities.
   g. A building for retail sales of boats, equipment, material and supplies.
   h. A refreshment stand or snack bar attached to or inside the principal building with a seating capacity not to exceed twenty seats.
   i. Other accessory buildings and uses clearly subordinate and customarily incidental to and located on the same lot with the principal use.

5. Outdoor storage of boats shall not be permitted within required front and side yard setbacks.

6.12. Telecommunication Facilities

6.12.A Purposes

This Section of the regulations is intended to:

- Regulate the location and number of telecommunication towers and antenna;
- Minimize the adverse visual effect of telecommunication towers and antenna through careful design, siting, and vegetative screening;
- Encourage the shared or joint use of telecommunication towers and antenna
- Be consistent with the Federal Telecommunications Act of 1996, as amended;
- Not discriminate among providers of functionally equivalent services;
- Not prohibit or act to prohibit the provisions of personal wireless services; and
- Not regulate the placement and construction of personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC regulations regarding such emissions.

6.12.B Permitted Facilities

	No Permit Required From City	Zoning / Building Permit Required	Site Plan Approval Required	Special Permit Required
1. State-Regulated Tower or Antenna – Any new tower or antenna regulated by the Connecticut Siting Council.	☑			
2. Residential Household/ Amateur Antenna – An antenna used solely for residential television and private radio reception provided any such antenna meets required setbacks and a height no greater than 40 feet above grade or 15 feet above the roof for all uses in all zoning districts.	☑			
3. Residential Satellite Dish Antenna – A satellite dish antenna in a residential district provided the dish antenna: a. Measures 1 meter (3.28 feet) or less in diameter; b. Shall not exceed the height of the roof ridgeline; and c. Shall not be located in a required front yard.	☑			
4. Amateur Radio Antenna – An amateur radio antenna operated by an amateur radio operator licensed by the FCC provided that it is located in the rear yard, meets required setbacks, and is less than 40 feet in total height.	☑			
5. Other Residential Antenna – An antenna listed in 2, 3, or 4 above that does not comply with the identified standards.		☑		

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	No Permit Required From City	Zoning / Building Permit Required	Site Plan Approval Required	Special Permit Required
6. Commercial Satellite Dish Antenna – A ground-mounted or roof-mounted satellite dish antenna in a non-residential district provided the dish antenna measures 2 meters (6.56 feet) or less in diameter; and the dish antenna is either screened from public view or integrated into the site design or approved by the Commission by Special Permit.		☑		
7. Commercial Satellite Dish Antenna – An antenna listed in 6 above that does not comply with the identified standards.			☑	
8. Other Antennas on Existing Structures – Any other antenna which is not attached to a tower, provided the antenna complies with all applicable FCC and FAA Regulations.			☑	
9. New Public Safety Tower or Antenna – A new antenna tower intended and used primarily for t**he** purpose of police, fire ambulance, and/or other emergency services or similar emergency communications.			☑	
10. New Tower or Antenna on City-Owned Property – A new antenna located on a lot owned, leased or otherwise controlled by the City of Groton.			☑	
11. Other Tower or Antenna – Any tower or antenna not listed above.				☑

6.12.C Basic Standards

1. **Lot Area** - The lot on which a new telecommunication tower is constructed shall meet the minimum lot area requirements for the underlying zone.

2. **Setbacks** –
   a. All new tower structures and other facilities shall meet the setback requirements of the respective zone or be set back from all property lines a distance equal to the height of the structure, whichever is greater.
   b. Guy anchors shall meet the setback requirements of the respective zone.

3. **Height** –
   a. The tower and/or antenna shall only be erected to the minimum height necessary to satisfy the technical requirements of the telecommunication facility.
   b. Documentation of the minimum height needed, prepared by a professional telecommunications systems engineer, shall accompany the application for special permit.
   c. Such documentation may include propagation modeling and/or test results.

4. **Color** - Towers and other telecommunication facilities shall be a subdued, non-reflective color which shall blend in with its surroundings.

5. **Landscaping** –
   a. Landscape buffers, as appropriate, shall be required around the perimeter of all structures, including guy anchors.
   b. Such landscape buffers shall include evergreen trees of sufficient height and planted at a sufficient distance to provide visual screening as determined during the site plan approval process.

6. **Illumination** - Signal lights or illumination shall not be permitted unless required by the Federal Communications Commission or the Federal Aviation Administration and the need for such lighting shall be disclosed as part of the application.

7. **Signage** - No advertising or signage, other than warning signs, is permitted on any tower or other telecommunication facility.

8. **Multiple Towers** - Placement of more than one tower on a lot may be permitted if all setbacks, design, and landscape requirements are met for each tower.

9. **Removal** –
   a. All unused telecommunication towers shall be removed within 12 months of cessation of use.
   b. In the event that an unused tower is not removed within 12 months of cessation of use, the tower and associated facilities may be removed by the City and the cost of removal assessed against the property.
   c. As a condition of approval, the Commission may require a bond to insure removal of abandoned towers where the cost of the removal of the tower may equal or exceed the value of the lot on which it is located.

10. **Interference** - No existing or proposed telecommunications service shall interfere with public safety communications or with any existing television or radio signal and all applications for facilities under this regulation shall be accompanied by a study which provides a technical evaluation of existing and proposed transmissions and indicates all potential interference problems.

6.12.D Locational Standards For Towers

1. New telecommunication towers shall not be located within:
   a. Existing local historic districts;
   b. Existing districts on the State Register of Historic Places;
   c. Existing districts on the National Register of Historic Places; and
   d. Along designated scenic roads established under provisions of CGS Sec. 7-149a.

2. To discourage the proliferation of telecommunication towers:
   a. Shared use of tower structures is both permitted and encouraged.
   b. Applications involving the co-location of antennae on existing telecommunication towers or on other existing structures are encouraged.
   c. Applications for new towers shall be accompanied by documentation that no existing or planned tower or other structure can accommodate the applicant's antenna or transmitter.

3. It is a condition of any approval issued under this Section that the applicant shall exercise good faith in allowing other providers to share space or co-locate on the tower, provided that such shared use does not impair the technical level or quality of service and, in the event that a dispute arises as to whether the applicant has exercised good faith in accommodating other users, the City may require a third party technical study at the expense of either or both the permit holder and the applicant.

7. STANDARDS

7.1. Parking and Loading Regulations

7.1.A General

1. Except as may be otherwise provided in this Section 7.1, off-street parking and loading shall be provided in accordance with this Section for any building or use created, enlarged, or increased after the effective date of these Regulations.

2. Parking and loading space shall be maintained and shall not be encroached upon so long as said principal building or use remains, unless an equivalent number of such spaces are provided elsewhere in conformance with these Regulations.

3. The requirement for off-street parking space and off-street loading space shall be a continuing obligation of the owner of the real estate on which any such structure or use is located as long as the structure or use is in existence and its use requiring vehicle parking facilities continues unless a change in use also changes the parking requirements.

4. It shall be unlawful for:
   a. An owner of any structure or use affected by this Section to discontinue, change, or dispense with, or to cause the discontinuance of any vehicle parking or loading space.
   b. Any firm or corporation to occupy a structure without providing parking and loading spaces, which meet with the requirements of and is in compliance with this these Regulations.

5. Handicapped parking shall be provided in accordance with CGS Section 14-253a and any other requirements of State law.

6. Nothing in this Section shall be construed to prevent collective provision of off-street parking facilities for two or more structures or uses, provided that the total of such off-street parking spaces supplied collectively shall, unless modified by the Commission as provided in Section 7.1.C, be not less than the sum of the requirements for the various uses computed separately.

7.1.B Number of Parking Spaces

Off-street parking spaces shall be provided for all new uses or buildings constructed, reconstructed, or enlarged after the effective date of these Regulations in accordance with the following schedule of requirements and any calculation resulting in a fraction shall be rounded to the nearest whole number:

1.	RESIDENTIAL USES	SPACES REQUIRED
a.	One-family dwellings	2 spaces per dwelling
b.	Two-family dwellings	3 spaces per dwelling
c.	Multiple-family dwellings	2.25 spaces per dwelling unit
d.	Housing for elderly	0.75 spaces per dwelling unit

2.	INSTITUTIONAL USES	SPACES REQUIRED
a.	Places of assembly, including, but not limited to churches, auditoriums, theaters, and stadiums	1 space for each 4 fixed seats or equivalent gross floor area
b.	General hospital, convalescent, nursing or rest home	1 space per 4 patients beds plus 1 space per employee during the maximum work shift

3.	MARINE USES	SPACES REQUIRED
a.	Boat docks, marinas, and boatyards.	1 space per boat or mooring facility
b.	Tour boat / Sport fishing boats	1 space for every 2 passengers the boat is licensed to carry
c.	Passenger ferries	1 space for each 2 passengers the ferry is licensed to carry

4.	RETAIL / SERVICE USES	SPACES REQUIRED
a.	Appliance, carpet, furniture, electrical, heating, and plumbing retail sales	2.0 spaces per 1,000 square feet of gross floor area
b.	Other retail sales and service establishments	4.0 spaces per 1,000 square feet of gross floor area
c.	Open or outdoor businesses, including, but not limited to those which sell new and used: Motor vehicles, trailers, mobile homes, building supplies, machinery, equipment, swimming pools, nursery, and garden supplies	1 space per 1,000 square feet of lot area
d.	Automotive services, including, but not limited to gas stations, auto dealers, auto accessories, auto repair, auto body and paint shop, muffler installations, tire shops, engine and transmission overhaul shops and car wash	4.0 spaces per 1,000 square feet of gross floor area; or 3 spaces per bay, lift or equivalent, whichever is greater. An attendant- operated or self-service car wash shall have at least 10 waiting positions for each bay between the street line and such bay for cars approaching and at least 2 waiting positions for cars leaving said bays

5.	OFFICE USES	SPACES REQUIRED
a.	General business and professional offices and financial institutions	4.0 spaces per 1,000 square feet of gross floor area; or 2 spaces for each office or tenant, whichever is greater A drive-in bank window shall have at least 5 waiting positions between the street line and said window for cars approaching and at least 1 waiting position for cars leaving said window

6.	HOSPITALITY USES	SPACES REQUIRED
a.	Food and beverage establishments, including, but not limited to, restaurants, taverns, bars, luncheonettes, soda fountains, clubs (public and private), fraternal organizations and lodges	12.0 spaces per 1,000 square feet of gross floor area
b.	Hotels, motels, and boarding, lodging, and rooming houses	1 space for each rooming unit, plus required parking for facilities used for eating, drinking, assembly, and other such uses
c.	Bed and Breakfast Establishments	1 space per guest room, 2 spaces for the resident- owner, and 1 space per non-resident staff employee on each shift

7. INDUSTRIAL USES	SPACES REQUIRED
a. Manufacturing and industrial establishments	1 space for each 3 employees on the maximum work shift provided that for uses with more than 100 employees, an official of the firm or institution shall submit a semi-annual affidavit (beginning within 30 days of the effective date of these Regulations) certifying the number of employees on each work shift. The parking requirements may be met in part by the provision of alternate transportation for employees in the following manner: 1. Each three occupied seats in a van or bus shall be considered as one parking space. 2. A bus which makes repeated trips from outlying areas outside City limits to the establishment before the start of the maximum work shift shall be counted once for each trip.
b. Wholesale and distribution businesses, warehousing and storage businesses, truck terminals and other enclosed non-industrial storage uses	1 space for each 1,000 square feet of gross floor area or 1 space for each three 3 employees on the maximum work shift, whichever is greater provided that For uses with more than 100 employees, an official of the firm or institution shall submit a semi-annual affidavit (beginning within 30 days of the effective date of these Regulations) certifying the number of employees on each work shift. The parking requirements may be met in part by the provision of alternate transportation for employees in the following manner: 1. Each three occupied seats in a van or bus shall be considered as one parking space. 2. A bus which makes repeated trips from outlying areas outside City limits to the establishment before the start of the maximum work shift shall be counted once for each trip.

8. OTHER USES	SPACES REQUIRED
a. Taxi services facility	1 space for each licensed cab plus 1 space for on-duty dispatcher. The Commission may allow for vehicles to be stacked
b. Group day care homes / Child day care center	1 space per employee or staff person plus 1 space per every 7 children / persons (or fraction thereof) that the facility is licensed to serve
c. Specialized Classrooms	A minimum of 0.33 parking spaces for every student, instructor, and supporting staff member, provided, however, if the Planning and Zoning Commission determines that the proposed classes will generate a greater demand for parking than can be accommodated by this ratio, it can, as a condition of the Special Permit, require additional spaces, as needed.
d. Halfway Houses and Community Residential Counseling Facilities (CRCFs)	1 space for each staff member on maximum shift plus 1 space for each 3 adult residents. Additional parking spaces may be required by the Commission based upon the nature and use of the facility
e. Vocational Training Facilities	1 space per employee or staff member on maximum shift plus one space per every 5 clients to be served based on the maximum number as stated in the application scope and services description. Additional parking spaces may be required by the Commission based upon the nature and use of the facility.
f. Micro-brewery-distillery-winery	One space per 1,000 SF of production/ storage area along with other spaces as required for public floor area devoted to sales or consumption.

9. USES NOT LISTED	SPACES REQUIRED
a. Uses not listed	The parking space requirements for a use not specifically listed in this Section shall be determined by the Commission based on parking demand generation for a listed use of similar characteristics.

7.1.C Possible Modification Of Parking Requirements

1. **Permanent Parking Reduction For A Single Property** – The Commission may, by Special Permit, modify the cumulative parking requirements of Section 7.1B of these Regulations for a single property in the following situations:
   a. Where in a mixed-use development on a single property, there are two or more land uses which have differences in their principal operating hours or dissimilarities in their clientele, thereby allowing utilization of the same parking spaces.
   b. Where a use is located within 500 feet of another use, such as a church or other public place of assembly that is not in operation during the same hours or days as the first use, and where such church or public place of assembly is willing to make its parking available to the first use.
   c. Where the Commission finds that existing on-street parking or on-street parking to be established by the applicant in the vicinity will alleviate the need to provide the full complement of parking on the site.

2. **Permanent Parking Reduction For Multiple Properties** – The Commission may, by Special Permit, modify the cumulative parking requirements of Section 7.1B of these Regulations for multiple properties where the Commission finds that a functional and interconnected parking arrangement is provided within and between the properties, that an agreement for joint access and parking, in perpetuity, acceptable to the Commission is filed on the land records, and further provided the Commission finds one or more of the following based on information provided by the applicant:
   a. Peak parking demands among uses occur at different hours of the day and this offset results in a lower net peak parking demand;
   b. Synergistic relationships among uses allow patrons to park once while accessing multiple locations or allow for multiple purpose trips to occur within the development(s); or
   c. The uses are likely to generate transit, bicycle or pedestrian trips and accommodations have been made to support these alternative forms of transportation.

3. **Permanent Compact Space Parking Reduction** - The Commission may, by Special Permit, permit parking spaces not less than 8 feet by 18 feet in cases where:
   a. the parking spaces are for the exclusive use of employees,
   b. all vehicles are parked by an attendant, or
   c. the parking spaces are within a garage.

4. **Temporary Change of Use Exemption** - In the event that no new buildings or structures are being established and the land area, structures or permitted uses are simply being changed from one permitted use to another permitted use allowed under these Regulations, no additional parking spaces shall be required provided that:
   a. the number of spaces that presently exist on the property is at least 90 percent of the cumulative parking requirement for the new use(s) and the other existing use(s) on the property, and
   b. no “grandfathering” or other exception shall be provided relative to any future use of such premises.

5. **Temporary Parking Installation Reduction** - The Commission may, by Special Permit, waive the immediate installation of up to 25% of the required parking spaces where sufficient evidence has been presented, in the judgment of the Commission, to show that the reduced parking facilities will adequately serve the proposed use provided that:
   a. The Special Permit shall be applicable only to the particular use or occupancy of land, buildings, or other structures specified in the application, and such Special Permit and Zoning / Building Permit issued for the use shall become null and void in the event that such use or occupancy is changed to another use or occupancy.
   b. Before the Commission waives the immediate installation of spaces, the applicant shall show upon the site development plan the complete layout for the full parking requirements and the design of the complete stormwater management system designed to handle the deferred parking pavement.
   c. Upon approval by the Commission, the owner shall file the plan approved by the Commission in the Office of the Town Clerk, stipulating that:
      - the complete stormwater management system shall be installed at the time of initial development, and
      - the owner, or the successor and assigns of the owner, will install as many of the waived parking spaces as the Commission deems necessary within six months of the Commission's request, when, in the opinion of the Commission, such installation is needed.

7.1.D Location of Parking

1. The parking spaces required for all residential dwellings shall be located on the same lot as the dwelling.

2. The parking spaces required for non-residential uses shall be located on the same lot as the principal use or on a lot which is within 500 feet of the principal use, such distance to be measured along the street lines to the property.

3. In industrial zones, if there are special and unusual circumstances that make it impractical to provide all required parking within 500 feet of the principal use, other provisions may be made for the location of parking provided parking is a permitted use in the zone in which it is to be located and subject to Special Permit approval and Site Plan approval by the Commission.

4. When required parking spaces are provided on land other than the lot occupied by the principal use for which they are required:
   a. The land occupied by such spaces must be in the same possession as such principal use.
   b. Such land must be bound by a covenant, recorded in the office of the Town Clerk binding such owner and his/her heirs and assigns to maintain the required number of parking spaces for the duration of the use served.

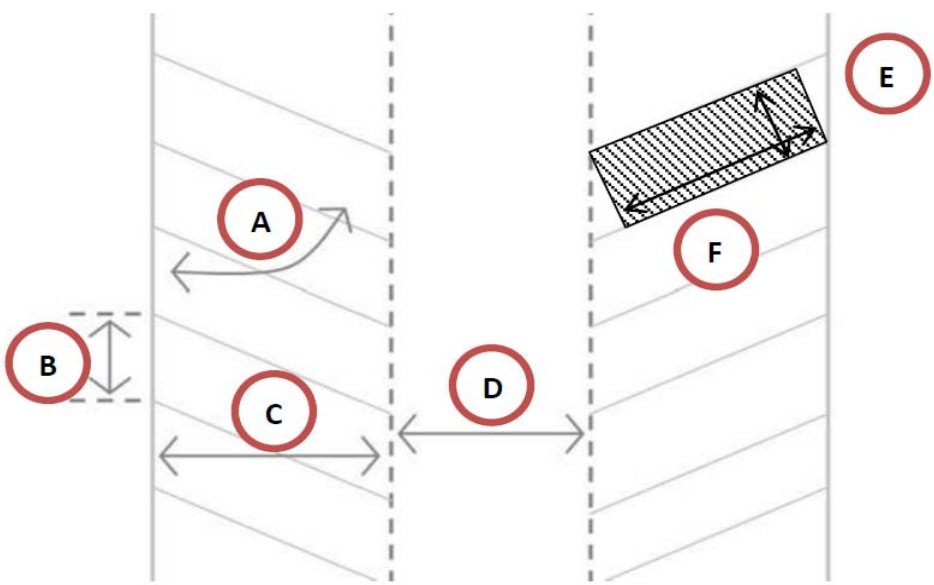
7.1.E Size of Spaces

1. Off-street parking space shall be 9 feet in width by 20 feet in length except that the Commission may, by Special Permit, permit the following parking space configuration where the location and distribution of spaces and overall circulation is appropriate:
   a. At least 60 percent of the spaces shall be 9 feet in width by 18 feet in length;
   b. Up to 20 percent of the spaces may be 8 feet in width by 16 feet in length and be marked as "compact spaces"; and
   c. Up to 20 percent of the spaces shall be 10 feet in width by 20 feet in length and be marked as "oversized spaces."

2. An off-street loading space, as used herein, shall be a space of not less than 12 feet in width, 40 feet in length, and 14 feet in height.

7.1.F Parking Area Dimensions

A. Parking angle		0°	30°	45°	60°	90°
B. Curb length		22'	16'6"	12'9"	10'5"	9'
C. Stall depth		8'	18'	19'	19'	18'
D. Driveway width	- one way	12'	13'	15'	18'	20'
	- two way	20'	20'	20'	22'	24'
E. Parking space width		8'	9'	9'	9'	9'
F. Parking space length		22'	18'	18'	18'	18'



7.1.G General Layout Requirements

1. No parking lot is to be located in any required front yard setback.

2. The general layout and traffic circulation of parking and loading areas shall be designed so as to avoid unsafe conditions and traffic congestion in the streets upon which the area has access and to provide for the safety and adequacy of access for vehicles and pedestrians using the area.

3. All proposed curb cuts and access drives shall comply with all applicable requirements of:
   a. the State Department of Transportation when accessing a State highway, and
   b. the City's Highway Department when accessing a City street.

4. Any enclosed loading spaces shall be located at least 30 feet from any street line, and any open loading space shall be so designed that trucks when loading or unloading will not project over any street line.

5. Individual parking and loading spaces, maneuvering areas, entrances and exits shall be suitably identified with lines and arrows, as deemed necessary by the City Planner.

6. No access drive, aisle or maneuvering area shall have a turning radius of less than 20 feet.

7. Where vehicles will be located adjacent to sidewalks, fences, walls, required buffer strips, trees, landscaping, or similar constructions, a suitable bumper or curb shall be provided in such a location that the vehicle cannot overhang or otherwise damage said area.

7.1.H Loading Spaces

1. Every hospital, institution, hotel, retail store, office building, wholesale house, warehouse or industrial building, or additions thereto to which or from which outside deliveries of materials or dispatches of materials are to be made by motor vehicles and totaling 8,000 square feet or more in floor area constructed, reconstructed or enlarged after the effective date of these Regulations shall have on the lot one permanently maintained loading space and one additional loading space for each additional 16,000 square feet of floor area or major portion thereof, excluding basements.

2. When such calculation results in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require an additional loading space.

7.1.I Truck/Trailer Parking

No tractor, trailer, tractor-trailer combination or any truck loaded with merchandise shall be parked or stored on a lot for a period exceeding seven consecutive days in one calendar month, except in an industrially zoned district.

7.1.J Surface / Lighting / Landscaping Requirements

1. Off-street parking and loading areas, including driveways, shall include an all-weather surface to the satisfaction of the Planning and Zoning Commission, or the Zoning and Building Official in cases where the Zoning and Building Official has final authority.

2. Such all-weather surface shall be stable, durable, dustless and graded and drained as to dispose of all surface water accumulation in the area.

3. Where the proposed grade exceeds 10%, all such areas and driveways shall be paved in those areas.

4. Any lighting used shall be in accordance with Section 7.6 and shall be shielded and so arranged as to direct the light away from adjoining premises and public rights-of-way.

5. All parking areas shall be landscaped in accordance with the requirements below:
   a. Except in the Industrial / Technology (IT) or Technology Campus (TC) zones, not more than twelve (12) at-grade parking spaces shall be permitted in a continuous row, and not more than twenty-four (24) spaces shall be permitted in a single parking area without being interrupted by landscaping.
   b. All parking areas with more than 5 spaces that abut or are across the street from, the boundary of, or any property within any Residential Zone shall be bordered on all sides with a 10-foot-wide buffer strip.
   c. All loading areas that abut or are across the street from, the boundary of, or any property within any Residential Zone shall be bordered on all sides with a 10-foot-wide buffer strip.
   d. A planting area with a minimum width of three (3) feet shall be provided between the parking area and the required setback line on any parcel, except in the Industrial / Technology (IT) or Technology Campus (TC) zones, where:
      - A Site Plan approval or Special Permit is required, and
      - The parking area faces a street or property line.
   e. On such buffer strip(s) shall be located and maintained appropriate landscaping and fencing approved by the Commission of suitable type, density, and height to effectively screen the parking area and the lights of motor vehicles adjoining residential areas.

7.2. Sign Regulations

7.2.A Purpose

It is the intention of these sign regulations to promote the public safety, protect property values, create an attractive business climate and enhance the physical appearance of the community.

7.2.B General Requirements

No sign, except as provided in Section 7.2.C and Section 7.2.H, hereof, shall be erected or structurally altered unless an application for a Sign Permit has been approved by the Zoning and Building Official.

7.2.C Signs Permitted in All Zones

The following signs are permitted in all zones provided they meet the requirements of Section 7.2.I and Section 7.2.J:

1. One non-illuminating identification sign not to exceed 2 square feet in area or 8 feet in height, stating the name and address of the occupant. Home occupations on file with the Zoning and Building Official may also state the occupation or profession on the sign.

2. A marker not to exceed 2 square feet identifying a historic building.

3. A sign erected by the City, State, or Federal Government.

4. A sign erected by a public carrier for direct information concerning its service at the location.

5. A sign erected by any fraternal, civic, religious or service organization or club, merely announcing its presence in the City of Groton and the time and place of its regular meeting, provided such sign shall not exceed 3 feet in diameter nor 9 square feet in area.

6. Any flag, badge, insignia or device or any governmental agency or civic, charitable, religious, patriotic, political, fraternal, or similar non-profit organization when displayed along a line of march of any parade, or in sockets along any street during a fundraising drive.

7. Temporary political signs displayed during election campaigns provided no sign shall exceed 4 square feet in a residence zone or 24 square feet in a business or industrial zone.

8. A temporary construction sign is permitted in any zone subject to approval of a sign permit and provided the sign is non-illuminated, does not exceed 32 square feet in area, identifies an engineer, architect, and/or contractor engaged in development of land or construction or alteration of buildings and further, provided such sign is set back at least 10 feet from any street line and is removed upon completion of construction.

9. One temporary, non-illuminated real estate sign identifying the lease or sale of a building and/or lot provided such sign is removed within 35 days after the sale or lease of said building and/or lot and further provided the area of said sign shall not exceed the following:

Use / Zone	Sign Area Allowed
One or two family dwelling	4 square feet
Any other use permitted in a residential zone including the WBR Zone	24 square feet
Any use permitted in the General Commercial, Industrial / Technology, or Technology Campus Zone.	32 square feet for each 25 feet the sign is set back from the street line, however, no sign shall exceed 300 square feet.

7.2.D Signs Permitted in Residence Zones

The following signs are permitted in all Residence Zones, including the R-12 and WBR Zones.

1. One identification sign for each separate street line of an approved Special Permit Use subject to the following standards:
   a. The square foot area of such sign shall not be greater than one-half the linear foot distance it is located from any lot line and, in any case, shall not exceed 9 square feet in area;
   b. The height of such sign shall not be greater than the distance it is located from any lot line and, in any case, shall not exceed 8 feet in height;
   c. The sign shall only be non-illuminated or indirectly illuminated;
   d. The sign shall comply with the applicable side and rear yard setback requirements for principal buildings; and
   e. The sign shall be set back a minimum of 50% of the applicable front yard setback requirement for principal buildings.

2. Other signs shall be limited to directional signs necessary for public safety or convenience.

3. In the WBR Zone, only one projecting sign is permitted for each use on the street front floor with the following restrictions:
   a. No sign shall exceed 2 feet in any dimension.
   b. A 10-foot clearance over the existing grade or walk must be maintained.
   c. The projecting sign area shall be included in the total sign area for wall signs.

7.2.E Signs Permitted in Non-Residential Zones

The following signs are permitted in the General Commercial, Industrial / Technology, and Technology Campus Zones and for non-residential uses in the Waterfront Business Residence District.

1. The aggregate area of all signs on the premises shall not exceed five percent (5%) of the gross floor area of all buildings on the lot.

2. Illuminated identification signs shall be permitted for each separate street line.
   a. **Ground Signs** –
      i. There shall be only one ground sign along any street line for each separate use on the premises.
      ii. The total sign area along each street line may be increased by an area to setback ratio of (2:1) 2 square feet of sign area for each linear foot of yard setback as measured from a street or lot line, provided that the minimum required setback from any street or lot line shall be 10 feet. The sign height may be increased up to the maximum permitted height in the applicable zone by a height to setback ratio of (1:1) 1 foot in sign height for each linear foot of yard setback as measured from a street or lot line, provided that the minimum required setback from any street or lot line shall be 10 feet.
   b. **Wall Signs** - There shall be only one sign on any street facade for each separate use of the building. The total sign area on each street facade shall not exceed 20% of the gross area of said wall. The Commission may, as deemed necessary, appropriate or desirable in its judgment, permit additional wall signs, in the same manner as above on a building wall which faces and adjoins a significant and substantial accessory off-street parking structure, lot or area.
   c. **Projecting Signs** - One projecting sign on any street facade may be permitted for each separate use of the building, provided that the sign area is included as part of the total sign area for wall signs. Said projecting sign shall extend under a roof and over a walkway and shall not exceed 4 feet in any dimension.
   d. **Identification Signs** - No identification signs shall be permitted in any required side or rear yard setback adjoining a Residential District.

3. Other signs necessary for and exclusively limited to directional or safety purposes shall be allowed.

4. No trailer-mounted signs shall be permitted, unless they meet all setback, height, and size requirements of ground signs, and a permit is issued for same by the Zoning and Building Official.

7.2.F Commercial Advertising Signs in Non-Residential Zones

Indirectly illuminated commercial advertising signs are permitted in the General Commercial, Industrial / Technology, and Technology Campus Zones subject to Special Permit approval and Site Plan approval and the following conditions:

1. Not more than one commercial advertising sign shall be permitted on a lot and the sign area of such sign shall not exceed a length of 48 feet nor a vertical dimension of 14 feet. All such commercial advertising signs shall be ground signs.

2. Such signs shall be located only where the applicable zone extends at least 250 feet in all directions from the proposed sign and shall not be placed closer than 750 feet apart, measured along the center-line of the street to any other such sign.

3. Such signs shall comply with all yard setback requirements for principal building in the applicable zone, but in no case shall such yard setback be less than 20 feet from any lot line.

4. The maximum height of the structure shall not exceed the maximum height for principal buildings in the applicable zone, nor shall it exceed a height of 40 feet above the ground level nor 24 feet above the curb level of the street to which it is oriented.

5. When such signs are visible from the main traveled way of a limited access highway and are located within 500 feet of such highway, they shall not be placed closer than 3,500 feet apart measured along the center-line of such highway to any other such sign.

6. When pre-existing commercial advertising signs exist, the owner may apply to the Planning and Zoning Commission to remove and relocate such sign with a new commercial advertising sign of equivalent size which conforms to this Section in all respects; except that the Commission may allow such relocation 50% closer to other commercial signs than otherwise required.

7.2.G Prohibited Signs

The prohibitions contained in this Section shall apply to all signs, all artificial lighting and all zones, regardless of designation, within the City of Groton.

1. Off-premises advertising signs or billboards are not permitted.

2. No sign or advertising device shall be erected, used or maintained which in any way simulates official directional or warning signs erected or maintained by the Federal, State or City Governments for the protection of the public health and safety.

3. No sign or advertising device shall be erected or maintained in such a manner as to obstruct or interfere with the free and clear vision on any street, driveway or navigable channel.

4. No sign or advertising device shall be erected or maintained with any lighting control mechanism which may cause radio or television interference.

5. No illuminated sign or lighting device shall be placed or directed on any property in a manner that would permit the light beams and illumination therefrom to be directed or beamed onto a public street or walkway, or onto adjoining properties so as to cause glare or reflection that might constitute a traffic hazard or public nuisance.

6. No animated sign or advertising device shall be erected.

7. No flashing sign or advertising device which creates intermittent or varying light intensity shall be erected.

8. No projecting sign shall extend more than 15 inches beyond the building walls or parts thereof, except as otherwise provided in these sign regulations.

9. No roof sign shall be erected.

10. No building or part thereof, such as a gable, roof, or wall, shall be outlined by direct illumination for the purpose of commercial advertising.

11. No sign shall be attached to or be erected or maintained in such a manner as to obstruct any fire escape, window, door, or other building opening used for egress and ingress, ventilation or other firefighting purpose.

12. No commercial advertising sign shall be allowed, except as otherwise provided in Section 7.2.F hereof.

13. No signs shall be painted directly on any roof, wall or pole.

7.2.H Exempt Signs

Banners suspended overhead from municipally owned poles along city streets, sponsored, in part or solely by the City of Groton and/or Groton Utilities.

7.2.I Maintenance

1. All signs, together with their supports, braces, guys, and anchors, shall be kept in good repair and in safe condition. The owner of the premises in which a sign is erected shall be directly responsible for keeping such sign and premises around it in a safe, sanitary, neat, and clean condition.

2. Any sign, now or hereafter existing, which no longer identifies or advertises a bona fide business conducted, product sold, or activity or campaign being conducted shall be taken down and removed by the owner, agent, or person having beneficial use of the building, structure, or lot upon which the sign is located within sixty-five days of such cessation.

7.2.J Illumination

Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity and shall be designed, located, erected and maintained only for the purposes of illuminating the subject sign and/or premises.

7.3. Filling and Removing Of Earth Products

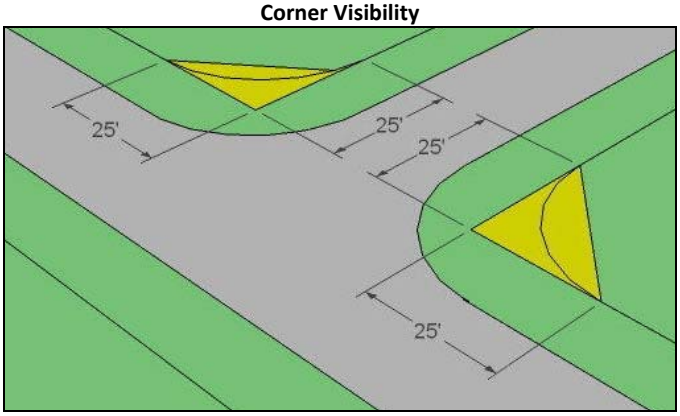
1. The following filling or removal of earth products such as, but not limited to, earth loam, topsoil, sand, gravel, clay, stone or minerals is permitted in any zone provided that the filling or removal shall only involve the minimum quantity of material necessary to make such lot, site, or right-of-way suitable for the proposed use.
    a. Necessary filling with or removal of earth products in direct connection with the building construction, structural alteration or site improvements on a lot for which a building permit has been issued.
    b. Necessary filling with or removal of earth products in direct connection with required site improvements in accordance with an approved subdivision plan.
    c. Necessary filling with or removal of earth products in direct connection with street or utility improvements within a public right-of-way for which the City Department of Public Works or State Department of Transportation has granted a street opening permit.
    d. Necessary filling with or removal of earth products in direct connection with the installation or relocation of heavy machinery or in connection with the installation, relocation or repair of on-site utilities.
    e. The filling or removal of not more than 50 cubic yards of earth products for the purpose of landscaping or lot improvements provided that in no case shall the removal or filling of material cause adverse conditions on neighboring properties.
    f. Necessary filling with or removal of earth products in direct connection with the removal of a building or structure for which a demolition permit has been issued, provided that the amount of fill shall be limited to the minimum quantity necessary to restore the site to grade and permit landscaping or site restoration as shown on a site and grading plan approved by the City Planner or Zoning and Building Official.

2. Any other filling or removal activities require Site Plan approval by the Planning and Zoning Commission.

7.4. Corner Visibility

1. On public streets, no structure, wall, fence, shrubbery, trees, or object shall be erected, maintained, planted, or parked on any lot which unreasonably or dangerously obstructs or interferes with visibility of drivers of vehicles on a curve or at any street intersection. The minimum vision clearance shall require a height not exceeding 3 feet above the street grade within 25 feet of the intersecting street lines bordering corner lots.

Corner Visibility



7.5. Access Drives, Accessways And Access Management

1. Access Drives

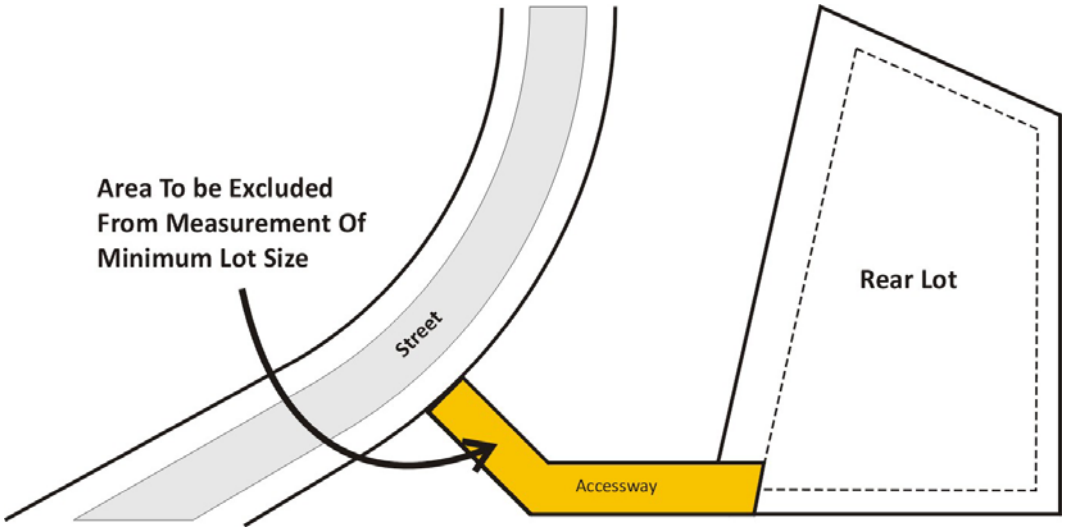
a. No driveway or access to or from any property shall be so located at its juncture with a street as to create a danger or menace to the community or to the convenience or proper use of the adjacent property.

b. No driveway shall provide access to a lot located in another Zoning District, if said lot is used for any use, principal or accessory, not permitted in the district in which such driveway is located.

c. No driveway shall be located closer than 50 feet to any street intersection measured along the street lines. In any non-residential district, no two driveways on the same lot shall be located closer than 25 feet to each other at their closest limits.

2. Accessways - Basic Limitations

a. For any lot which does not meet the minimum lot width requirement, a twenty-five (25) foot wide area between the street line and the required front yard setback shall be excluded in calculating the total area of the lot for purposes of minimum lot size.



b. An accessway shall not exceed a length of two hundred and fifty (250) feet unless authorized under the provisions of Section 8.2.B, at which point the lot shall be required to meet the lot width requirements of the zone that the lot is located in.

c. The maximum number of adjoining accessways shall not exceed two, unless otherwise permitted by the Planning and Zoning Commission at the time of subdivision approval.

d. In an instance where two rear lots are being serviced by separate accessways, a common or shared driveway may be provided anywhere within these access areas in conformance with Section 7.5. Where two or more accessways are adjoining and a common or shared driveway will be provided, the width of each accessway may be reduced from 25 feet to a twenty (20) foot width for each lot being served.

3. **Accessways in Excess of 250 Feet -** Accessways to serve lots may be permitted in excess of 250 feet at the discretion of the Planning and Zoning Commission when the following conditions are deemed to be met:
   a. Accessways are adequate in width, grade and alignment so that all buildings, structures, uses and equipment are readily accessible for fire, emergency, and police protection.
   b. Sufficient utility systems are suitably located and adequately designed to serve proposed uses and protect the public health and welfare.
   c. The accessway shall not exceed a length of 400 feet, at which point the lot must meet the lot width requirements of the zone that the lot is located in.
   d. New utilities provided to service uses and buildings on lots beyond the 250 foot length shall be installed underground.
   e. Where lot size, shape or excessive depths topography and/or significant land features such as bedrock, wetlands, or coastal resources, make it infeasible to comply with the provisions of Section 8.2.A, and would thus deprive the owner or applicant of reasonable use of the property.

4. **Access Management -** In business areas and along major streets, the Commission may:
   a. Seek to reduce or eliminate existing driveways;
   b. Require that property owners provide easements granting the right of access, egress, and passage to the Town and/or abutting properties;
   c. Require that property owners use easements granting the right of access, egress, and passage previously obtained from abutting properties; and/or
   d. Implement other approaches to accomplish access management strategies.

7.6. Outdoor Lighting

7.6.A Purpose

These regulations are intended to provide specific standards for lighting in order to maximize the effectiveness of site lighting, to enhance public safety and welfare, to raise public awareness of energy conservation, to avoid un-necessary upward illumination, indirect lighting and illumination of adjacent properties, and to reduce glare.

7.6.B Applicability

Except as herein provided, these regulations shall apply to any outdoor lighting fixtures installed, modified, refurbished, repaired or serviced on private property within the City of Groton.

All businesses, and community roadways, sidewalks and town property luminaires should be planned and installed with the idea of being a "good neighbor" by keeping unnecessary direct light from shining onto abutting lots or roadways, both public and private.

7.6.C Standards

1. All exterior lights and sign illumination shall be designed, located, installed and directed in such a manner as to:
   a. Prevent direct or objectionable glare, light trespass, spill light, or obtrusive light;
   b. Be shielded (full cut off);
   c. Employ soft, transitional light levels which are consistent from area to area;
   d. Minimize contrast between light sources, lit areas and dark surroundings; and
   e. Be confined within the target area.

2. In all non-residential districts and in all areas adjacent to a residential lot, no externally-mounted direct light source shall be visible at the lot line at ground level or above. The direct illumination measured at the lot line shall be zero (0.0) foot-candles, excluding driveway entrances.

3. Lighting designed to highlight flagpoles shall be low level (no more than 100 watt incandescent equivalent) and shall be targeted directly at the flag.

4. Lighting shall include timers, dimmers and/or sensors to reduce unnecessary light level during non-business hours to a minimum level required for overnight security.

5. The height of luminaries, except streetlights in public right-of-ways, shall be the minimum height necessary to provide adequate illumination, but shall not exceed a height of eighteen (18) feet. The height of a luminaire shall be measured from the finished grade (not the top of a supporting concrete base) to the bottom of the luminaire.

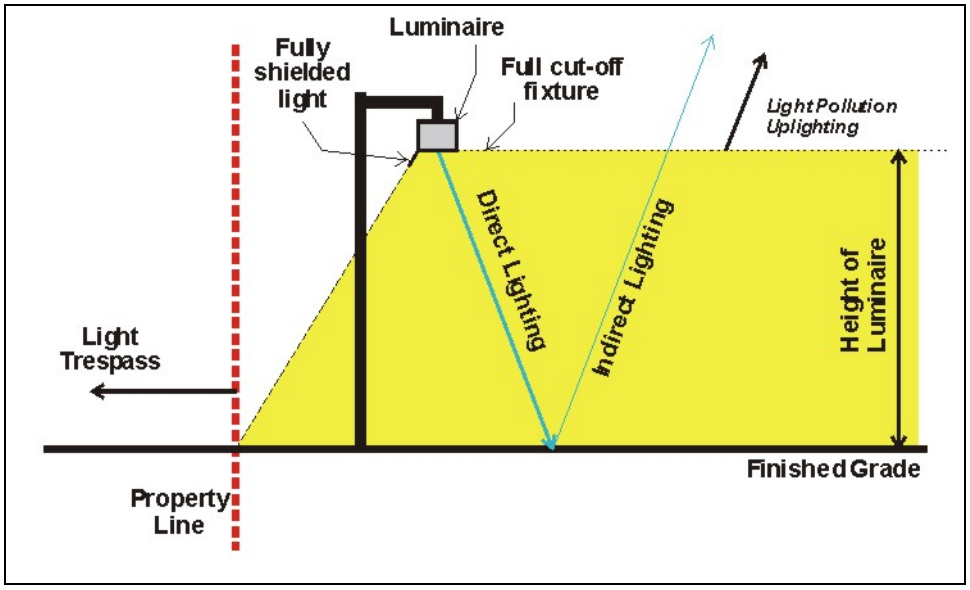
6. Light standards within a parking lot shall be located within landscaped islands or buffer strips, and shall be set back two (2) feet from any parking space unless wheel-stops are provided.

7. In reviewing and approving outdoor lighting, the Commission may utilize recommendations for lighting levels as issued by the Illuminating Engineering Society of North America, the International Dark-Sky Association, or other reference.

8. The use of utility poles for outdoor lighting is prohibited.

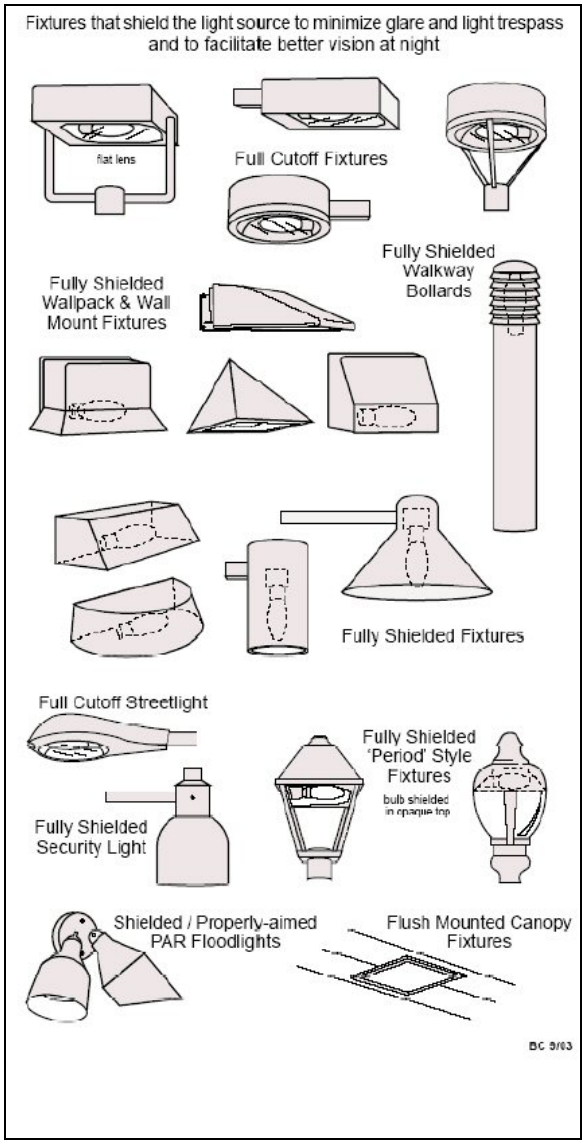
9. Any light determined by the Zoning and Building Official and/or City Planner to be obtrusive, spill light, upward lighting, light trespass, or otherwise not in compliance with these regulations shall constitute a violation.

10. A photometric survey shall be submitted as part of any site plan that demonstrates compliance with these standards. Such photometric survey shall show both business hour and non-business hour lighting plans.



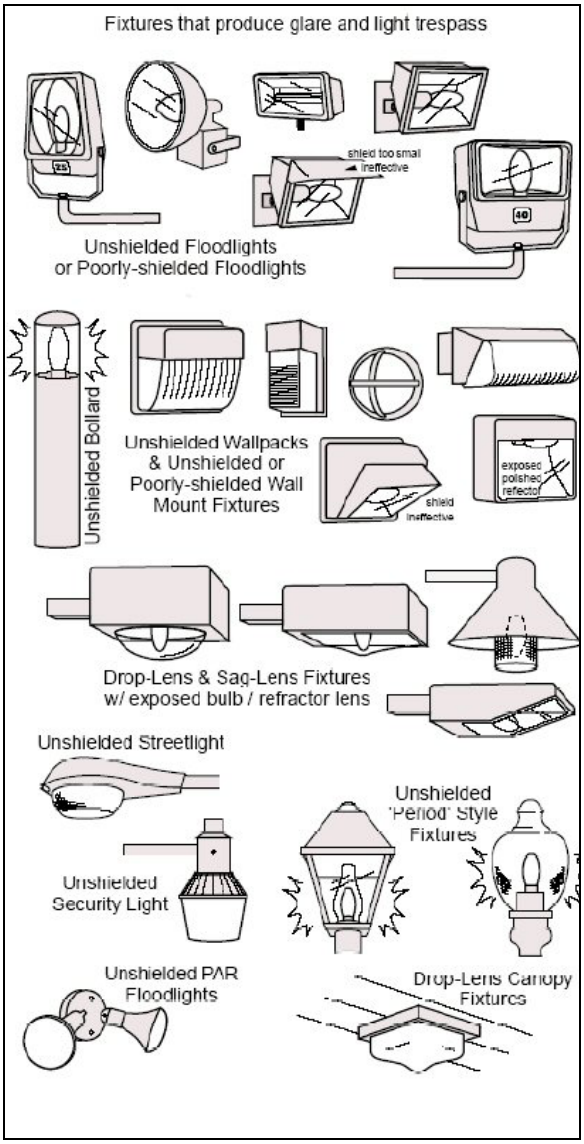
RECOMMENDED

Fixtures Which Would Not Generally Be Expected To Produce Glare or Light Trespass



NOT RECOMMENDED

Fixtures Which Would Generally Be Expected To Produce Glare or Light Trespass



7.6.D Exemptions And Modifications

1. Temporary holiday lighting is exempt from these Regulations, for a period of time to be commensurate with the holiday being celebrated, but in no event shall such lighting at a commercial property exceed a duration of 45 days annually in the aggregate.

2. Temporary lighting used by the Police Department, Fire Department or emergency services is exempt from these Regulations.

3. The Commission may, by special permit, allow lighting that does not comply with the requirements of this Section provided the Commission determines, in its sole discretion, that such proposed lighting is consistent with the purpose of these Regulations. The following considerations are provided as guidance:
   a. That an extraordinary need for security exists because of a history of vandalism or other objective means;
   b. That in traveled ways or areas, conditions hazardous to the public exists, such as steep embankments or stairs;
   c. That it would be unreasonable to require replacement of an entire lighting installation because a minor change is proposed to an existing non-conforming lighting installation;
   d. Special lighting is indicated for historic buildings;
   e. That ornamental up-lighting of sculpture, buildings or landscape features end enhance the character of the area; and
   f. Such lighting is necessary for special outdoor events and playing fields.

4. The Commission may modify the requirements of Section 7.6.C for a temporary use approved under these Regulations.

7.7. Stormwater Management

7.7.A Purpose And Intent

This Section of the Regulations is intended to: promote the application of Low Impact Development (LID) strategies for the analysis and design of stormwater treatment systems in order to:

- Minimize degradation of water resources within the City of Groton from pollution from non-point source runoff;
- Mitigate impacts to the hydrologic system from development, including reduced groundwater recharge and pollutants found in stormwater runoff; and
- Reduce or prevent flooding, stream channel erosion, and/or other negative impacts created by the volume of stormwater runoff resulting from development.

7.7.B Applicability

The provisions of this Section of the Regulations shall apply to any development within the City of Groton which requires approval of a Site Plan in accordance with Section 9.3 of these Regulations or approval of a Special Permit in accordance with Section 9.4 of these Regulations.

7.7.C Requirement

1. Unless modified by the Commission as provided in Section 7.7.D below, any development within the City of Groton shall implement the following provisions of Chapter 7 of the Connecticut Stormwater Quality Manual (CSQM), as amended:
   a. Pollutant Reduction (CSQM Section 7.4).
   b. Groundwater Recharge and Runoff Volume Reduction (CSQM Section 7.5).
   c. Peak Flow Control (CSQM Section 7.6) for the 10-year, 25-year, and 100-year storm events.

2. In the design of a stormwater management system, design professionals may utilize low impact development techniques as contained in the Connecticut Stormwater Quality Manual, as amended.

7.7.D Modifications

The Commission may, by Special Permit, reduce the requirements as specified in Section 7.7.C provided that adequate information has been submitted by the applicant for the Commission to evaluate the request and:

1. The City Engineer has provided a recommendation such requirements cannot reasonably be attained at the subject property and/or such requirements would be of limited practical benefit at the subject property; or

2. The Commission has received a report from a professional engineer hired by the Commission, at the applicant's expense, providing a positive recommendation regarding the modification.

7.8. Performance Standards

7.8.A Applicability

1. The performance standards of this Section shall apply to all lands, buildings, structures, and uses in all zones, whether a permitted use, a special permit use, an accessory use or a non-conforming use.

2. Initial and continued compliance with these performance standards shall be required of every building, structure and use.

7.8.B General Standard

1. No building or use shall create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness, electromagnetic or other substance, condition or element in such manner, or in such amount, as to adversely affect the reasonable use of the surrounding area or adjoining premises (referred to herein as "dangerous or objectionable elements"); except in accordance with the performance standards set forth hereinafter.

2. In addition to the performance standards set forth hereinafter, all relevant provisions of any other Federal, State and City laws and Regulations shall also apply.

7.8.C Standards for Dangerous or Objectionable Elements -

1. **Smoke, fly ash and other dusts, gases, fumes, odors and dust-producing substances** – No person shall cause or allow any smoke, fly ash and other dusts, gases, odors, fumes and dust-producing substances to be discharged or emitted into the open air, except in accordance with State or Federal statutes and regulations thereunder.

2. **Fire and explosion hazards** – All activities involving, and all storage of, inflammable and explosive materials shall be protected at any point, with adequate safety devices protecting against the hazard of fire and explosion and with adequate fire-fighting and fire suppression equipment and devices.

3. **Heat** – Heat, defined as thermal energy of a radiative, conductive or convective nature, emitted at the lot line by any use or facility shall not exceed the temperatures tolerable to plant or animal life.

4. **Radioactive or electromagnetic disturbance** – No activities shall be permitted which emit dangerous radioactivity at any point, or electromagnetic disturbance adversely affecting the operation, at any point, of any equipment other than that of the creator of such disturbance.

5. **Noise** – The maximum sound pressure level radiated at the lot or street line by any use or facility shall not exceed the values tolerable in a specifically affected residential neighborhood, unless such levels are specifically authorized as an integral part of a Special Permit approval and Site Plan approval.

6. **Vibration** – No vibration shall be permitted which is detectable without instruments at the lot or street line.

7. **Direct and Indirect Glare** – Glare caused by direct or specifically reflected rays from incandescent, fluorescent, or arc lighting, or caused from high temperature processes, such as welding or metallurgical refining, or caused by diffuse reflection from a surface, such as a wall or roof of a structure, shall not be permitted at or beyond the lot line. Deliberately induced sky-reflected glare, as by casting a beam upward for advertising purposes, is specifically prohibited.

8. **Liquid or Solid Waste** – No discharge or deposit shall be permitted at any point into any sanitary sewerage systems, waterbodies, watercourses, or into the ground, of any materials of such quantity, nature or temperature as can contaminate any water or land or otherwise cause the emission of dangerous or objectionable elements, except in accordance with the State and City Health and/or Sanitary Codes.

9. **Waste materials** - Waste materials used for the purpose of fill may be permitted only in areas designated by the Commission, subject to Special Permit approval and Site Plan approval in accordance with Section 7.3, herein.

10. **Erosion and Sedimentation** –
    a. All development activities shall utilize “best management practices” to prevent and minimize soil erosion and sedimentation,
    b. Soil erosion and sedimentation control measures appropriate to the circumstances shall be installed prior to the commencement of development activities and shall be maintained throughout the development process.
    c. Such soil erosion and sedimentation control measures shall be installed in accordance with the standards and specifications of the “Connecticut Guidelines for Soil Erosion and Sediment Control”, as amended.
    d. The Commission or its designated agent is hereby authorized to make periodic inspections of the soil erosion and sediment control measures on any site under development and, if necessary.
        - Issue an order to cease and desist from activities resulting in erosion or sedimentation and immediately institute remedial measures.
        - Require preparation and submittal of a remedial plan showing permanent corrective action followed by implementation and maintenance of such plan as approved by the Commission.
        - Revoke any permit for construction if erosion and sediment control measures are not installed in a timely manner.
    e. Soil erosion and sediment control measures may be bonded as part of any development project in accordance with Section 9.9.L.

7.8.D Administration and Enforcement -

1. **Written Statement May Be Required** - As a part of any application for a Special Permit or Building Permit, the Commission, City Planner, or Zoning and Building Official, respectively, may require that the applicant submit a written statement of the proposed use of the building, structure or use for which the application is made, together with a certificate by a registered professional engineer, qualified scientist, or other recognized authority as to his/her best estimate as to the impact of the proposed use from the standpoint of the standards set forth in Section 7.8.C of these Regulations, and what, if any, environmental protection measures will be taken.

2. **Other Approvals** - Where certain aspects of a proposed use are regulated by State or Federal governmental agencies, no Certificate of Occupancy shall be issued for any building, structure or use until approvals are obtained from such agencies and copies thereof are submitted to the Commission or Zoning and Building Official.

3. **Response To Possible Violation** - As a result of a complaint or investigation of a possible violation, the Zoning and Building Official may require that the owner or operator submit a written statement regarding the use of the building, structure or use, together with a report by a registered professional engineer, qualified scientist, or other recognized authority as to the compliance of the use relative to the standards set forth in Section 7.8.C of these Regulations, and what, if any, environmental protection measures will be taken.

4. **Measurements** - Measurements to determine present compliance and estimates to determine future compliance may be made by, and at the discretion of, the Zoning and Building Official, City Planner, Fire Marshal, Ledge Light Health District, or other officer of the City or their qualified agents. The Zoning and Building Official may, at his discretion, require the owner or user of the property to furnish current measurements or estimates within a reasonable time in appropriate cases.

8. SPECIAL PROVISIONS

8.1. Frontage Required

1. No use shall be permitted hereunder on any lot in the City of Groton, unless said lot has a minimum of 25 feet of street frontage and no building permit shall be issued for any building or structure unless the lot for which such permit is sought has a minimum frontage of 25 feet.

2. Said minimum frontage of 25 feet must:
   a. Be owned by the applicant in fee and rights-of-way, easements, and other areas not owned in fee by the applicant will not be accepted as frontage.
   b. Be on a street accepted by the City of Groton or approved by the Planning and Zoning Commission under the Subdivision Regulations of the City of Groton.
   c. Maintain the 25 feet width to the buildable area of the lot.

8.2. Dimensional Exceptions

8.2.A Yard Setback Exceptions

1. Open entries, steps, stoops, or porches, cantilevered roofs, eaves, cornices, chimneys, belt-courses, window sills, balconies, and similar architectural features may project into a required yard setback provided that such features shall not project more than 4 feet into any required yard setback or more than a distance equal to 20% of the required yard setback, whichever is less.

2. Public utility equipment may be installed within a front yard setback provided it is installed in an underground vault or is screened to the satisfaction of the Zoning and Building Official or City Planner.

3. Notwithstanding any other provision of these Regulations, a Zoning / Building Permit may be issued to allow construction of stairways and landings within a front yard setback, side yard setback, and/or rear yard setbacks when such construction is necessary in order to elevate an existing structure in a flood plain to meet FEMA requirements and the intrusion of such stairways and/or landings within the required yard setback is minimized.

8.2.B Height Exceptions

1. The height provisions of these Regulations shall not apply to the erection of church spires, belfries, towers designated exclusively for ornamental purposes, flagstaffs, chimneys, flues, or gas holders.

2. The height provisions of these Regulations shall not apply to bulkheads, elevator enclosures, penthouses, water tanks, standpipes, or stage towers occupying in the aggregate less than 10% of the area of the roof on which they are located.

3. Nothing in these Regulations shall prevent the erection of a parapet wall or a cornice extending not more than 3 feet above the height limit indicated.

4. The height provisions of these Regulations shall not prevent the erection of a permitted public building or facility not exceeding 40 feet in a residence zone.

8.2.C Second Principal Building on Same Lot

1. No lot in any residential district, except for approved multi-family dwellings in groups, boat clubs, beach clubs and marinas, and bed and breakfast establishments, shall contain more than one principal building or structure.

2. No building to be used as a dwelling shall be constructed, altered, or moved on, to, or in the rear of a building situated on the same lot, nor shall any building be constructed in front of, or moved to the front of a dwelling situated on the same lot.

8.3. Non-Conforming Uses, Structures And Lots

8.3.A Non-Conforming Uses

1. **May Be Continued** - Notwithstanding any other provision of these Regulations, a pre-existing non-conforming use may be continued, including through change of title or possession or right of possession of property, except as otherwise specified in this Section.

2. **Alteration Or Enlargement** - A non-conforming use shall not be extended or enlarged and no structure containing a non-conforming use shall be structurally altered except:
   a. To make it a conforming structure;
   b. To comply with requirements of health and safety laws or ordinances; and/or
   c. Subject to Special Permit approval and Site Plan approval by the Commission, to result in a situation with a lesser impact upon the surrounding area than the existing use.

3. **Relocation** - A pre-existing non-conforming use may, subject to Special Permit approval and Site Plan approval by the Commission, be moved or relocated provided that such moving or relocation will:
   a. Reduce or eliminate the non-conformity; or
   b. Result, in the opinion of the Commission, in a situation with a lesser impact upon the surrounding area than the existing use.

4. **Change Of Use** - The Commission may, subject to Special Permit approval and Site Plan approval, allow a change from a pre-existing non-conforming use to another non-conforming use provided that:
   a. The proposed use is similar in intensity to the existing use or lower in intensity than the existing use; and
   b. The proposed use will have a lesser impact upon the surrounding area than the existing use.

5. **Restoration** - When a building, whether conforming or non-conforming, in which there is a non-conforming use is damaged or destroyed by fire, collapse, explosion, act of God or act of the public enemy, it may be restored only to its previous floor area, cubical content and exterior appearance and the non-conforming use continued to the same extent as said use existing before such destruction.

6. **Reversion Or Abandonment**–
   a. Whenever a non-conforming use has been abandoned, changed to a conforming use, or changed to a more conforming use, it shall not thereafter be changed back to the previous non-conforming use or to a less conforming use.
   b. For the purposes of this provision, abandonment shall mean the voluntary and intentional discontinuance of a use such as:
      i. A change to a conforming use or to a more conforming use; or
      ii. Any other act indicating an intent to abandon.

8.3.B Non-Conforming Structures

1. **May Be Continued** - Notwithstanding any other provision of these Regulations, a pre-existing non-conforming structure may remain, including through change of title or possession or right of possession of property, except as otherwise specified in this Section.

2. **Limitation** - This Section shall not permit the non-conforming structure to violate any other provisions of these Regulations.

3. **Alteration Or Enlargement** - A non-conforming structure shall not be extended, enlarged, or altered except:
   a. To make it a conforming structure;
   b. To comply with requirements of health and safety laws or ordinances;
   c. Subject to Site Plan approval by the Commission, changes to the exterior appearance of the non-conforming structure may be permitted when the Commission determines that such change is more compatible with the surrounding neighborhood; and/or
   d. Subject to Special Permit approval and Site Plan approval by the Commission, to result in a situation with a lesser impact upon the surrounding area than the existing structure.

4. **Relocation** - A pre-existing non-conforming structure may, subject to Special Permit approval and Site Plan approval by the Commission, be moved or relocated provided that such moving or relocation will:
   a. Reduce or eliminate the non-conformity; or
   b. Result, in the opinion of the Commission, in a situation with a lesser impact upon the surrounding area than the existing structure.

5. **Restoration** - When a non-conforming building is damaged or destroyed by fire, collapse, explosion, act of God or act of the public enemy, it may be restored only to its previous floor area, cubical content and exterior appearance as existing before such destruction.

6. **Flood Preparation** - When a non-conforming building is located within a FEMA flood zone and is being elevated to comply with FEMA standards, it may be so elevated provided doing so does not increase its non-conformity as to yard setbacks or building coverage.

7. **Reversion Or Abandonment**–
   a. Whenever a non-conforming structure has been abandoned, changed to a conforming structure, or changed to a more conforming structure, it shall not thereafter be changed back to the previous non-conforming structure or to a less conforming structure.
   b. For the purposes of this provision, abandonment shall mean the voluntary and intentional discontinuance of a structure such as:
      iii. A change to a conforming structure or to a more conforming structure; or
      iv. Any other act indicating an intent to abandon.

8.3.C Non-Conforming Lots

1. **May Be Continued** - Notwithstanding any other provision of these Regulations, a pre-existing non-conforming lot may remain, including through change of title or possession or right of possession of property, except as otherwise specified in this Section.

2. **Merger Of Adjoining Lots** –
   a. If two or more adjoining lots of record, one or both of which fail to meet the requirements of these Regulations with regard to lot area, lot width, yard setback requirements and/or coverage, have continuous frontage and are in a single ownership at the effective date of these Regulations, and if such lots are taken together would form one or more lots, each more nearly meeting the requirements of these Regulations with regard to lot area, lot width, yard setback requirements, and/or coverage, such lot or lots shall no longer be considered legally existing on the effective date of these Regulations and must be used in compliance with the zoning requirements irrespective of subsequent changes in ownership.
   b. Provided however, a lot of record, existing and recorded as a separate lot in the land records of the Town of Groton prior to February 18, 2005, even though the said lot was neither part of an approved subdivision plan nor a lot which has a valid building permit, shall be exempt from the above referenced provisions. The burden of proof to show compliance with this exemption shall be upon the lot owner.

8.4. Design Considerations

As used in this Section of the Regulations:

The word "shall" means that the relevant consideration, standard, criterion or action will be applied unless the applicant demonstrates that it would clearly be unreasonable or undesirable to do so.

The word "should" means that the relevant consideration, standard, criterion or action will generally be applied, but the applicant may offer, and the Commission may approve, an alternative if the Commission finds that the alternative would better fulfill the overall goals set forth in these standards.

8.4.A Purpose

Since the architectural design, scale and mass of the buildings and other structures are important in determining the visual character of an area, the considerations listed in this Section are recommended in certain areas (such as the Waterfront Business Residence District and the Five Corners District) so as to ensure that new buildings harmonize with and will be compatible with the neighborhood, to protect property values and to preserve and improve the appearance and the beauty of the community.

The design considerations listed in this Section are intended to aid in maintaining and enhancing the character and quality of the buildings and public spaces in designated areas in Groton (such as the Waterfront Business Residence District and the Five Corners District) in order to maintain and enhance:

- The distinctive character, landscape and historic value, especially in areas designated as “village districts”;
- The sensitive balance of visual and spatial relationships that create the character and support the function of the designated areas;
- The overall quality of the built environment; and
- The economic and social vitality of areas which depends upon maintaining the attractiveness of the street environment, the economic viability of businesses, and a hospitable atmosphere for residential occupants and visitors.

These design considerations may also be used as part of development reviews in other areas of Groton, particularly as part of the Special Permit process.

8.4.B Relationship of Buildings to Site and Adjoining Areas

1. Buildings shall be designed and located on the site so as to retain the existing topography and natural features of the land to the greatest extent possible.

2. Buildings shall be organized in a coordinated and functional manner that is compatible with site features and the desirable characteristics of adjoining areas.

3. A unified design theme for building massing, exterior treatments and signage shall be established where harmony in textures, lines, and masses is provided and monotony is avoided.

4. Parking areas shall be treated appropriately in relation to the building, the neighborhood, and the community.

5. The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.

6. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.

7. A desirable streetscape and attractive landscape transitions to adjoining properties shall be provided.

8.4.C Landscape and Site Treatment

1. The design of the development and the placement of buildings, driveways, walkways, parking facilities and other improvements shall be such that existing trees, watercourses, rock outcrops and similar natural features are preserved to the greatest extent possible.

2. Landscape treatment shall be provided to enhance architectural features, shield unsightly areas, provide shade, and relate to the natural environment and topography.

3. Plant material that is indigenous to the area shall be selected for its ultimate growth and for interest in its shape, texture, and color.

4. Pedestrian walkways shall provide safe and convenient connections within the site and between adjacent sites and shall be constructed of all-weather materials appropriate for the location (such as brick, concrete, or paving blocks but not earth, gravel, or loose stone).

5. Existing trees of four (4) inches or greater caliper shall be incorporated into the site plan to the extent practicable and appropriate.

8.4.D Building Design

1. Architectural designs appropriate to a New England community are generally preferred (pitched roof buildings, colonial facades, etc.).

2. Architectural features shall be evaluated based on the scale of the building(s), the quality of the design, and the relationship to surroundings.

3. Facades and rooflines shall be articulated and/or varied to reduce the appearance of bulk and provide architectural interest.

4. Building materials shall have good architectural character and durable quality and shall be selected for harmony of the building with adjoining buildings.

5. Building textures, colors, and components shall be selected for harmony of the building with adjoining buildings.

6. Utility and service equipment areas shall be screened from public view with materials harmonious with the building.

7. Rooftop mechanical equipment (other than solar energy panels) should be concealed to the extent practicable.

8.4.E Signs and Lighting

1. Every sign shall be designed as an integral architectural element of the building and site to which it principally relates and shall be coordinated with the building architecture.

2. Exterior lighting, where used, shall enhance the building design and the adjoining landscape.

3. Lighting shall be restrained in design and excessive brightness avoided.

4. Roof lighting is prohibited unless specifically approved by the Commission.

8.4.F Additional Design Guidelines For Village Districts

1. Special attention shall be paid to protecting the distinctive character, landscape, and historic structures within any Village District.

2. The removal or disruption of historic, traditional, or significant structures or architectural elements shall be avoided or minimized.

3. The conversion, conservation, and preservation of existing buildings and sites in a manner that maintains the historic or distinctive character of a Village District is encouraged.

4. The exterior of structures or sites shall be consistent with:
   a. The "Connecticut Historical Commission - The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings", revised through 1990, as amended; or
   b. The distinctive characteristics of the district identified in the Plan of Conservation and Development.

5. Proposed buildings or modifications to existing buildings shall be harmoniously related to their surroundings, the terrain in the district, and to the use, scale and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification.

6. All spaces, structures, and related site improvements visible from public roadways shall be designed to be compatible with the elements of the area of the Village District in and around the proposed building or modification.

7. The color, size, height, location, proportion of openings, roof treatments, building materials, and landscaping of commercial or residential property, and any proposed signs and lighting, shall be evaluated for compatibility with the local architectural motif.

8. Maintenance of views, historic buildings, monuments, and landscaping shall be encouraged.

9. ADMINISTRATIVE PROVISIONS

9.1. Pre-Application Reviews

1. Prior to the submission of a formal application, the potential applicant is encouraged to present a preliminary plan for informal consideration by the City Planner, the Zoning and Building Official, City Staff, and/or the Commission.

2. The optional pre-application plan is recommended to facilitate consideration of factors and problems that may be associated with a particular proposal before the applicant proceeds with preparation of official maps, plans and documents required for formal consideration by the Commission.

3. Neither the pre-application plan nor the informal consideration by City Staff or the Commission, however, shall be deemed to constitute any portion of the official and formal procedure of applying for any approval as contemplated herein or under the provision of the Connecticut General Statutes.

9.2. Zoning / Building Permit

9.2.A Applicability

1. A Zoning / Building Permit shall be obtained from the Zoning and Building Official prior to:
   a. Construction, reconstruction, alteration, extension, enlargement, relocation, or demolition of any building or structure: and
   b. Occupancy of any building or structure or for any change, extension, or alteration of any use.

2. Nothing herein contained shall require any change in the plans, construction, or use of a building for which a Zoning / Building Permit has been issued or for which plans were on file with the Zoning and Building Official before the effective date of these Regulations.

9.2.B Application Procedures

2. An application for a Zoning / Building Permit shall be made on a form to be furnished by the City.

3. The application for a Zoning / Building Permit shall be accompanied by such information and exhibits as are required herein or may be reasonably required by the Zoning and Building Official in order that the proposal of the applicant may be adequately interpreted and judged as to its conformity with any approval of the Planning and Zoning Commission, the provisions set forth in the Zoning Regulations, and/or with a variance granted by the Zoning Board of Appeals.

4. If required:
   a. An application for a Zoning / Building Permit shall include a certification that the lot is on record by map or by deed, including the date of recording or is in a subdivision which has been approved by the Planning and Zoning Commission and a bond covering the cost of street improvements has been received.
   b. An application for a Zoning / Building Permit shall include verification in writing from the engineer who designed the Site Plan that the site work has been completed substantially in accord with the approved Site Plan.

5. In the event that any Zoning / Building Permit is issued based on incorrect information or the specific conditions of approval are not strictly adhered to, such permit shall be null and void.

9.2.C Approval

1. No Zoning / Building Permit, order, or other zoning enforcement document shall be issued unless they are in full compliance with the provisions of these Regulations and any conditions of approval established by the Planning and Zoning Commission and/or Zoning Board of Appeals and until they are signed by the Zoning and Building Official.

2. Any Zoning / Building Permit issued to the contrary shall be null and void, and any work undertaken or use established pursuant to such approval or issuance shall be lawful.

3. If site improvements cannot be completed because of weather, or if an alteration does not require the vacating of the premises, or if a portion of a building or development is ready for occupancy before the completion of the entire building or development, or for other pertinent reasons, a conditional Zoning / Building Permit may be issued by the Zoning and Building Official for a period not to exceed 180 days, provided that a bond shall be posted or a portion of the posted bond shall be retained in an amount sufficient to cover the cost of completing the remaining site improvements. Upon satisfactory completion of the remaining site improvements and the written request of the applicant, the Commission shall then release the bond.

9.2.D Notice Provisions

1. In accordance with CGS Section 8-3(f), the recipient of a Zoning / Building Permit may publish notice of issuance of the Zoning / Building Permit in order to establish the appeal period per CGS Section 8-7.

2. Any such notice to be published by the recipient shall contain:
   a. A description of the building, use or structure and its location;
   b. The identity of the applicant; and
   c. A statement that an aggrieved person may appeal to the Zoning Board of Appeals in accordance with the provisions of CGS Section 8-7.

9.3. Site Plan Application

9.3.A Purpose

A Site Plan is intended to provide the Commission with information that will enable it to determine that the proposed building, use or structure is consistent with the requirements of these Regulations.

9.3.B Applicability

1. Unless exempted by Section 9.3.B.2, a Site Plan application shall be submitted:
   a. For any activity designated in the Regulations as requiring Site Plan approval.
   b. For any activity designated in the Regulations as requiring Special Permit approval.
   c. In a residential zone, for any construction, development, expansion, or major alteration of a multi-family use or any non-residential use.
   d. In a non-residential zone, for any construction, development, expansion, or major alteration of any use including any alteration in site improvements such as parking, pedestrian or vehicle circulation, public utilities or reduction of landscaping.

2. Notwithstanding the provisions of Section 9.3.B.1, the following activities shall be exempt from the requirement to submit a formal Site Plan application (a Zoning Permit may still be required) provided that a plot plan drawn to scale is submitted to the City Planner and/or Zoning and Building Official showing any changes from existing conditions, such as new signs, revised parking arrangements and entrances, new lighting and similar alterations:
   a. when the structure or use is existing and will not be enlarged.
   b. when off-street parking requirements for the new use are not more than those required for the existing use.
   c. when the site is in the Industrial/Technology Zone or the Technology Campus zone and:
      - the use is permitted,
      - the use will not result in a structure over 10,000 square feet,
      - the use will not result in a structure over 25 feet in height, and
      - the site to be built upon does not abut or lie immediately across the street from a residential zone.

9.3.C Submission Requirements

1. A Site Plan application shall be submitted to the Commission or its agent and shall include a completed application form and the appropriate fee.

2. A Site Plan application shall be accompanied by detailed plans that comply with the requirements of these Regulations, signed and sealed by an appropriate professional, for review by the Commission and its designees.

3. The Commission may, in accordance with the requirements of these Regulations, require the submission of additional information as deemed necessary to make a reasonable review of the application.

4. Site Plans will not be considered complete unless they contain all applicable information as required by these Regulations.

9.3.D Proceedings

1. The date of receipt for the Site Plan application shall be determined in accordance with Section 9.9.B.

2. An incomplete Site Plan application may be denied in accordance with Section 9.9.C.

3. If a Site Plan application involves an activity regulated pursuant to CGS Section 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetlands Commission not later than the day such Site Plan application is filed with the Commission.

4. Notification by the Commission may be required to:
   a. Adjoining municipalities in accordance with the requirements of Section 9.9.I.
   b. Water companies in accordance with the requirements of Section 9.9.J.
   c. The Department of Energy and Environmental Protection (DEEP) in accordance with the requirements of Section 9.9.K.

5. Whenever a Site Plan application is required in conjunction with another application requiring a public hearing (such as a Special Permit application or a Zone Change application):
   a. The time period for acting on the Site Plan application shall coincide with the time period for acting on the related application; and
   b. A decision on the application shall be rendered within sixty-five days after the close of the public hearing on such other application except that the applicant may consent to one or more extensions of such period provided the total period of any such extension or extensions shall not exceed sixty-five days.

6. In accordance with CGS Section 8-7d, whenever approval of a Site Plan is the only approval required, a decision on the application shall be rendered within sixty-five (65) days after the date of receipt of such Site Plan application except that the applicant may consent to one or more extensions of such period provided the total period of any such extension or extensions shall not exceed sixty-five (65) days.

7. In accordance with CGS Section 8-7d, if an application involves an activity regulated pursuant to CGS Section 22a-36 to 22a-45, inclusive and the time for a decision by the Commission would elapse prior to the thirty-fifth (35th) day after a decision by the Inland Wetlands Commission, the time period for a decision shall be extended to thirty-five (35) days after the decision of such agency.

8. The Commission may hold a public informational meeting on a Site Plan application.

9. In accordance with CGS Section 8-3(g), a Site Plan shall be presumed approved unless a decision to deny or modify it is rendered within the applicable time period specified above.

10. The applicant may, at any time prior to action by the Commission, withdraw such application.

11. To assist with its consideration of an application for Site Plan approval, the Commission may refer the plan to any department, agency or official it deems appropriate, to review and comment upon those technical matters which are the concern or responsibility of such department, agency or official.

12. The Commission may require additional technical assistance in evaluating an application, the expense of which is to be paid by the applicant as set forth in City Ordinance.

13. If any modification of the Site Plan is made by the Commission as part of its approval, revised copies of the Site Plan reflecting such modification shall be submitted to, and approved by, the City Planner prior to the issuance of any Zoning / Building Permit relating to the application.

9.3.E Considerations

1. On a Site Plan application involving an activity regulated pursuant to CGS Section 22a-36 to 22a-45, inclusive, the Commission shall:
   a. Wait to render its decision until the Inland Wetlands Commission has submitted a report with its final decision; and
   b. Give due consideration to any report of the Inland Wetlands Commission when making its decision.

2. On a Site Plan application involving notice to other agencies, the Commission shall give due consideration to any report or testimony received.

3. On a Site Plan application involving new construction or remodeling of the exterior of a building within an area designated within these Regulations as a "village district" in accordance with CGS Section 8-2j, the Commission shall give due consideration to any report or testimony received from the village district consultant.

4. Before the Commission approves a Site Plan application, it shall determine that the application is in conformance with these Regulations.

5. The Commission shall not approve any Site Plan for any property on which there exists a zoning violation, unless such Site Plan application will remedy such violation.

6. The Commission may require, as a condition of approval, such modifications of the proposed plans as it deems necessary to ensure that structures and the uses of land area arranged in a manner that protects the public health, safety and general welfare.

7. In cases where the development of the property is proposed to be undertaken in phases, the Commission may grant Site Plan approval limited to each phase of development. Each phase shall be capable of independent existence without the completion of succeeding phases.

8. As a condition of approval of a Site Plan, the Commission may require:
   a. Submission of a passbook savings account, a statement savings account, or similar cash equivalent to guaranty the installation and performance of erosion and sediment control measures at the site.
   b. A performance guaranty in accordance with Section 9.9.L of these Regulations in an amount and in a form satisfactory to the Commission to guaranty satisfactory completion of drainage facilities, parking and access facilities, buffer strips and any other site improvements other than buildings.

9. When a performance guaranty is required by the Commission:
   a. The applicant shall provide a cost estimate of improvements to be guaranteed, together with a description of the basis for the estimate.
   b. The performance guaranty shall become effective prior to issuance of a building permit or prior to the commencement of site work, whichever comes first, and shall stay in effect until the Site Plan is 100% complete.

9.3.F Action Documentation

1. The Planning and Zoning Commission shall approve, modify and approve, or disapprove a Site Plan.

2. Whenever it grants or denies a Site Plan application, the Commission shall state upon its record the reason(s) for its decision. Commission disapproval shall include written findings upon any Site Plan element found contrary to the provisions or intent of these Regulations.

3. The Commission shall send, by certified mail, a copy of any decision to the applicant within fifteen (15) days after such decision is rendered.

4. The Commission shall cause notice of the approval or denial of a Site Plan to be published in a newspaper having a substantial circulation in Groton within fifteen (15) days after such decision is rendered and, in any case where such notice is not published by the Commission, the person who submitted such plan may provide for the publication of such notice within ten (10) days thereafter.

5. On any application for which the period for approval has expired and on which no action has been taken, the Commission shall send a letter of approval to the applicant within fifteen (15) days of the date on which the period for approval expired and such letter of approval shall state the date on which the five-year completion period, as set forth in Section 9.3.H below, expires.

9.3.G Following Approval

1. Following approval of a Site Plan application and expiration of the appeal period, one (1) “mylar” copy and four (4) paper copies of each approved plan shall, unless waived by the Commission, be submitted to the City Planner for signature by the Chairman:
   a. Each such plan shall bear the seal and signature of the appropriate professional(s) which prepared the drawing;
   b. Each such plan shall contain a signature block where the Chairman of the Commission can indicate the approval of the Commission and state the date on which the five-year period for completing all work in connection with such Site Plan, as set forth in Section 9.3.H below, expires; and
   c. At least one (1) sheet shall bear a copy of the decision letter of the Commission and any other town regulatory agencies authorizing the activity.

2. Such plans shall be so filed before any Zoning / Building Permit is issued for the activities shown on the approved plan.

3. Within an area designated within these Regulations as a “village district” in accordance with CGS Section 8-2j (such as the Waterfront Business Residence District), no approval shall be effective until a copy thereof, certified by the Commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reason(s) for its decision, is recorded by the applicant in the land records, indexed in the grantor's index under the name of the record owner.

4. All site improvements shall be carried out in strict compliance with the Site Plan approved by the Commission. Minor amendments to the approved Site Plan may be approved only in writing by the City Planner upon the written request of the applicant. All other amendments or modifications to the Site Plan shall require the approval of the Commission.

5. All conditions and improvements shown on the approved Site Plan shall continue in force as long as the use indicated on the approved Site Plan shall be in operation, regardless of any change in ownership of the property.

6. When a performance guaranty has been provided, the performance guaranty shall be held by the Commission and the Commission shall not release the performance guaranty until it has determined that all of the improvements subject to the guaranty have been satisfactorily completed.

7. The Commission may require an "as built" A-2 survey of the lot showing the location of the buildings and improvements to determine compliance with the approved Site Plan.

9.3.H Expiration and Completion

1. Unless otherwise provided in CGS Section 8-3, all work in connection with a Site Plan shall be completed within five (5) years after the date of approval of the Site Plan and failure to complete all work within such five-year period shall result in automatic expiration of the approval of such Site Plan unless the Commission shall have granted an extension of the time to complete such work.

2. Provided the applicant has requested an extension prior to the expiration of the completion period, the Commission may grant one (1) or more extensions of the time to complete all or part of the work in connection with the Site Plan provided the total extension or extensions shall not exceed ten (10) years from the date of approval of such Site Plan unless otherwise provided in CGS Section 8-3.

3. The Commission may condition the approval of such extension on a determination of the adequacy of any performance guaranty in accordance with Section 9.9.L or other surety.

9.4. Special Permit Application

9.4.A Applicability

1. A Special Permit application shall be submitted for any activity designated in the Regulations as requiring Special Permit approval.

2. Notwithstanding the above, a Special Permit shall not be required for interior renovations and modifications for space within a structure previously approved by the Commission as a Special Permit, provided that:
   a. The City Planner finds that the proposed use is substantially similar to what was previously approved by Special Permit;
   b. There are no exterior alterations to the structure or the site;
   c. There is no additional requirement for parking under Section 7.1 of these Regulations.

9.4.B Submission Requirements

1. A Special Permit application, in accordance with the requirements as specified in these Regulations, shall be submitted to the Commission or agent and shall include a completed application form and the appropriate fee.

2. Each application for a Special Permit shall be accompanied by a Site Plan application unless the City Planner finds that there are no physical changes proposed to the site or any building or structure and the submission of a Site Plan application is not necessary for the Commission to evaluate the proposal.

3. Each application for a Special Permit shall be accompanied by a written statement describing the proposed use in sufficient detail to permit the Commission to determine whether the proposed use complies with these Regulations.

4. The Commission shall not be required to hear an application relating to the same request or substantially the same request, more than twice in a twelve-month period.

5. Notwithstanding the basic submission requirements, the Commission may require the submission of such additional information as the Commission deems necessary to determine compliance of the proposed use with these Regulations.

9.4.C Proceedings

1. The date of receipt of the Special Permit application shall be determined in accordance with Section 9.9B.

2. An incomplete Special Permit application may be denied in accordance with Section 9.9.C.

3. If a Special Permit application involves an activity regulated pursuant to CGS Section 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetlands Commission not later than the day such application is filed with the Commission.

4. The Commission shall hold a public hearing on the Special Permit application and:
   a. Publish a legal notice in accordance with the requirements of Section 9.9.F of these Regulations;
   b. Require that the applicant give notice to property owners in accordance with the requirements of Section 9.9.G of these Regulations; and
   c. Require that the applicant post a sign on the property in accordance with the requirements of Section 9.9.H of these Regulations.

5. Notification by the Commission may be required to:
   a. Adjoining municipalities in accordance with the requirements of Section 9.9.I.
   b. Water companies in accordance with the requirements of Section 9.9.J.
   c. The Department of Energy and Environmental Protection (DEEP) in accordance with the requirements of Section 9.9.K.

6. Unless otherwise provided in CGS Section 8-7d, the Commission shall process the Special Permit as follows:
   a. The public hearing shall commence within sixty-five (65) days after receipt of the application;
   b. The public hearing shall be completed within thirty-five (35) days after such hearing commences;
   c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
   d. The applicant may consent to one or more extensions of any period specified herein provided the total extension of all such periods shall not be for longer than sixty-five (65) days.

7. Notwithstanding the provisions of this Section, if an application involves an activity regulated pursuant to CGS Section 22a-36 to 22a-45, inclusive, and the time for a decision by the Commission would elapse prior to the thirty-fifth day after a decision by the Inland Wetlands Commission, the time period for a decision shall be extended to thirty-five (35) days after the decision of such agency.

8. The applicant may, at any time prior to action by the Commission, withdraw such application.

9.4.D Special Permit Criteria

In considering an application for a Special Permit, the Commission shall evaluate the application with respect to the following factors, except that the Commission may determine that some factors may not be applicable to certain types of applications:

1. **Zoning Purposes**
   Whether the proposed use or activity is consistent with the purposes of the Regulations.

2. **Environmental Protection and Conservation**
   Whether appropriate consideration has been given to the protection, preservation, and/or enhancement of natural, scenic, historic, or unique resources including, where appropriate, the use of conservation restrictions to protect and permanently preserve natural, scenic, historic, or unique features which enhance the character and environment of the area.

3. **Overall Neighborhood Compatibility**
   Whether the proposed use will have a detrimental effect on neighboring properties or the development of the district.

4. **Suitable Location For Use**
   Whether the nature and intensity of the operations involved with the use or resulting from the proposed use and the location of the site are such that the use will be in harmony with the appropriate and orderly development in the district in which it is located.

5. **Appropriate Improvements**
   Whether design elements of the proposed development (such as location, type, size and height of buildings and other structures, parking, access, landscaping, screening, lighting, signage, etc.) will be suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and desirable future character of the neighborhood in which the use is located.

6. **Suitable Transportation Conditions**
Whether the streets and other rights-of-way are or will be of such size, condition and capacity (width, grade, alignment and visibility) to adequately accommodate the traffic to be generated by the particular proposed use and not create traffic problems.

7. **Adequate Public Utilities and Services**
Whether the provisions for water supply, sewage disposal, storm water drainage, and emergency access conform to accepted engineering practices, comply with all standards of the appropriate regulatory authorities, and will not unduly burden the capacity of such facilities.

8. **Long Term Viability**
Whether adequate provision has been made for the sustained maintenance of the proposed development (structures, streets, and other improvements).

9. **Nuisance Avoidance**
Whether the use, configuration, design and/or hours of operation are appropriate in order to control noise, light, odors, parking visibility, unsightly appearance, erosion, water contamination and storm-water runoff on the site and in relation to the surrounding area.

10. **Plan of Conservation and Development**
Whether the proposed use or activity is in accordance with or facilitates achievement of one or more of the goals, objectives, policies, and recommendations of the Plan of Conservation and Development, as amended.

11. **Mitigation**
Whether adequate provisions have been made to moderate or mitigate neighborhood impacts by limiting the intensity of use of the property (including, without limitation, such considerations as the area devoted to the use, the number of people involved in the use, the number of events or activities proposed, the hours of operation, etc.) or by modifying the location or configuration of the proposed use.

9.4.E Decision Considerations

1. Special Permit uses are declared to possess such special characteristics that each shall be considered on an individual basis subject to the standards and requirements of these Regulations.

2. The applicant shall bear the burden of demonstrating that the applicable Special Permit criteria in Section 9.4.D of these Regulations are addressed.

3. Before the Commission approves a Special Permit application, it shall determine that the application:
   a. Has, in the sole discretion of the Commission, satisfied the applicable Special Permit criteria in Section 9.4.D of these Regulations; and
   b. Is in conformance with other applicable provisions of these Regulations; and
   c. Is in harmony with the purposes and intent of these Regulations.

4. For a Special Permit application involving an activity regulated pursuant to CGS Section 22a-36 to 22a-45, inclusive, the Commission shall:
   a. Wait to render its decision until the Inland Wetlands Commission has submitted a report with its final decision; and
   b. Give due consideration to any report of the Inland Wetlands Commission when making its decision.

5. On a Special Permit application involving notice to adjoining municipalities under Section 9.9.I or notice to water companies under Section 9.9.J or notice to DEEP under Section 9.9.K, the Commission shall give due consideration to any report or testimony received.

6. On a Special Permit application involving new construction or remodeling of the exterior of a building within an area designated within these Regulations as a “village district” in accordance with CGS Section 8-2j (such as the Waterfront Business Residence District or the Five Corners District), the Commission shall give due consideration to any report or testimony received from the village district consultant.

7. In granting a Special Permit, the Commission may determine whether and to what extent permitted uses may be undertaken and stipulate such conditions as are reasonable and necessary to:
   a. Protect or promote the public health, safety or welfare;
   b. Protect or promote public convenience or property values; or
   c. Enhance overall neighborhood compatibility.

8. A Special Permit and any condition attached to the granting of a Special Permit shall:
   a. Remain with the property as long as the Special Permit use is in operation; and
   b. Continue in force and effect regardless of any change in ownership of the property.

9. The Commission shall not approve any Special Permit for any property on which there exists a zoning violation, unless such Special Permit application will remedy such violation.

9.4.F Action Documentation

1. The Planning and Zoning Commission shall approve, disapprove or approve with conditions the proposed Special Permit.

2. Whenever it acts on a Special Permit application, the Commission shall state upon its record the reason(s) for its decision.

3. In granting a Special Permit, the Commission may attach such conditions and safeguards as may be required to protect the public health, safety and general welfare and to ensure continued compliance with these Regulations. Such conditions and safeguards may include, but shall not be limited to:
   a. A maximum number of employees.
   b. Hours of operation.
   c. Periodic review and renewal of the Special Permit by the Commission to determine continuing compliance therewith.
   d. Conservation restrictions necessary to protect and permanently preserve unique natural site features.
   e. Soil erosion and sediment control measures in accordance with the provisions of Section 7.8.C.10.
   f. A bond in accordance with the provisions of Section 9.9.L.

4. Whenever it acts on a Special Permit application, the Commission may:
   a. Establish a condition that commencement of the use or construction begin within a certain time frame.
   b. Require a performance guaranty in accordance with Section 9.9.L of these Regulations in an amount and in a form satisfactory to the Commission, based upon a cost estimate of improvements provided by the applicant, to ensure satisfactory completion of site improvements other than buildings.

5. Any decision to grant a Special Permit shall:
   a. State the name of the owner of record;
   b. Contain a description of the premises to which it relates;
   c. Identify the Section and/or Section of the Regulations under which the Special Permit was granted; and
   d. Specify the nature of the Special Permit; and
   e. State the conditions of approval, if any.

6. The Commission shall send, by certified mail, a copy of any decision on a Special Permit application to the applicant within fifteen (15) days after such decision is rendered.

7. The Commission shall cause notice of the approval or denial of the Special Permit application to be published within fifteen (15) days after such decision is rendered in a newspaper having a substantial circulation in Groton.

8. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the person who submitted such application may provide for the publication of such notice within ten (10) days thereafter.

9.4.G Following Approval

1. A Special Permit granted by the Commission shall become effective only upon the filing of a copy, certified by the Commission, in the land records of the Town of Groton, in accordance with the provisions of CGS Section 8-3d.
   a. A Special Permit shall expire if the Special Permit approval is not filed in the Town of Groton's land records within 1 (one) year after approval.
   b. A Special Permit shall expire if the Site Plan associated therewith is not submitted and approved within 12 months following approval of the Special Permit. However, an extension of not more than six months may be granted by the Commission upon written request by the applicant prior to the expiration date.

2. A Special Permit shall authorize only the particular use or uses specified in the Commission's approval.

3. Failure to strictly adhere to the documents, plans, terms, conditions and/or safeguards approved by the Commission or its staff shall be a violation of these Regulations. The Zoning and Building Official shall notify the applicant in writing of the specifics of the non-compliance and shall provide a reasonable time period for compliance therewith. Unless there is full compliance within such time period, the Commission may, following a duly advertised public hearing, rescind and revoke such Special Permit.

4. An approved Special Permit may be amended or modified, provided that application shall be made in the same manner as the original application and subject to the same procedures for approval.
   a. Amendments to the Special Permit found to be of a minor nature or which would not substantially alter the Special Permit as determined by the City Planner may be approved by the Commission without another public hearing.
   b. Amendments to the Special Permit which would substantially alter the Special Permit or increase the existing building coverage or gross floor area of the use by 10% or more may be approved by the Commission only after a public hearing.

5. The Special Permit uses as set forth in these Regulations are deemed to be permitted uses in their respective districts when granted by the Commission, subject to compliance with the requirements and standards set forth in this Section in addition to all other requirements of these Regulations.

6. Unless otherwise established by the Commission, a Special Permit, along with any conditions and safeguards attached thereto, shall remain with the property as long as the use allowed by the Special Permit remains in operation. Such conditions and safeguards shall continue in force regardless of any change in ownership of the property.

9.5. Text Amendment Application

9.5.A Applicability

A Text Amendment application shall be submitted for any proposal to amend, change, or repeal any Section of these Regulations.

9.5.B Submission Requirements

1. A Text Amendment application shall be submitted to the Commission or agent and shall include a completed application form and the appropriate fee. The Commission shall not be required to pay a fee for a text amendment application made on its own initiative.

2. A Text Amendment application shall be accompanied by ten (10) copies of the wording of the existing and proposed text and any other supporting information, including reason(s) for the proposed amendment.

3. The Commission shall not be required to hear any petition or petitions relating to the same text changes, or substantially the same text changes, more than once in a period of twelve (12) months unless it finds, on facts presented in writing, that a material change in the situation justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this Section.

9.5.C Proceedings

1. The date of receipt for the Text Amendment application shall be determined in accordance with Section 9.9.B.

2. An incomplete Text Amendment application may be denied in accordance with Section 9.9.C.

3. The Commission shall hold a public hearing on the Text Amendment application and:
   a. Shall cause a legal notice to be published in accordance with the requirements of Section 9.9.F of these Regulations.
   b. May publish the full text of such proposed regulation in full in such notice.

4. In accordance with CGS Section 8-3b, the Commission shall give written notice to the regional planning agency when any portion of the land affected by a regulation change affecting the use of a zone is located within five hundred (500) feet of the boundary of another municipality and:
   a. Such notice shall be made by certified mail, return receipt requested.
   b. Such notice shall be made not later than thirty (30) days before the public hearing.
   c. The regional planning agency may submit its advisory findings and recommendations to the Commission at or before the hearing but if such report is not submitted, it shall be presumed that such agency does not disapprove of the proposal.

5. Notification by the Commission may be required to:
   a. Adjoining municipalities in accordance with the requirements of Section 9.9.I.
   b. Water companies in accordance with the requirements of Section 9.9.J.

6. The Commission may refer any application to amend these Regulations to any City department or other agency the Commission deems appropriate and may request any such department or agency to submit a report to the Commission on matters that are of concern to such department or agency.

7. A copy of the proposed regulation shall be filed by the applicant in the office of the City Clerk for public inspection at least ten (10) days before the public hearing.

8. The Commission shall process the Text Amendment application within the period of time provided under CGS Section 8-7d:
   a. The public hearing shall commence within sixty-five (65) days after receipt of the application.
   b. The public hearing shall be completed within thirty-five (35) days after such hearing commences.
   c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing.
   d. The applicant may consent to one or more extensions of any period specified herein provided the total extension of all such periods shall not be for longer than sixty-five (65) days.
   e. These provisions shall not apply to any action initiated by the Commission regarding adoption or change of any Regulation.

9. The applicant may, at any time prior to action by the Commission, withdraw such application.

9.5.D Decision Considerations

1. The Commission shall act upon the changes requested in such Text Amendment application.

2. On a Text Amendment application involving notice to adjoining municipalities under Section 9.9.I or notice to water companies under Section 9.9.J or notice to a regional planning agency under CGS Section 8-3b:
   a. Any report received from those agencies shall be made a part of the record of such hearing.
   b. The Commission shall give due consideration to any report or testimony received.

3. In making its decision the Commission shall:
   a. Consider whether the text amendment will be in accordance with a comprehensive plan (the overall scheme of the zoning map and these Regulations); and
   b. Take into consideration the Plan of Conservation and Development, prepared pursuant to CGS Section 8-23.

4. Before approving any Text Amendment application, the Commission shall determine that the proposed regulation change will aid in:
   a. Protecting the public health, safety, welfare, or property values; and
   b. Attaining the purposes of these Regulations.

5. In accordance with CGS Section 8-3(b), such text change(s) shall be established, changed or repealed only by a majority vote of all the members of the Commission except that, if a protest against a proposed change is filed at or before a hearing with the Commission, signed by the owners of twenty (20) percent or more of the area of the lots affected by 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.

9.5.E Action Documentation

1. Whenever the Commission acts upon a Text Amendment application, it shall state upon the record the reason(s) for its decision.

2. In accordance with CGS Section 8-3a(a), the Commission shall state on the record its findings on consistency of a proposed zoning regulation or text change with the Plan of Conservation and Development, as may be amended.

3. As part of approving a Text Amendment application:
   a. The Commission shall establish an effective date for the Regulation change provided that a notice of the decision of the Commission shall have been published in a newspaper having a substantial circulation in Groton before such effective date; or
   b. If an effective date is not so specified, the text amendment shall become effective upon publication in a newspaper having a substantial circulation in Groton.

4. The Commission shall send, by certified mail, a copy of any decision on a Text Amendment application to the applicant within fifteen (15) days after such decision is rendered.

5. The Commission shall cause notice of the approval or denial of the Text Amendment application to be published within fifteen (15) days after such decision is rendered in a newspaper having a substantial circulation in Groton.

6. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the person who submitted such application may provide for the publication of such notice within ten (10) days thereafter.

9.5.F Following Approval

A regulation amendment approved by the Commission shall be filed in the office of the City Clerk before the effective date.

9.6. Zone Change Application

9.6.A Applicability

A Zone Change application (a map amendment) shall be submitted for any proposal to alter the zoning designation of any parcel(s) of land or part thereof.

9.6.B Submission Requirements

1. A Zone Change application shall be submitted to the Commission or agent and shall include a completed application form and the appropriate fee. The Commission shall not be required to pay a fee for a zone change application made on its own initiative.

2. A Zone Change application shall be accompanied by:
   a. Two (2) full-size copies of a map at an appropriate scale indicating existing and proposed zone boundaries; and
   b. Ten (10) copies of an 11 x 17 map indicating existing and proposed zone boundaries.

3. The Commission shall not be required to hear a Zone Change application that has been rejected within one (1) year from the date of rejection unless it finds, on facts presented in writing, that a material change in the situation justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this Section.

9.6.C Proceedings

1. The date of receipt for the Zone Change application shall be determined in accordance with Section 9.9.B.

2. An incomplete Zone Change application may be denied in accordance with Section 9.9.C.

3. The Commission shall hold a public hearing on the Zone Change application and shall:
   a. Publish a legal notice in accordance with the requirements of Section 9.9.F of these Regulations;
   b. Require that the applicant post a sign on the land affected by the application in accordance with the requirements of Section 9.9.G of these Regulations; and
   c. Require that the applicant give notice to property owners in accordance with the requirements of Section 9.9.H of these Regulations.

4. In accordance with CGS Section 8-3b, the Commission shall give written notice to the regional planning agency when any portion of the land affected by a map change is located within five hundred (500) feet of the boundary of another municipality and:
   a. Such notice shall be made by certified mail, return receipt requested.
   b. Such notice shall be made not later than thirty (30) days before the public hearing.
   c. The regional planning agency may submit its advisory findings and recommendations to the Commission at or before the hearing but if such report is not submitted, it shall be presumed that such agency does not disapprove of the proposal.

5. Notification by the Commission may be required to:
   a. Adjoining municipalities in accordance with the requirements of Section 9.9.I.
   b. Water companies in accordance with the requirements of Section 9.9.J.

6. The Commission may refer any application to amend the zoning map to any City department or other agency the Commission deems appropriate and may request any such department or agency to submit a report to the Commission on matters that are of concern to such department or agency.

7. A copy of the proposed zoning map change shall be filed by the applicant in the office of the City Clerk for public inspection at least ten (10) days before the public hearing.
8. The Commission shall process the Zone Change application within the period of time provided under CGS Section 8-7d:
   a. The public hearing shall commence within sixty-five (65) days after receipt of the application.
   b. The public hearing shall be completed within thirty-five (35) days after such hearing commences.
   c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing.
   d. The applicant may consent to one or more extensions of any period specified herein provided the total extension of all such periods shall not be for longer than sixty-five (65) days.
   e. These provisions shall not apply to any action initiated by the Commission regarding a zoning map change.

9. The applicant may, at any time prior to action by the Commission, withdraw such application.

9.6.D Decision Considerations

1. The Commission shall act upon the changes requested in such Zone Change application.

2. On a Zone Change application involving notice to adjoining municipalities under Section 9.9.I or notice to water companies under Section 9.9.J or notice to a regional planning agency under CGS Section 8-3b:
   a. Any report received from those agencies shall be made a part of the record of such hearing.
   b. The Commission shall give due consideration to any report or testimony received from such agencies.

3. Changes in zone district boundaries:
   a. Should be in harmony with the Plan of Conservation and Development for Groton, as amended.
   b. Shall, where possible, constitute logical extensions of like or compatible districts.
   c. Where appropriate, follow property lines or geo-physical features.

4. Except where a proposed zone change is to extend an existing zoning district, no area of land having less than 300 feet of frontage on one street shall be changed from one zoning district to another zoning district except by the affirmative vote of two-thirds of the Commission.

5. Before approving any Zone Change application, the Commission shall determine that the proposed regulation change:
   a. Is in accordance with the Plan of Conservation and Development;
   b. Is suitable for the intended location;
   c. Will aid in protecting the public health, safety, welfare, or property values; and
   d. Will aid in attaining the purposes of these Regulations.
6. In accordance with CGS Section 8-3(b), such zone change(s) shall be established, changed or repealed only by a majority vote of all the members of the Commission except that, if a protest against a proposed change is filed at or before a hearing with the Commission, signed by the owners of twenty (20) percent or more of the area of the lots affected by 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.

9.6.E Action Documentation

1. Whenever the Commission acts upon a Zone Change application, it shall state upon the record:
   a. The reason(s) for its decision.
   b. Its findings on consistency of the proposed zone change with the Plan of Conservation and Development, as amended.

2. As part of approving a Zone Change application:
   a. The Commission shall establish an effective date for the zoning map change provided that a notice of the decision of the Commission shall have been published in a newspaper having a substantial circulation in Groton before such effective date; or
   b. If an effective date is not so specified, the zoning map change shall become effective upon publication in a newspaper having a substantial circulation in Groton.

3. The Commission shall send, by certified mail, a copy of any decision on a Zone Change application to the applicant within fifteen (15) days after such decision is rendered.

4. The Commission shall cause notice of the approval or denial of the Zone Change application to be published within fifteen (15) days after such decision is rendered in a newspaper having a substantial circulation in Groton.

5. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the person who submitted such application may provide for the publication of such notice within ten (10) days thereafter.

9.6.F Following Approval

1. A zoning map change approved by the Commission shall be filed in the office of the City Clerk before the effective date.

2. When a zone boundary is changed by the Commission, such change shall:
   a. Be made on the Zoning Map; and
   b. Be noted with an entry on the Zoning Map as follows: "Amended to (date)," such date to be the effective date of the boundary amendment.

9.7. Zoning Board Of Appeals

9.7.A Powers And Duties

The Zoning Board of Appeals (ZBA) shall have all the powers and duties prescribed by Chapter 124, Section 8 and by Chapter 250, Section 14 of the Connecticut General Statutes, and by these Regulations, which powers and duties are summarized and more particularly specified below. None of the following provisions shall be deemed to limit any of the authority of the ZBA that is conferred by general law.

1. **Adopt Rules** - The ZBA shall have the authority to adopt such rules and procedures as may be deemed necessary to carry into effect the provisions of these Regulations.

2. **Appeals** - The ZBA shall have the authority to hear and decide upon any appeal where it is alleged that there is an error in the order, requirements, decision or determination of the Zoning and Building Official. No question of hardship shall be involved in such an appeal, and the action of the ZBA thereon shall be limited to the question of whether or not, and to what extent such order, requirement, decision, or determination was a correct interpretation of the subject provision of these Regulations.

3. **Extend Zone** - Where a zone boundary line divides a lot in a single ownership at the time of the passage of these Regulations, the ZBA shall have the authority to permit a use authorized on either portion of such lot to extend to the entire lot, but not more than 25 feet beyond the boundary line of the zone in which such use is authorized.

4. **Variances** - The ZBA shall have the authority to vary or adjust the strict application of these Regulations in only those cases where the unusual size, shape or topography of a lot or other unusual physical conditions pertaining to it or to any building situated thereon make it impossible to strictly apply a specific provision of these Regulations to such lot without resulting in exceptional difficulty or unusual hardship, so that substantial justice shall be done and the public health, safety and welfare secured.

5. **Location of Motor Vehicle Uses** - The ZBA shall have the authority to hear and decide upon all requests for Certificates of Approval for motor vehicle sales, services and repair uses in accordance with the Connecticut General Statutes. Such authority shall not supersede the Commission's authority to hear and decide upon requests for Special Permits for such uses.

9.7.B Appeals

1. All appeals to the ZBA from an order, requirement, decision or determination of the Zoning and Building Official shall be taken within such time as is prescribed by a rule adopted by the ZBA.

2. Such appeals shall be made in writing on a form prescribed by the ZBA and shall be accompanied by a filing fee to cover the cost of processing the appeal.

3. Each appeal shall fully set forth the circumstances of the case, shall refer to the specific provision of the Regulations involved and shall exactly set forth the interpretation that is claimed and the grounds on which it is claimed that the same should be granted.

4. No appeal shall be granted that would alter, revise or otherwise change any of the conditions attached to the granting of a Special Permit by the Commission, if such conditions are more restrictive than otherwise provided for in these Regulations or if such conditions do not refer to specified standards in these Regulations.

9.7.C Variances

1. All applications for variances shall be submitted in writing in a form prescribed by the ZBA. The ZBA may deny an application for incomplete information having been submitted.

2. Each variance application shall fully set forth the circumstances of the case, shall refer to the specific provision of the Regulations involved and shall exactly set forth the details of the variance that is applied for and the grounds on which it is claimed that the same should be granted.

3. The Board may require the filing of a survey prepared by a land surveyor licensed to practice in Connecticut when the variance is dimensional in nature or such survey is integral to the understanding of the application.

4. The date of receipt for the Variance application shall be determined in accordance with Section 9.9.B.

5. The ZBA shall hold a public hearing on all appeals and applications for variances, shall decide thereon, and shall give notice of the date of the public hearing on the application and on its decision in accordance with the provisions of the Connecticut General Statutes.

6. To assist with its consideration of an appeal or application, the ZBA may refer such appeal or application to any department, agency or official it deems appropriate, to review and comment upon those technical matters which are the concern or responsibility of such department, agency or official.

7. All variance applications shall be referred to the Planning and Zoning Commission at least fourteen (14) days prior to the date assigned for a public hearing on that request and:
   a. The Planning and Zoning Commission, or its staff, may submit an advisory opinion on such referrals prior to the public hearing.
   b. Any finding of the Planning and Zoning Commission, or its staff, shall be read into the record of the public hearing.
   c. The failure of the Planning and Zoning Commission, or its staff, to submit a report to the Zoning Board of Appeals shall not prevent the Zoning Board of Appeals from reaching a decision on any matter before it.

8. The applicant may, at any time prior to action by the Commission, withdraw such application.

9. The concurring vote of four (4) members of the Board shall be necessary to vary the application of the Zoning Regulations.

10. No variance shall be granted by the ZBA unless it finds:
    a. That there are special circumstances or conditions, fully described in the findings of the ZBA, applying to the lot or structure for which the variance is sought, which are peculiar to such lot or structure and do not apply generally to lots or structures in the neighborhood and which have not resulted from any willful act of the applicant subsequent to the date of adoption of the regulation from which the variance is sought, whether in violation of the provisions herein or not;
    b. That, for reasons fully set forth in the findings of the ZBA, the aforesaid circumstances or conditions are such that the particular application of the provisions of these Regulations would deprive the applicant of the reasonable use of the lot or structure, that the granting of the variance is necessary for the reasonable use of the lot or structure, and that the variance as granted by the ZBA is the minimum adjustment necessary to accomplish this purpose;
    c. That the granting of the variance shall be in harmony with the general purposes and intent of these Regulations and the City's Plan of Conservation and Development and shall not be injurious to the neighborhood or otherwise detrimental to the public health, safety and welfare; and;
    d. That the granting of the variance is not based upon the nonconformity of neighboring lots, uses, buildings or structures, nor upon a financial or economic hardship.

11. Whenever the ZBA grants a variance, it shall include in its minutes as part of the record the reason for its decision, the specific provision of these Regulations which was varied, the extent of the variance and the specific hardship upon which its decision was based.

12. In exercising any of its authority, the ZBA may attach any conditions and safeguards as may be required to protect the public health, safety and general welfare, and to ensure ongoing compliance with these Regulations. Violation of such conditions and safeguards shall be deemed to be a violation of these Regulations and any variance granted with the prescribed conditions or safeguards shall be subject to revocation by the ZBA if the said conditions or limitations are not adhered to strictly provided that, before the ZBA may revoke its action in granting such variance(s), it shall hold a public hearing thereon, of which the applicant and property owner in each case shall be given notice and afforded an opportunity to be heard.

13. Any variance granted by the ZBA shall become effective upon its filing by the applicant in the Town land records.

14. Any variance granted by the ZBA which is not recorded within one year from its effective date shall be null and void.

15. If the ZBA denies a variance, it shall not be required to hear an application for the same variance or substantially the same variance for a period of twelve months after the date of denial, unless the circumstances associated with the application have substantially changed. A change in ownership of property or any interests therein shall not be deemed a substantial change.

16. No variance shall be granted that would alter, revise or otherwise change any of the conditions attached to the granting of a Special Permit by the Commission, if such conditions are more restrictive than otherwise provided for in these Regulations or if such conditions do not refer to specified standards in these Regulations.

9.7.D Use Variances

1. Use variances may be granted by the Zoning Board of Appeals only in the Industrial zone.

2. No use variance shall be granted by the ZBA which would permit:
   a. A use prohibited either implicitly or explicitly by these Regulations;
   b. The expansion of a non-conforming use;
   c. The number of dwelling units on a lot to exceed the maximum allowed in the district in which the lot is located; or;
   d. A use otherwise allowed by Special Permit in the district in which the use is located.

3. No use variance shall be granted where a dimensional variance would relieve the exceptional difficulty or unusual hardship.

4. Prior to a public hearing on any application for a use variance, the ZBA shall transmit the application to the Commission for its review and comment. Any report submitted by the Commission to the ZBA shall be read into the record of the public hearing of the subject application.

9.8. Administration And Enforcement

9.8.A Enforcement

1. These Regulations shall be administered and enforced by the Zoning and Building Official or his/her designee who is hereby empowered to cause any building, structure, place 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 provisions of these Regulations or to issue in writing a cease and desist order to be effective immediately.

2. The Zoning and Building Official shall keep records of all applications for Building Permits and Certificates of Occupancy, of all identifiable violations of these Regulations, of all inspections made under these Regulations, and of all notices of violation served by him/her and the action taken thereon.

3. The owner or agent of a building or premises where a violation of any provision of these Regulations has been committed or exists; or the lessee or tenant of an entire building or an entire premises where such violation has been committed or exists; or the owner, agent, lessee or tenant of any part of a building or premises in which such violation has been committed or exists; or the agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation exists shall be subject to penalties in accordance with the provisions of CGS Section 8-12, as may be amended.

9.8.B Penalties

1. Any person shall be subject to penalties in accordance with the provisions of CGS Section 8-12, as may be amended, who:
   a. Having been served by the Zoning and Building Official with an order to discontinue any such violation, fails to comply with such order within 10 days after such service; or;
   b. Having been served with a cease and desist order with respect to a violation involving grading of land or removal of earth, fails to comply with such order immediately; or;
   c. Continues to violate any provision of these Regulations in the manner named in such order.

9.9. Procedural Details

9.9.A Application Submittal Requirements

1. Applications to the:
   a. Planning and Zoning Commission shall be submitted to the City Planner.
   b. Zoning Board of Appeals shall be submitted to the Zoning and Building Official.

2. Applications shall be submitted on forms obtained from the City Planner or the Zoning and Building Official or agent for the type of application being submitted.

3. Applications shall be accompanied by the appropriate fee(s) except that the Commission or the City of Groton shall be exempt from any application fee.

4. Applications shall be submitted with such supporting plans, materials, and other information as required by these Regulations.

5. Applications shall be signed by the applicant or an authorized agent.

6. Applications shall be signed by the owner of the property affected unless the application is for a text change or is a map change initiated by the Commission.

7. Applications should be submitted at least fourteen (14) days prior to the monthly Commission meeting.

8. If the application involves land located within an area designated in these Regulations as a village district, the applicant shall submit a narrative describing compliance with the guidelines of Section 8.4.F of these Regulations.

9.9.B Date of Receipt

For the purposes of calculating statutory timeframes for processing applications, the date of receipt of an application to the Commission or the Board shall be:

1. The day of the next regularly scheduled meeting of the Commission or the Board immediately following the day of submission of the application ; or

2. Thirty-five (35) days after submission, whichever is sooner.

9.9.C Incomplete Applications

1. Each application shall be reviewed to determine whether the application is substantially complete.

2. An application requiring approval from the Commission or Board shall not be considered actually complete until all of the information as required by these Regulations, the Commission, or the Board has been received by the Commission or the Board.

3. An incomplete application or an application submitted without the requisite fee may be denied.

9.9.D Sequence of Hearings

Where a proposed development or activity requires multiple applications, the Commission or the Board may conduct any public hearings simultaneously or in the order they deem appropriate.

9.9.E Consultations

1. On any application, the Commission or Board may seek the advice and opinion of other officials, boards, or commissions to assist it in evaluating applications.

2. In accordance with any ordinance adopted in accordance with CGS Section 8-1c, the Commission or Board may also, at the applicant's expense, retain a civil engineer, a traffic engineer, an environmental professional, an architect, a landscape architect, a professional land use planner, and/or other consultant(s) to review, comment, and guide its deliberations on any application.

3. The Zoning and Building Official or the City Planner may make a preliminary determination of the need for such technical assistance to be provided by non-City personnel following a review of the application provided that such preliminary determination shall be subject to review by the Commission or the Board.

4. Prior to actually retaining such outside consultant(s), the Commission or the Board shall make findings that the nature and intensity of the proposal may have a significant impact on Groton and that:
   a. City staff will not be able to complete a technical review of the application in a timely fashion; or
   b. That the proposal is of such a nature as to require expertise not available from staff.

5. The Commission, Board, Zoning and Building Official, or City Planner shall estimate the projected expenses for reviewing, evaluating and processing the application based upon information received from the potential consultant(s) and shall notify the applicant of such supplemental fee estimate.

6. The applicant shall submit funds sufficient to cover the basic application fee plus the cost of the consultant review within fifteen (15) calendar days of being notified by the Zoning and Building Official or the City Planner and the application shall be deemed incomplete until the fee(s) have been submitted.

7. Should the estimate of supplemental funds prove inadequate, the Commission, Board, Zoning and Building Official, or City Planner shall recalculate the projected expenses for reviewing, evaluating and processing the application and notify the applicant of such supplemental fee estimate.

8. The applicant shall submit funds sufficient to cover the supplemental fee estimate within fifteen (15) calendar days of being notified by the Zoning and Building Official or the City Planner and the application shall be deemed incomplete until the fee(s) have been submitted.

9. Any portion of the estimated processing fee not expended by the City on the project shall be refunded to the applicant upon completion of the review, evaluation and processing of the application.

10. In accordance with any ordinance adopted in accordance with CGS Section 8-1c, the Commission or Board shall bill the applicant for any costs incurred by the City of Groton in processing the application in excess of the estimated processing fee(s) paid by the applicant and this bill shall be paid by the applicant within fifteen (15) calendar days of such notice regardless of whether the application is approved, denied, or withdrawn.

11. No permits shall be issued until all processing fees are paid.

9.9.F Notice by Newspaper

1. When a public hearing is required by these Regulations or scheduled by the Commission or Board, the City shall cause notice of the hearing to be published in a newspaper having a substantial circulation in Groton.

2. Such notice shall be published at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days before the date of the hearing.

9.9.G Notification to Property Owners

1. When required by these Regulations, the applicant (other than the Commission which is exempt as per PA 06-80) shall notify owners of property within two hundred (200) feet of the subject property (including owners of all condominium units both on and adjacent to the subject property), whether inside or outside Groton, of a pending application by mailing a notice at least seven (7) days prior to the first scheduled hearing.

2. At a minimum, such notice shall consist of:
   a. A description of the proposed activity;
   b. Notification of the date, time, and place of the first scheduled hearing.

3. Proof of mailing forms from the United States Postal Service shall serve as evidence that the notice was given in accordance with this Section.

4. The most recent Assessor's records on file in the Assessor's Office shall be utilized to determine the owner of each property for the purpose of this mailing.

5. The applicant shall certify to the Commission or the Board prior to or at the public hearing that the required notices were mailed to all parties identified in Section 9.9.G.1.

6. Prior to the first scheduled hearing regarding the application, the applicant shall submit the following to the City or the application shall be considered incomplete:
   a. A copy of the complete package of information sent to abutters;
   b. A list of the abutters to whom the notices were sent; and
   c. Proof of mailing from the United States Postal Service.

9.9.H Posting of Sign

1. When required by these Regulations, the applicant shall post one or more signs at his or her expense, in conspicuous locations on the property or properties affected by the application.

2. In the event any such property has frontage on or access to more than one street, there will be posted a minimum of one sign on each street on which the property has frontage or access.

3. The sign shall be no smaller than two feet by two feet and shall be no larger than four feet by eight feet.

4. The sign shall:
   a. Give information as to the type of application;
   b. Give information as to the time, date and location of the public hearing pertaining to the application;
   c. Be clearly legible from the street, and
   d. Be posted at least five (5) days prior to the public hearing.

5. The applicant shall file a written statement with the Commission at the time of the public hearing certifying that the required signs were posted as required by these Regulations.

6. Failure to post and maintain the signs as required by this Section shall constitute grounds for continuation of the public hearing or denial of the application.

7. Any signs shall be removed following the close of the public hearing.

9.9.I Notification to Abutting Municipalities

1. In accordance with CGS Section 8-7d(f), the Commission or Board shall notify the clerk of an adjoining municipality of any application concerning any project on any site in which:
   a. Any portion of the property affected by a decision is within five hundred (500) feet of the boundary of the adjoining municipality;
   b. A significant portion of the traffic to the completed project shall use streets within the adjoining municipality to enter or exit the site;
   c. A significant portion of the sewer or water drainage from the project shall flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
   d. Water runoff from the improved site shall impact streets or other municipal or private property within the adjoining municipality.

2. Such notice shall be made by certified mail, return receipt requested and shall be mailed within seven (7) days of the day of the submission to the City of the application, petition, request or plan.

3. No hearing shall be conducted on any such application unless the adjoining municipality has received the notice required under this Section.

4. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application, petition, request or plan.

9.9.J Notification to Water Companies

1. In accordance with CGS Section 8-3i, an applicant shall provide written notice to a water company and the Commissioner of Public Health when an application is filed with the Commission or Board concerning any project on any site that is within:
   a. An aquifer protection area provided such area has been delineated in accordance with CGS Section 22a-354c; or
   b. The watershed of a water company, provided such water company or said commissioner has filed a map with the Commission or the Board and on the Groton land records showing boundaries of the watershed.

2. Such notice shall be made by certified mail, return receipt requested and shall be mailed not later than seven days after the date of the day of the submission to the City.

3. Prior to the scheduled meeting regarding the application, the applicant shall submit the following to the City or the application shall be considered incomplete:
   a. A copy of the complete package of information; and
   b. Proof of mailing.

4. Such water company and the Commissioner of Public Health may, through a representative, appear and be heard at any hearing on any such application, petition, request or plan.

9.9.K Notification of DEEP

1. If any portion of the property which is the subject of the application is located within a "shaded area" identified on the most current Natural Diversity Database maps for Groton, the applicant shall notify the Connecticut Department of Energy and Environmental Protection (DEEP) of the pending project.

2. A report from DEEP shall be a required for any application for a Site Plan or a Special Permit for property located within a "shaded area" identified on the most current Natural Diversity Database maps for Groton.

3. Any application submitted without a DEEP report shall be considered incomplete (see Section 9.9.C).

4. Additional information is available on the DEEP website (www.ct.gov/deep).

9.9.L Performance Guaranty

1. Where a performance guaranty is required by any Section of these Regulations, an itemized estimate of the cost of the site improvements shall be prepared by the applicant, including a separate inflation factor for the estimated construction period, and shall be submitted to the Commission's Engineer for approval.

2. The performance guaranty shall be posted with the City for an initial period of 18 months unless an extension of time shall be requested by the applicant and granted by the Commission.

3. Where a performance guaranty is required by any Section of these Regulations, it shall be in one (1) of the following forms and the City Planner shall require evidence of compliance with the following standards before accepting any performance guaranty:
   a. Cash deposited with the City.
   b. Certified bank check to the order of the City when the amount of the check is fully insured by the FDIC.
   c. Bank deposit (such as a passbook savings account or a statement savings account) assigned irrevocably and solely to the City when the amount of the deposit is fully insured by the FDIC.

d. Irrevocable letter of credit naming the City as sole beneficiary provided that:
   i. Such letter of credit shall be issued by, and drafts thereunder presentable at, a branch of a bank in Connecticut provided that;
   ii. Such bank is included in the most recent list issued by the Securities Valuation Office of the National Association of Insurance Commissioners (or any successor office or organization, "NAIC") as a bank meeting NAIC standards for issuing letters of credit for reinsurance purposes; or
   iii. The long-term unsecured debt of such bank (or the long-term unsecured debt of its holding company) is rated BBB or better by Standard & Poor's rating service or Baa or better by Moody's rating service.
   iv. The terms and conditions of such letter of credit shall be acceptable in form and substance to the City; and
   v. If and when such letter of credit shall, through the passage of time, have less than thirty (30) days remaining until its expiration or lapse date, and such date shall not have been extended, the City may draw under said letter of credit the full amount thereof and the proceeds may be retained by the City as the bond.

e. Other form of bond (such as a performance bond) acceptable in form and substance to the City.

4. Upon the completion of at least 25%, 50% or 75% of the cost of the bonded site improvements, the applicant may request in writing a reduction of the bond. The Commission shall cause the site to be inspected by the City Planner, the Commission's Engineer, and/or other appropriate City officials to determine if the portion of the required site improvements for which the reduction is being requested has been satisfactorily completed in accordance with the approved Site Plan. Based upon these findings, the Commission may authorize the reduction of such bond.

5. No portion of any required performance guaranty shall be released by the Commission or the City Planner until:
   a. A release has been requested, in writing, by the applicant;
   b. The applicant's engineer or surveyor has certified to the City, in writing, that an appropriate level of improvements in relation to the requested release have been satisfactorily completed in accordance with approved plans;
   c. If such release is a final release, the applicant's engineer or surveyor has submitted a set of detailed "Record" plans on mylar, that all improvements and other work are in accordance with approved plans; and
   d. the City Planner has confirmed, in writing, that the appropriate level of improvements in relation to the requested release have been satisfactorily completed and that all conditions and requirements of the Commission's approval have been satisfied.

6. In accordance with CGS Section 8-3, if the person posting a performance guaranty requests a release of all or a portion of such performance guaranty, the Commission or the City Planner shall, not later than sixty-five days after receiving such request:
   a. Release any such performance guaranty or portion thereof, provided the Commission or the City Planner is reasonably satisfied that the improvements for which such performance guaranty or portion thereof was posted have been completed, or
   b. Provide the person posting such performance guaranty with a written explanation as to the additional work that must be completed before such performance guaranty or portion thereof may be released.

7. Before the release of a performance guaranty, the Commission:
   a. May require the applicant to submit "as-built" drawings; and
   b. May require that the applicant post a maintenance performance guaranty to be retained for a period of two years after vegetative cover and plantings have been installed in order to guarantee the survival of landscaping and to ensure any other relevant improvements.

8. Any cost of collecting a performance guaranty, including without limitation, attorney's fees, bank fees, and other collection fees and expenditures, shall be for account of the applicant and may be deducted from amounts released.

9.9.M Beneficiaries of a Trust

Any person who makes an application to the Commission or Board pertaining to real property, the record title to which is held by a trustee of any trust, shall file with said application a sworn statement disclosing the name(s) of the equitable owner (s) of such real property or the beneficiary(ies) of the trust.

Site Plan Requirements

Sheet Size	12” x 18”, 18” x 24”, or 24” x 36”
Number of Plan Sets	The number of plans submitted shall be determined by the City Planner depending on the number of staff required to review the plan.

When approval of a Site Plan is required under these Regulations, application for approval shall contain:

A. A written statement of the proposed use of the building structure or use for which the application is made.

B. Building plans, floor plans, and elevations for all proposed buildings and structures on the site or for alterations of existing buildings and structures on the site, where appropriate.

C. A location sketch showing the approximate locations and use of structures in any residential zone abutting the site or lying immediately across the street from the site of the proposed use and within 100 feet thereof and the approximate distance of any street intersections within 500 feet of the site of the proposed use.

D. All applications shall include an accurate Class A-2 survey of the property prepared by a land surveyor registered in the State of Connecticut. All plans shall be prepared, signed, and sealed by a Connecticut registered engineer, architect, or landscape architect, whichever is appropriate. Site Plans shall be prepared at a scale of not more than 40 feet to 1 inch and delineating the following, where appropriate:

1. Name and address of the applicant, owner of record and all adjoining property owners, as listed on the City's tax rolls.

2. Date, north arrow, and numerical and graphical scale.

3. The words “Approved by City of Groton Planning and Zoning Commission” with designated places for the title and signature of the Commission Chairperson and the date.

4. Location, width, and purpose of all existing and proposed easements, setback lines, yard setback requirements, and dedicated areas on and within 100 feet of the site within the zone.

5. A complete outline of all existing and proposed deed restrictions or covenants applying to the site.

6. Location of all existing wooded areas, watercourses, wetlands, rock outcrops, and other significant physical features on and within 100 feet of the site within the zone. Existing trees with a diameter of 12 inches or more, as measured at the base located on the site.

7. Existing contours with intervals of 5 feet or less referred to USGS MLW Datum. The Commission may, when deemed necessary, permit the applicant to alter the contour intervals.

8. Location, design, and height of all existing and proposed structures, including buildings, signs, fences, and walls on the site. This includes areas for rubbish containers and recyclable containers to be surrounded with complete visual screening from abutting streets and residential zones, as determined by the Commission.

9. Location and design of all existing and proposed uses on the site not requiring a structure.

10. Location and design of all existing and proposed parking and loading areas with the number of stalls thereof, paved areas, streets, curbs, sidewalks, and driveways on the site.

11. Location and design of all existing and proposed sanitary sewer, storm drainage, and water supply facilities, as well as other underground and above-ground utilities on the site.

12. Location and design of all existing and proposed external lights, lighting facilities, and lighted areas on the site.

13. A landscaping plan indicating:
    a. **T**he location, design, arrangements, and use of open space and/or recreation areas on the site, including a description of facilities and equipment;
    b. The location, design, type, and size of plant material, fencing, screening devices, or other materials proposed;
    c. Grading plans, as appropriate.

14. The Planning and Zoning Commission may require approval of the Site Plan by any City of Groton agency, department, and/or official, other than the Planning and Zoning Commission or the Zoning and Building Official of said City; however, the approval of such agency, department, and/or official shall be obtained by the applicant.

15. Where the applicant wishes to develop in stages, an overall site and staging plan indicating ultimate development shall be submitted.

16. The Site Plan shall denote the estimated types and quantities of fill to be removed from the site and the final disposition of the same and the estimated types and quantities of fill of all kinds to be transported onto the site.

17. As part of the Site Plan requirement in all zones, sidewalks shall be provided along all street frontages where such sidewalks are absent. Such walks shall be 5 feet wide and built to City of Groton Highway Department specifications. The Commission shall require such walks to be extended a reasonable distance beyond the site frontage in order to connect to existing walks. Such extensions shall not exceed a total of 100 feet.

18. A soil erosion and sediment control plan meeting the requirements of the Zoning Regulations.

Coastal Area Plan Requirements

Sheet Size	12” x 18”, 18” x 24”, or 24” x 36”
Number of Plan Sets	Three (3) sets

Coastal Site Plan Contents

1. A coastal site plan shall include a plan showing the location and special relationship of coastal resources on and contiguous to the site; a description of the entire project with appropriate plans, indicating project location, design, timing and methods of construction; an assessment of the capability of the resources to accommodate the proposed site; evaluation of the potential beneficial and adverse impacts of the project and a description of proposed resources.

2. “Any person submitting a coastal site plan, as defined above, shall demonstrate that the adverse impacts of the proposed activity are acceptable and shall demonstrate that such activity is consistent with the goals and policies of Section 22a-92 of the Connecticut General Statutes.”

3. Coastal Site Plan Action

4. The Board or Commission reviewing the coastal site plan shall, in addition to the discretion granted in any other sections of the Connecticut General Statutes or in any special act, approve, modify, condition or deny the activity proposed in a coastal site plan on the basis of the criteria listed in Chapter 444, Section 22a-106 of the Connecticut General Statutes. Further, pursuant to Connecticut General Statutes Section 22a-106(e), the reviewing commission must find that the proposed activity is consistent with all applicable goals and policies of Section 22a-92 and incorporate as conditions or modifications all reasonable measures which would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.

5. The Board or Commission approving, modifying, conditioning or denying a coastal site plan on the basis of criteria listed above shall state in writing the findings and reasons for its action.

6. In accordance with CGS Section 22a-105, failure to act on a coastal site plan within 65 days of the date of receipt (plus any extensions) shall be deemed a rejection.

ZBA Application Requirements

Sheet Size	Standard letter or legal size sheets of paper although plot plans prepared on larger sheets of paper may be accepted by the Zoning Board of Appeals, provided that such plot plans are duly certified.
Number of Plan Sets	8 plot plans

1. All applications for variances shall show the location of the buildings on abutting property, drawn to the same scale as the plot plan and the specific location of all proposed buildings, if applicable. This does not in any way authorize trespassing for any purpose.

2. No division of a lot, reduction in lot area, reduction in lot width, or relocation of common lot lines shall be considered by the Zoning Board of Appeals unless a certified plot plan is submitted with the application.

3. No division of a lot which would reduce the area of the resulting lots below the minimum required lot area of the applicable zoning district shall be considered by the Zoning Board of Appeals unless the lot abuts a public sewer or the owner obtains a satisfactory sanitation report from the Ledge Light Health District and submits same with the application.

4. All applications for approval of location for new gas stations, motor vehicle dealerships and motor vehicle repair garages shall be accompanied by an approved site plan and an authorized special permit.

5. The Board may waive or modify any or all of the requirements set forth above.

6. Failure of the applicant to meet any of the requirements set forth in Sections 6.22 and 6.23 shall in no event invalidate any decision made by the Board on the merits of such application.

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Provision	Effective Date	Sections Affected	Description
Enactment	May 15, 1975		Adoption of zoning ordinance
Comprehensive Reorganization	December 1, 2016	All	Comprehensive reorganization and amendments

SEAL OF THE CITY OF GROTON, CONN.
SUCCESSOR TO THE BOROUGH OF GROTON, CONN.
INCORPORATED 1903
INCORPORATED 1964