

**PROPOSED AMENDMENT TO ZONING REGULATIONS:
DELETE “LOW IMPACT DEVELOPMENT” REQUIREMENTS**

[new text is shown in **bold underline**; text to be deleted is shown in **~~bold strikethrough~~**]

Section 5.3 Procedures and Requirements for Site Plans

5.3.4 Contents of a Site Plan:

3. Topographic and Utility Map: A map drawn to a scale of 1" = 40', see “C. Plot Plan), in addition to the requirements of the Plot Plans, show the following:
 - F. Proposed storm drainage system, showing all ~~low impact development~~ **proposed** techniques (such as swales, rain gardens, infiltration trenches, etc.) and any structural measures (such as catch basins, end walls, manholes, lengths and sizes of pipes, with invert elevations of each inlet and outlet).

Section 6.1 Street Parking and Loading Regulations

6.1.3 Landscape Requirements

- A. Not less than 10% of the interior of a parking lot containing five or more parking spaces shall be landscaped with trees and continuously maintained. For large retail developments in excess of 40,000 sq. ft. of gross floor space not less than 15% of the interior of the parking area shall be landscaped.
- B. Planting along the perimeter of a parking area, whether for screening, landscaping buffering, or stormwater management (~~including low impact development techniques~~), will not be considered part of the 10% interior landscaping.
- C. Where a parking area abuts the buildings on the subject property, the adjacent border plantings are not considered part of the interior landscaping.
- D. Planting beds shall have an area of not less than 25 square feet, excluding curbing.
- E. Planting beds must be distributed as evenly as possible throughout the parking area.
- F. The parking lot landscaping plan shall show a satisfactory method of storm drainage and planting beds shall be protected by curbing. ~~Such planting beds may, with approval of the Commission, be used for stormwater management (including low impact development techniques) and the requirement for curbing may be modified or eliminated in such situations.~~
- G. The parking lot landscaping plan shall be drawn to scale, and shall show the plant list giving common names, caliper, height, eventual spread, the quantity of each and, when appropriate, the spacing. ~~Unless modified by the Commission in order to enhance stormwater management (including low impact development techniques) at a specific location, planted shrubs shall not be less than 18" to 24" in height and trees 2 ½" caliper at breast height. (Effective 12-01-01)~~
- H. Ground cover alone is not acceptable. Trees selected will be checked for suitability in regard to eventual spread and adaptability to drainage, soil and climate conditions.
- I. Preparation of beds for trees shall be specified. Mulched planting beds shall be provided around all trees and shrubs.

- J. Gravel or stone shall not be used for ground cover unless approved by the Commission ~~for stormwater management purposes (including low impact development techniques)~~ and only when suitably contained within the intended area.
- K. Trees and bushes planted within 5 feet of any parking area shall be of a variety capable of withstanding salt damage.
- L. Whenever possible, existing trees shall be saved by appropriate welling or mounding.
- M. In order to ~~promote the use of low impact development techniques~~ **improve ground and surficial water quality**, the applicant is encouraged to integrate water infiltration areas and water retention areas within the overall design of the parking lot.

Section 6.10 Green Space, Landscaping and Buffer Requirements

6.10.1 Minimum Landscaped Area

Notwithstanding other portions of this regulation, no development shall be permitted in any zone which does not leave a minimum landscaped area of at least 10 percent of the total lot area free of any building, impervious surface material or other structures. Land in the front, side and rear setback areas shall not count toward the minimum landscaped area. Such minimum landscaped areas shall be planted with grass, moss, ground cover or trees in such a way as to allow natural percolation of rainwater and not to interfere with adequate drainage of rainwater from surfaced or built-up portions, and to promote proper environmental design, ~~including the implementation of low impact development techniques.~~

6.10.4 Berlin Turnpike

On the Berlin Turnpike, the front yard green space and landscape area is most important to the public interest for the preservation and enhancement of property values, ~~the implementation of vegetative low impact development techniques~~, and the control of traffic function and reduction of hazards.

6.10.5 Buffers

Where buffer areas are required elsewhere in this regulation, the following standards shall be met:

- ~~B.~~ A buffer area shall be not less than 25 feet in width and planted with evergreens no fewer than 2 rows nor further than 15 feet apart, with trees planted no more than 15 feet apart along each row, staggered to provide maximum screening, and using trees not less than 5 feet in height at time of planting. Suitable existing tree cover may be substituted. When the proposed new development abuts existing Town-owned open space or a designated greenway, the minimum buffer area shall not be less than 50 feet in width. Suitable existing tree cover may be substituted when approved by the Commission. (Effective 3-4-2011) ~~Where authorized by the Commission, the buffer area may be used for stormwater management and implementation of vegetative low impact development techniques.~~

Section 6.15 Stormwater Management (Effective 3/14/14, Revised 2/25/15 and 6/22/16)

6.15.1 Applicability

Every application shall provide for a stormwater management system, including low impact development techniques, as specified in this section.

6.15.2 Residential Lots

Any new construction or development on a residential lot shall be exempt from conformance with the Low Impact Development and Stormwater Manual for the Town of Newington. (effective June 22, 2016)

6.15.3 New Construction or Redevelopment

1. Any other new construction resulting in more than 1,200 square feet of unreviewed surface area shall demonstrate conformance with the applicable standards for stormwater management as specified in Section 2.1 of the Low Impact Development and Stormwater Manual for the Town of Newington listed below. "Unreviewed surface area" shall mean any roof, pavement, lawn, or landscaped area that produces stormwater runoff and has not been previously reviewed by Town staff.

A. Standard 1 – Use of Low Impact Development to Reduce Stormwater Runoff and Pollutants (maximum extent practicable standard).

B. Standard 2 – Peak Flow Control and Flood Protection.

C. Standard 3 – Construction Erosion and Sediment Control.

D. Standard 4 – Operation and Maintenance.

E. Standard 5 – Redevelopment.

2. Any redevelopment of a parcel less than four acres in size shall be exempt from the provisions of Standard 5 – Redevelopment as specified in Section 2.1 of the Low Impact Development and Stormwater Manual for the Town of Newington mentioned above. "Redevelopment" shall mean development following the demolition of an existing building.

6.15.4 Interior Renovation and Change of Use

Interior renovation of an existing building and/or change of use within an existing building shall only be required to conform to Section 2.1 of the Low Impact Development and Stormwater Manual for the Town of Newington when:

A. Such interior renovation or change of use includes an increase in impervious surface area of 600 square feet or more, or

B. Such interior renovation or change of use results in a requirement for more parking spaces.

Section 7.4 Design Standards, Site Plan Check List

The Commission shall use the following standards of the review of plans submitted to the Commission for review and action pursuant to Section 5.3 of these Regulations. The construction of any improvements shown on any such plan shall be in accordance with these standards.

7.4.1 Design Manual and Construction Standards

~~A. The “Low Impact Development and Stormwater Manual for the Town of Newington” shall be used as a design manual for stormwater management.~~

7.4.7 Elevations, Grades, Existing and Proposed

- A. All elevations are to be on North American Vertical Datum, NAVD 88.
- B. Contour lines are required on all plans or maps. Both the existing ground and the proposed finish grading must be shown and clearly labeled as to each type. Contour lines shall be shown at an interval of 2 feet, except where area is almost level (less than 1%). On level areas, "spot" elevations may be used. Contour lines must extend at least 50 feet into adjacent properties to depict actual conditions. Existing contours in excess of fifteen (15%) percent gradient and rock outcroppings shall be identified by shading the area that meets this criterion. (Effective 3-4-2011)
- C. ~~Unless modified by the Commission in order to implement low impact development techniques, minimum~~ **Minimum** continuous slope across grass shall be 1%; minimum slope across pavement shall be 0.6%; and maximum slope across parking lot shall be 5%. The minimum and maximum slope requirements may be modified the Commission by a two-thirds vote to allow a more effective LID (low impact development) design. To be eligible for such a modification the site must possess severe topography.
- D. Show existing and proposed ground elevations for finishing grading at all corners of buildings and structures except for individual residences.

7.4.9 Sidewalks and Curbs

- A. Public Streets
 - 1. All sidewalks and curbs in public streets shall be constructed to the standards of the Town of Newington.
 - 2. All sidewalks shall be made of concrete or pervious concrete or pervious pavers or other materials acceptable to the Town, be at least 4 feet wide, and designed in accordance with the Town's construction standards and the American with Disabilities Act.
 - 3. ~~The requirement for curbing on a public street may be waived by the Commission by a two-thirds vote to allow a more effective LID (low impact development) design. To be eligible for such a waiver the site must possess environmental features that would be protected or enhanced by the waiver.~~

B. Private Property

1. Curbing in commercial developments shall be concrete or granite for entrance and exit drives and parking islands.
2. A 6" continuous bituminous curb is required on the perimeter of all private parking lots.
3. ~~For a development approved by the Commission as a site plan or special permit, the requirement for curbing in a private parking area may be modified or waived by the Commission by a two-thirds vote to allow a more effective LID (low impact development) design. To be eligible for such a waiver the site must possess environmental features that would be protected or enhanced by the waiver.~~
4. ~~For other development not requiring approval by the Commission, the requirement for curbing in a private parking area may be waived by the Town Engineer to allow a more effective LID (low impact development) design. To be eligible for such a waiver the site must possess environmental features that would be protected or enhanced by the waiver.~~
5. Curbing is not required for parking space adjacent to driveway for individual residences.

7.4.13 Storm Drainage

All work shall be done in accordance with *Town of Newington Low Impact Development and Stormwater Manual* Stormwater Drainage Manual specifications. Hydraulic calculation must be submitted to the Town Engineer at the time of application for site plan development.

Section 9.2 Definitions

~~**LOW IMPACT DEVELOPMENT TECHNIQUES:** The application of site design and stormwater management (such as, but not limited to, infiltration of rainwater, treatment of stormwater runoff, and runoff attenuation) in order to mimic the hydrologic conditions associated with an undeveloped site. Such techniques may be found in the Low Impact Development and Stormwater Manual for the Town of Newington (2013, as amended), the Connecticut Stormwater Quality Manual (2004, as amended), the Low Impact Development Appendix to the Connecticut Stormwater Quality Manual (2011, as amended), or other sources acceptable to the Commission.~~