

Town of Newington Zoning Regulations



Completed by the Newington Town Plan and Zoning Commission

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1. This moratorium shall take effect upon adoption by the Town Plan and Zoning Commission.
2. This moratorium shall expire 365 days from adoption.
3. If the TPZ adopts TOD zoning regulations for the area around the Newington Junction CTfastrak station before this moratorium expires, this moratorium shall expire on the effective date of such zoning regulation or amendment.
4. The TPZ reserves the right to terminate this moratorium prior to the expiration date stated in Paragraph C.2.

Section 3.1 Uses Permitted in Any Zone

The following uses are compatible with any class of uses and are permitted in any zone. All such permitted uses shall comply with the appropriate height, area and site plan requirements of these regulations.

- 3.1.1 Public Library
- 3.1.2 Public Parks and Playgrounds
- 3.1.3 Farms, to include animal husbandry or horticultural uses, under the following conditions:
 - A. All structures, except dwellings shall hereafter be located not less than 100 feet from any street line and 100 feet from any dwelling on an adjacent lot, except that this requirement shall not restrict fencing for pastures for horses and cows. Roadside farm stands must be set back at least 20 feet from the street line and only produce grown on the premises may be sold.
 - B. Commercial slaughtering, except animals raised on the premises, is prohibited. The keeping of any animal(s) other than house pets and poultry requires at least five (5) acres for such purpose.
 - C. None of these uses shall create offensive odors, noise or unsightly appearance noticeable off the premises.
 - D. A free standing sign not exceeding nine (9) square feet per side and not more than 8 feet maximum height advertising farm products grown or raised on the property may be permitted by Special Permit from the Commission.

3.1.4 Construction Trailers

Trailers used for business, office, and storage purposes in connection with a bonafide construction operation within the Town may be used for such purposes in any zone subject to the following requirements: Trailers in use for field offices or for storage of materials or equipment during the construction, alteration or repair of a building may, during the actual progress of such work, only be parked on the premises on which such work is being done. If for any reason whatever, such work shall cease for more than 90 days, such parked trailers shall be removed and shall not be returned unless such work is again in actual progress with appropriate permits. At the conclusion of a construction project all construction trailers shall be removed from the site within 30 days. (Effective 12-1-01 and 7-30-16)

The use of a residence by the occupant for business purposes is permitted subject to the following requirements.

- A. No business is conducted on the premises except by mail, telephone or data terminal.
- B. No persons other than members of the resident family are employed in such activity.
- C. No external evidence of the business is visible.
- D. No business signs are erected.
- E. No pedestrian or automobile traffic other than that normally generated by a residence is permitted.
- F. See Section 3.4.4 (Home Occupation and Professional Office) to obtain approval of a proposed business that exceeds these requirements.

3.3.4 A driveway or walk for access to a business or industrial use only when no other access exists, and when the residentially-zoned property is in the same ownership as the business or industrial property.

3.3.5 Keeping of Poultry

A. The keeping of poultry shall be allowed as a noncommercial accessory use subject to the issuance of a Zoning Permit.

B. The number of poultry permitted per this section is as follows:

1. For lots smaller than 40, 000 square feet — No more than (6) six animals.
2. For Lots 40, 000 square feet or greater — No more than (12) twelve animals.
3. Roosters (male chickens) and Toms (male turkeys) are prohibited.
4. Enclosure: The use shall be confined to a fenced enclosure with the following parameters:
 - a) No more than 200 square feet in area.
 - b) A minimum of 10 square feet of ground area per animal.
 - c) Located in a rear yard.
 - d) Setbacks (In the instance that more than one distance requirement shall apply, the greater distance requirements shall apply)
 - (1) At least 25 feet from any street line.
 - (2) At least 15 feet from any residential dwelling.
 - (3) Minimum of five feet from any property line.
 - e) Coop: All poultry shall be housed in a coop that is designed to be predator -proof, thoroughly ventilated, watertight, and easily accessed and cleaned. The coop shall be constructed with the following parameters:
 - (1) At least 10 feet from any property line
 - (2) Minimum of 3 square feet of area per animal

5. Food and Waste

- a) Food shall be stored in watertight rodent -proof containers.
- b) Waste shall be disposed of offsite or composted no closer than 50 feet from any property line.

6. Poultry shall be humanely harvested within a structure such as a home, barn, shed, or garage. Outdoor harvesting is prohibited.

7. This section shall not apply to the keeping of animals as part of an approved agricultural use or within a schoolhouse, museum, or zoo for the purpose of study or observation.

Section 3.4 Special Permits Allowed in All Residential Zones

The following uses are declared to possess such special characteristics that each must be considered a special permit. They may be permitted by the Commission in any residential zone, subject to the following conditions and the provisions of Sections 5.2 and 5.3.

- 3.4.1 Golf course or country club whether operated as profit-making or non-profit, or other non-profit similar recreation uses including clubhouses, provided that:
 - A. Such uses shall occupy not less than 10 acres.
 - B. No land actively used for recreation or other purpose shall be located less than 50 feet from any property line.
- 3.4.2 Private Stables

Land and accessory buildings associated with a private residence may be permitted by the Commission for private equestrian use when located not less than 100 feet from any property line and having a minimum size of one acre for each animal in addition to the minimum lot area required for the zone in which the property is located. (Effective 12-01-01 and 7-30-16).
- 3.4.3 Commercial Stables

Land, buildings and other structures may be permitted by the Commission for commercial use involving the following horse-related activities: riding academies, livery and boarding stables, rental and hacking stables, providing the following standards or conditions are met.

 - A. Acreage: The barns, riding rings, corrals and accessory facilities shall be contained within one parcel of suitably drained land consisting of at least 10 acres.
 - B. Parking: Sufficient off-street parking facilities shall be provided to accommodate all users and visitors to the property, including spectators for horse shows and similar events. The roads for entering and leaving the property shall not be located or placed in a manner to create pedestrian or vehicular traffic hazard on any public street or highway. There shall be one off-street parking space for each 5 users of, or visitors to, the property, including spectators for horse shows and similar events.
 - C. Health: Stable manure must not create a health hazard. No air or water pollution is permitted and no odor shall be present beyond the property boundary. The stabling of horses shall conform to all regulations of local and state health authorities. Toilet facilities shall be provided in accordance with local health requirements for normal operations as well as for horse shows and similar events.

LOT, INTERIOR: A lot, the side lines of which do not abut the street.

LOT LINE: A line of record bounding a lot that divides one lot from another lot or from a public or private street or other public space.

LOT OF RECORD: An area of land designated as a lot on an approved plot or subdivision as described on a deed duly recorded according to statute.

LOT, THROUGH: A lot having frontage on two parallel streets.

LOT, ZONING: A single tract of land located within a single block which at the time of filing for the building permit is designed by its owner or developer as a tract to be used, developed, or built upon as a unit, under singled ownership or control, and therefore may not coincide with a lot of record. Except where specifically indicated as a lot of record, all lots referred to in these regulations are zoning lots.

MIXED OCCUPANCY: Occupancy of a building or land for more than one use.

MOTEL, EFFICIENCY UNIT: A dwelling unit which provides a sleeping room and a kitchen or other food preparation area which is equipped with facilities that may include but not limited to refrigerator, stove, microwave oven or hot plate intended to be used for housekeeping rather than transient occupancy. Such units are prohibited.

MOTELS, MOTOR COURTS, TOURIST COURTS: Any building having 2 or more sleeping rooms for the accommodation of transient guests, with a separate entrance for each rental unit.

NEW CONSTRUCTION: Structures for which the "start of construction" (see definition, following) commenced on or after the effective date of these regulations.

NONCONFORMING USE OR STRUCTURE: Any land, building or structure or their use which does not comply with all of the requirements of these regulations governing the zone in which it is located.

PASSENGER VEHICLE: Any automobile which is registered as a passenger vehicle by the Connecticut Department of Motor Vehicles.

PATIO HOUSES: A detached single family dwelling that is designed as part of a Residential Planned (RP) Zone development. Each patio house shall have a minimum lot area of 4,500 square feet.

PORCH: A roofed, open structure projecting from the front, side or rear wall of a building, and having no enclosed features of glass, wood or other material more than 30 inches above the floor thereof, except the necessary columns to support the roof.

POULTRY: Domestic fowl, such as chickens, turkeys, and ducks raised for meat, eggs, or show.

RECREATIONAL VEHICLE: A vehicle which is: (a) built on a single chassis; (b) 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 temporary living quarters for recreational, camping, travel, or seasonal use.

RESTAURANT (INCLUDING CAFE AND ANY OTHER SIMILAR TYPE OF BUSINESS): A commercial structure where food is prepared and/or served for consumption within the building.

SERVICE BUILDING OR USE: A building or use which serves a principal building or use and is designed for community, health, personal and/or food service needs, provided that such uses are limited to the occupants of the principal building only.