



TOWN PLAN AND ZONING COMMISSION

SPECIAL MEETING
Wednesday, April 22, 2015

Town Hall Conference Room L-101
131 Cedar Street, Newington, CT 06111

6:00 p.m.

A G E N D A

I. ROLL CALL AND SEATING OF ALTERNATES

II. REVIEW OF ZONING REGULATIONS

- a. Subsection 3.2X: [new] Uses Permitted in the OS Open Space Zone
- b. Subsection 3.2Y: [new] Special Exceptions Permitted in the OS Open Space Zone
- c. Subsection 3.22: Accessory Buildings and Uses in Residential Zones
- d. Subsection 3.23: Accessory Buildings and Uses in Permitted in Non-Residential Zones
- e. Subsection 3.24: Prohibited Uses

III. ADJOURN

Submitted,

Craig Minor, AICP
Town Planner

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BY *Tanya D. Lane*
TOWN CLERK

*New text proposed by staff is shown in **bold underline**. Existing text proposed by staff to be deleted is shown in ~~bold strikethrough~~.*

[new] Section 3.2X Uses Permitted in OS Open Space Zones

In OS Open Space Zones, land and buildings may be used and buildings may be altered or erected to be used for the following purposes and no other.

[see attached]

[new] Section 3.2Y Special Exceptions Permitted in OS Open Space Zones

The following uses are declared to possess such special characteristics that each must be considered a special exception. They may be permitted by the Commission subject to the following conditions and the provisions of Sections 5.2 and 5.3. All such uses shall be located within a building or structure or accessory to a permitted principal use.

[see attached]

Section 3.22 Accessory Buildings and Uses Permitted in Residential Zones

3.22.1 Accessory Buildings and Uses Permitted

- A. Accessory buildings shall only be used for storage, repair and maintenance purposes subordinate to the principal building and use.
- B. Parking and storage of operable and registered cars, boats, trailers or similar vehicles owned by the owner or resident of the premises. (Effective 12-01-01)
- C. A commercial vehicle not larger than one ton **owned** and customarily used by the resident for transportation is permitted for each dwelling unit. Such vehicle may be parked **on a lot, on a paved driveway**, but shall not be parked in the front yard or in the street right of way ~~and must be owned by the resident~~.
- D. Land in Residential Zones shall not be used for accessory parking for non-residential uses.
- E. Accessory buildings such as storage sheds, garages and swimming pools shall not be located within a drainage or utility easement. (Effective 12-01-01)

3.22.2 Standards

- A. Accessory buildings are permitted only when there is a principal building on the same lot.
- B. **Rented storage units** ~~Storage uses~~ are permitted only ~~in the rear half of the lot and~~ behind the principal building **and for not more than 60 days**.

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Section 3.23 Accessory Buildings and Uses Permitted in Business, Industrial and PD, CD and PL Zones

3.23.1 Accessory Outside Use Standards

- A.** Supplies, materials, products and equipment which are incidental and subordinate to the principal **building** use of the lot may be stored outside on the same lot but shall not be located in front of the principal building nor be placed on rack shelving higher than 12 feet.
- B.** Products and equipment intended for sale may be displayed in front of the principal building **when approved by the Commission**, but not in the required front yard set back area, ~~when approved by the Commission~~.
- C.** This display of this equipment and products shall not obstruct pedestrian walks or fire lanes. (Effective 12-01-01)

3.23.2 Accessory Buildings

Accessory buildings shall conform to the requirements of Section 4 and for the zone in which the building is located. Accessory buildings shall not be located in front of the principal building and shall only be located to the rear of or side of the principal building. (Effective 12-01-01)

Section 3.24 Prohibited Uses

It is the intent of these regulations to permit only those uses expressly permitted and to prohibit those uses not expressly permitted. Certain uses identified below are declared prohibited for purposes of clarification.

3.24.1 Public or private race tracks for testing or proving ground for motor vehicles or race tracks for horses or dogs whether conducted for profit or as a non-profit operation.

3.24.2 Trailer Camps.

3.24.3 Trailers and Mobile Homes:

No automotive type of trailer, **recreational vehicle, or and no** mobile home, whether mounted on wheels or on a foundation, or demounted, shall be occupied for living purposes or business purposes within the Town. In the event of an emergency (such as restoration of a home after a fire) the temporary use of a trailer, **recreational vehicle,** or mobile home may be authorized by the Town Planner for a period not to exceed (3) months. One three (3) month extension may be granted if required not to exceed six (6) months.

Manufactured housing on a permanent foundation meeting all code requirements is not considered a mobile home. (Effective 12-01-01)

3.24.4 Off-site advertising signs (See Definitions, Section 9.2).

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- 3.24.5 No use shall be permitted which:
- A. Emits into the air dust, dirt, fly-ash, smoke or other material which is not confined to the lot containing the use; or
 - B. Emits into the air offensive odors or noxious, toxic or corrosive fumes or gases; or
 - C. Transmits outside the lot containing the use noise which is objectionable due to volume, intermittence, beat, frequency, or shrillness; or
 - D. Transmits light which is objectionable due to brightness; or
 - E. Discards offensive wastes into any stream, watercourse or storm sewer.
- 3.24.6 The storing of junk, including junk motor vehicle hulks, which shall mean any inoperable or unregistered vehicle ~~which is not moved from a site on its own power within 30 days~~ **which cannot move from the site on its own power**.
- 3.24.7 There will be no parking, in any zone, on the unpaved portion of the street right of way.
- 3.24.8 Motel Efficiency Unit (See Definitions, Section 9.2).

SECTION 3.14 OPEN SPACE DISTRICT: OS

Definition: Land that is dedicated to remain largely in an undeveloped state for purposes of providing passive or active recreation, wildlife or nature preserves, farmland, forests, and other open space purposes, shall be classified as Open Space.

The following classes of land dedicated to remain in an undeveloped state shall be classified as Open Space:

3.14.1 *Municipally owned beaches, forests, wetlands, parks or outdoor recreation areas, excluding recreation areas of public schools.*

3.14.2 *State or Federal parks, forests, wetlands, beaches, wildlife or nature preserves, and other areas permanently dedicated to open space.*

3.14.3 *Private forests, wildlife or nature preserves or other areas held in open space or conservation use in perpetuity by the Milford Land & Conservation Trust or similar organizations.*

3.14.4 *Farmland dedicated to farming through the transfer of development rights pursuant to Section 22-26CC of the Connecticut General Statutes.*

3.14.5 *Land reserved for open space in accordance with Section 3.10 of the Subdivision Regulations of the City of Milford.*

3.14.6 *Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.*

Section 580 OS - Open Space District

580.1 Purpose of District. To provide for areas in the city in which municipal, quasi-public and private parks, playgrounds, beaches and open space can be accommodated along with appropriate and/or necessary supplementary uses and facilities which enhance the public use and enjoyment of these important municipal resources.

580.2 Permitted Uses. The following uses are permitted by right:

- 1) Public or private parks, playgrounds, nature preserves, arboreta, land trusts, and beaches including all appropriate and/or necessary supplementary uses or facilities customarily associated with the permitted use.

580.3 Uses permitted subject to issuance of a Special Use Permit by the Planning & Zoning Commission in accordance with Article VIII, Section 810 of this regulation: *(Amended 09/06/01)*

- 1) Museums:
 - a) The lot shall be a minimum of fifteen (15) acres and or the museum may be located on a smaller leased area provided that the leased area is part of a lot of at least fifteen acres or more. *(Amended 09/06/05)*
- 2) Public School: Any owned building or group of buildings the use of which meets state requirements for elementary or secondary public education meeting the following requirements: *(Amended 07/05/05)*
 - a) The parcel on which the use is located must be at least five (5) acres or more in size and the school use may occupy no more than 50% of any contiguous area zoned as Open Space within which it is located.

580.4 Accessory Uses

- 1) Off-street parking and loading.
- 2) Signs, subject to the requirements of Article VI, Section 615.
- 3) Dumpster, screened from public view.
- 3) Public utility installations.

- 5) Accessory uses customary or incidental to a permitted use.

580.5 Lot and Bulk Requirements - Where more than one principal building exists or is proposed in a campus-type setting, the lot coverage requirements of Article V, Section 580.5.6 may apply to the entire parcel and the yard requirements to the perimeter of the parcel only.

- 1) Minimum required lot area-five (5) acres for Specially Permitted uses only. *(Amended 07/05/05)*
- 2) Minimum lot width-150 feet.
- 3) Minimum required lot frontage – 150 feet.
- 4) Minimum required yards-(for buildings only)
Front – 40 feet
Side – 25 feet
Rear – 40 feet
Except as otherwise provided, where a lot in any OS district adjoins any R. District, a landscape buffer of at least 25 feet may be required along the property line.
- 5) Maximum height – 5 stories or 60 feet, whichever is less.
- 6) Maximum lot coverage-35 percent for museum use 10 percent for all other uses.

580.6 Off-Street Parking and Loading

Off-street parking and loading spaces shall be provided for each lot within district in accordance with the provision of Article VI, Section 614 of these regulations.

Section IV. - Residential and rural zones.

A. *Residential.*

B. *Agricultural.*

1. *Permitted uses.*

- a. Planting and cultivation of any crop including tobacco, flowers, fruit, vegetables, forestry, nurseries, and field crops whether for personal or commercial purposes.
- b. Dairy farming, and livestock and poultry raising (excluding the commercial raising of pigs and at no time shall more than three pigs over six months old be kept).

2. *Accessory buildings, structures and uses.*

- a. Buildings and structures customarily housing the principal use.
- b. Dwellings; in accordance with the height and area requirements for an R-40 Zone (as specified in Section IV.A.6) occupied by the owner, members of the owner's family employed on the farm, or by permanent salaried employees.
- c. Buildings, structures, and uses for processing the products of farming, including cider mills.
- d. Other accessory uses customarily incidental to a permitted use except that the commercial slaughtering of animals (as distinguished from fowl), fertilizer manufacture, and commercial reduction of inedible animal matter are prohibited.

3. *Special exceptions.*

- a. Golf courses may be permitted as a special exception in the Agricultural Zone when authorized by the Commission under the applicable criteria of Section VIII.
- b. Kennels, animal hospitals, or veterinary offices provided that:
 - (1) No outside kennels or runs for animals shall be allowed.
 - (2) Buildings used for overnight boarding of animals shall be fully enclosed and shall be designed as to keep noises from emanating from the buildings, except that in times of emergency, such as electrical failure, natural ventilation may be used.
 - (3) No structure housing animals shall be located closer than 150 feet to any residential zone boundary.
 - (4) Minimum lot area coverage, height and yard requirements shall be those of the R-40 Zone.

D. *Recreation/open space.*

1. *Permitted uses.* Golf courses, playgrounds, recreation areas, parks and open space.
2. *Accessory buildings, structures and uses.* Any building or structure not exceeding 600 square feet in area, or use customarily incidental and subordinate to the principal use.
3. *Special exceptions.* Accessory buildings or structures in excess of 600 square feet in area. The building or structure, due to its location in a residential or recreation area, shall have residential design, scale, architecture and exterior materials compatible with the residential, recreational or rural character of the area. Accessory buildings or structures approved under this section shall be set back, as a minimum, from side and rear property lines in accordance with the requirements for a "B" Bufferyard, as outlined in Section VII.A. Landscape Regulations.

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4. *Area and height requirements.*

Minimum lot size	40,000 square feet
Minimum lot width	150 feet
Minimum front yard	60 feet
Minimum side yard	25 feet
Minimum rear yard	30 feet
Maximum building height	35 feet

5. *Land use and site development requirements.* Site plan approval under Section X.A. 1. is required. The Commission may require compliance with Section VII of these regulations in regard to landscaping, parking, signage, and other requirements; and with Section V of these regulations in regard to other requirements.