



# TOWN OF NEWINGTON

## Office of the Town Planner

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### MEMORANDUM

TO: Newington Town Plan & Zoning Commission  
FROM: Michael D'Amato, AICP, CZEO, *Michael D'Amato*  
DATE: July 1, 2022  
SUBJECT: **Petition # 31-22:** Zoning Regulation Amendment (Sec. 4.4.5) to Remove the Setback Requirements for Detached Mechanical Units, Applicant: Newington TPZ

Recently, staff has noted an increasing number of homeowners having difficulty finding a suitable location on their property to place small mechanical units such as AC condensers, propane tanks, and generators. Particularly in neighborhoods with smaller lot sizes, finding a location for these units in compliance with zoning setbacks and the separating distances required by the Building Code can be difficult. While many of these units ultimately are permitted, a portion of them go before the Zoning Board of Appeals for variances to do so.

Given that these small, non-permanent units are typically located directly adjacent to the exterior wall of the dwelling, this generally means that if the dwelling itself was built to the side yard setback, the unit cannot be placed without projecting into the setback. While some homes can locate these units in the rear of the dwelling, given the location of electrical panels, or the increased distance required to run necessary connections from the rear of the dwelling, in many cases, this is not feasible. While these units may be a convenience, they can also be of crucial importance to the home and the occupant. Generators for example can provide power to necessary medical equipment during power outages or to run sump pumps during storm events.

Because these units are not typically located on concrete pads or other structures are low to the ground and their noise levels during operation has improved drastically, staff recommends that these units not continue to be subject to the same level of scrutiny in term of setbacks for residentially zones properties. The proposed language still requires the ZEO to verify the location of the unit and that it be kept close to the home and not directly adjacent to a property line but, will provide important flexibility to homeowners who are looking to install these units on their property. Provisions have also been included for corner lots .