

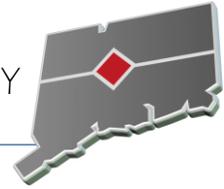
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Revised Supporting Documents

Comprehensive Plan Committee Meeting

Thursday March 3rd, 2011, 6:45pm

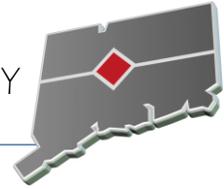
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TO: COMPREHENSIVE PLAN COMMITTEE
FROM: KRISTIN THOMAS, PLANNER
DATE: February 23, 2011

RECEIVED BY CCRPA ON: January 27, 2011
REFERRAL NAME: Proposed Zoning Regulation Amendment

INITIATOR: City of Waterbury
MUNICIPAL HEARING: February 23, 2011 with possibility of delay until March 23, 2011
REFERRED TO: CCRPA

DESCRIPTION: This referral proposes a text amendment to the City of Waterbury's Zoning Regulations. Initiated by Attorney Pasquale Salvatore, the Zoning text amendments propose to:

1. Delete Section 5.12-3 (a) which requires 1 parking space per 100 sq. ft. of gross floor area for funeral homes, mortuaries, and undertaking establishments (see #2 for where it will be added).
2. Add in Section 5.26, a parking requirement of 5 spaces per 1000 sq. ft. of gross floor area (1 space per 200 sq. ft.) for funeral homes, mortuaries, and undertaking establishments.
3. Replace in Section 5.26 the existing parking requirements for medical and dental offices from 1 parking space per 100 sq. ft. of gross floor area to 6 spaces per 1000 sq.ft. (1 space per 167 sq.ft.).
4. Add under section 5.26 community facilities, community center, and senior center with parking requirements of 4 spaces per 1000 sq.ft. of gross floor area (1 space per 250 sq.ft.).

Overall, the text amendments call for a reduction in parking requirements. The amendments are identical to the relative section in the City of Waterbury's proposed comprehensive revision of the Zoning Regulation. They have already received a response from CCRPA concerning the comprehensive revision. Attorney Salvatore submitted this separate petition because the City of Waterbury could not guarantee a date for the adoption of the comprehensive revision.

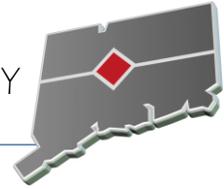
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COMMENTS:

No comments have been received from any neighboring town.

STAFF RECOMMENDATION:

CCRPA recommends that this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

THE CITY OF WATERBURY, ZONING COMMISSION

DATE: JANUARY 26, 2011

TO:

Central Conn. Regional Planning Agency
225 North Main Street, Suite 304
Bristol, Connecticut 06010-4993

FROM: CITY OF WATERBURY, ZONING COMMISSION

RE: NOTICE OF A PETITION FOR A REGULATION TEXT AMENDMENT

In accordance with CGS 8-7d (g) you are notified that the Zoning Commission of the City of Waterbury has received a petition to amend the Zoning Regulation of the City of Waterbury. The description of the proposed actions as well as the date time and location of the public hearing are noted below.

WATERBURY ZONING COMMISSION
NOTICE OF PUBLIC HEARINGS

Date: Wednesday, February 23, 2011

Time: 6:55 PM

Place: 235 Grand Street, First Floor – Cass Gilbert Room, Waterbury, CT

Notice is hereby given that the following a Public Hearing will be held before the Members of the Zoning Commission at the above date, time and place with regard to the following matter:

Zoning Text Amendment to delete Section 5.12-3(a) which requires one parking space for each 100 sq. ft. of gross floor area for funeral homes, mortuaries and undertaking establishments; add in alphabetical order under Section 5.26, funeral homes with parking requirements of 5 spaces per 1000 sq. ft. of gross floor area; replace the existing parking requirements for medical and dental offices under Section 5.26 from one for each 100 sq. ft. of gross floor area to 6 per 1000 sq. ft. of gross floor area; and add in alphabetical order under Section 5.26, community facilities, community center, senior center with parking requirements of 4 spaces per 1000 sq. ft. of gross floor area. Applicant: Attorney Pasquale Salvatore, Yamin G Grant, LLC, 83 Bank Street, Waterbury, CT 06702

Copies proposed text amendments are on file and available for public inspection in the Office of the City Plan Department, 26 Kendrick Street, 2nd Floor, Waterbury, Connecticut. 06702. A copy of the proposal is also enclosed.

ATTEST: _____

James A. Séquin, AICP
City Planner

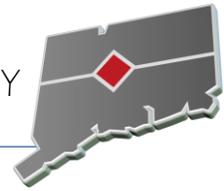
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TO: COMPREHENSIVE PLAN COMMITTEE
FROM: KRISTIN THOMAS, PLANNER
DATE: February 23, 2011

RECEIVED BY CCRPA ON: January 24, 2011
REFERRAL NAME: Proposed Zoning Regulation Amendment

INITIATOR: City of Bristol
MUNICIPAL HEARING: March 9, 2011
REFERRED TO: CCRPA

DESCRIPTION: This referral proposes an amendment to its Zoning Regulations, initiated by Attorney Richard Goodine, Jr. Attorney Goodine proposes an amendment to Section II.B to define “recycling center; recycling facility”. Assuming the first amendment is accepted, he also proposes an amendment to Section VII.A.2 to allow recycling centers and recycling facilities as a principal use permitted by right in the General Industrial (I) zone.

Currently Bristol has no provisions in their Zoning Regulations to allow recycling centers/recycling facilities anywhere in Bristol. Attorney Goodine represents a client who wants to re-locate an existing recycling facility elsewhere in Bristol. Exactly how the facility got established in its current location in the first place is not entirely clear, but it is the subject of recent zoning enforcement actions that remain unresolved. A determination was made by the Zoning Enforcement Officer, in consultation with this office, that - notwithstanding the resolution of the zoning enforcement actions - the facility cannot re-locate to a different location because, as noted above, this use is currently not permitted in the city's Zoning Regulations.

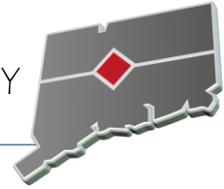
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COMMENTS:

Comments were received from the Town of Plainville.

“The Town of Plainville has no objection to the proposal and understands the need for such facilities. We do have some concern regarding certain types of facilities that could be located in close proximity to residential areas in Plainville. One such area is Wooster Court on the Plainville/Bristol (Forestville) boundary. Because certain recycling uses have the potential to generate significant amounts of noise, airborne particulate matter and odor (depending on the type of facility and environmental technology employed), we might suggest some additional notification requirements (unless Bristol already requires such notification).”

STAFF RECOMMENDATION:

CCRPA recommends that this proposal be found **Not in Conflict** with the Regional Plan of Conservation and Development or any other Agency plan.

Pursuant to Section 8-3b of the Connecticut General Statutes, as amended, the following proposed amendments to the Bristol Zoning Regulations are hereby referred to the Central CT Regional Planning Agency:

Application #: 2077

Proposal: (1) amendment to Section II.B. of the Zoning Regulations to define “recycling center; recycling facility”; (2) amendment to Section VII.A.2. of the Zoning Regulations to allow recycling centers and recycling facilities as a principal use permitted by right in the General Industrial (I) zone

Initiated by: Attorney Richard Goodine, Jr.

Date Submitted: January 5, 2011

Tentative Hearing Date: March 9, 2011

For additional information, please contact the Bristol Land Use Office at 860/584-6225

Regards,

Alan L. Weiner, AICP
City Planner
City Hall, 111 North Main St.
Bristol CT 06010

Phone: 860-584-6225

Fax: 860-584-3838

E-Mail: alanweiner@ci.bristol.ct.us

Application # 2077

THE GOODINE LAW FIRM, LLC
ATTORNEY AT LAW

RICHARD A. GOODINE, JR.

120 LAUREL STREET
BRISTOL, CONNECTICUT 06010
(860) 314-1641
FAX (860) 585-9080

January 4, 2011

Bristol Zoning Commission
Gina Newman, Chairman
111 N. Main Street
Bristol, CT 06010

RE: Request for Zoning Amendment to Section II B. Definitions
Request for Zoning Amendment to General Industrial Zone
Section VII A.2. Permitted Site Plan Uses

Dear Chairman Newman:

Please accept this letter as two separate requests to amend the zoning regulations. The first request is to amend Section II B to include an additional definition for Recycling Center or Recycling Facility. I propose adding the following definition.

RECYCLING CENTER; RECYCLING FACILITY: An establishment whose business is the collection, separation, storage, and/or processing of recoverable resources such as glass, metals, paper, plastics, or similar materials for shipment and re-use elsewhere, but not including junkyards or motor vehicle junkyards.

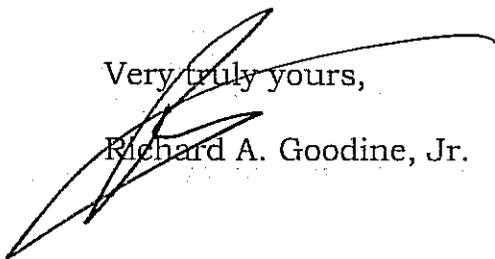
The second request, assuming the first request to amend is accepted, is to include Recycling Center; Recycling Facility as a Permitted Site Plan Use in the General Industrial Zone. I propose the following provision as a new subsection under VII A.2. Permitted Site Plan Uses.

v. Recycling Centers; Recycling Facilities.

Please schedule these two proposed amendments for a public hearing for your next available meeting.

Very truly yours,

Richard A. Goodine, Jr.



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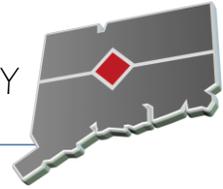
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SUBDIVISION/PLANNING/ZONING REFERRAL

RECEIVED BY CCRPA ON: January 24, 2011
FROM: City of Bristol
REFERRED TO: Lisa Ozaki (burlbuilding@snet.net), Mark DeVoe
(devoe@plainville-ct.gov), Kara Dodds (kdodds@plymouthct.us),
Mary F. Savage-Dunham (savagem@southington.org)

COMMENTS RECEIVED BY THURSDAY March, 3, 2011 WILL BE PASSED ON TO THE AGENCY'S
COMPREHENSIVE PLAN COMMITTEE (CPC) FOR ITS 7 PM MEETING.

AREA BELOW THIS LINE FOR RESPONDING AGENCY COMMENTS

NO COMMENT: _____

SEE COMMENTS BELOW: X

The Town of Plainville has no objection to the proposal and understands the need for such facilities. We do have some concern regarding certain types of facilities that could be located in close proximity to residential areas in Plainville. One such area is Wooster Court on the Plainville/Bristol (Forestville) boundary. Because certain recycling uses have the potential to generate significant amounts of noise, airborne particulate matter and odor (depending on the type of facility and environmental technology employed), we might suggest some additional notification requirements (unless Bristol already requires such notification)

A handwritten signature in black ink that reads "Mark DeVoe".

SIGNATURE: _____

DATE: February 1, 2011

TITLE: Director of Planning and Economic Development

MUNICIPALITY: Plainville

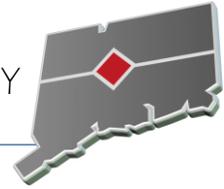
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TO: COMPREHENSIVE PLAN COMMITTEE
FROM: KRISTIN THOMAS, PLANNER
DATE: February 23, 2011

RECEIVED BY CCRPA ON: February 4, 2011
REFERRAL NAME: Proposed Zoning Regulation Amendment

INITIATOR: Town of Plymouth
MUNICIPAL HEARING: March 10, 2011
REFERRED TO: CCRPA

DESCRIPTION: This referral proposes an amendment to the Town of Plymouth's Zoning Regulations. Initiated by Thomas Catucci of Ludlow Associates, LLC, the Zoning amendment proposes to permit the sale of motor vehicles in the I-1 (Industrial) zone. Currently, the sale of motor vehicles is permitted only with the C-1 (Commercial) zone.

COMMENTS: No comments have been received from any neighboring town.

STAFF RECOMMENDATION: CCRPA recommends that this proposal be found **Not in Conflict** with the Regional Plan of Conservation and Development or any other Agency plan.

Note that while the original submittal does show the proposed change listed in red under the C-VIII Zone, Plymouth's town planner has confirmed that the proposed change is indeed intended to be under the I-1 zone.

TOWN OF PLYMOUTH LAND USE DEPARTMENT



80 Main Street, Terryville, Connecticut 06786
Telephone: (860) 585-4043 Fax: (860) 314-2564
<http://www.plymouthct.us>
landusestaff@plymouthct.us



February 4, 2011

Kristen Thomas
Regional Planner
CCRPA
225 North Main Street
Suite 304
Bristol, CT 06010-4993

Dear Ms. Thomas,

The Planning and Zoning Commission of Plymouth, CT is in receipt of a proposed amendment to the Plymouth Zoning Regulations. Pursuant to Section 8-3b of the Connecticut General Statutes, please see a description of the amendment as attached. If you have any questions or concerns, please do not hesitate to contact me at 860-585-4043. Thank you!

Yours truly,

Khara C. Dodds, AICP
Director of Planning and Economic Development

C. Carl Stephani, Executive Director of CCRPA
Plymouth Planning and Zoning Commission

Proposed Amendment to the Plymouth Zoning Regulations

Pursuant to Section 8-3b of the Connecticut General Statutes, the following proposed amendment to the Plymouth Zoning Regulations are hereby referred to the Central Connecticut Regional Planning Agency:

Applicant: Thomas Catucci, Ludlow Associates, LLC

Date Submitted: January 25, 2011

Public Hearing Date: March 10, 2011

Description of Proposed Amendment:

Applicant proposes to amend the zoning regulations to permit the sale of motor vehicles in the I-1 (Industrial) zone. Currently, the sale of motor vehicles is permitted only within the C-1 (Commercial) zone.

Description of the Industrial Zone as written in the Zoning Regulations-

I-1 District – these districts are set apart by virtue of their past industrial use, their existence in industrial areas which no longer meet modern industrial standards and their potential continued use for less expensive often multi-storied facilities.

Attachments:

Table of General Use Regulations

- c. All naturally occurring slopes in excess of twenty-five percent (25%).
- d. Fifty percent (50%) of naturally occurring slopes between fifteen (15%) and twenty-five percent (25%).
- e. Areas located within a 100 year flood boundary as identified on the National Flood Insurance Program FIRM (Flood Insurance Rate Map) effective November 6, 1998, as amended.
- f. Utility or access easements and right of way, conservation easements, and other easements for public or private facilities.

B. TABLE OF GENERAL USE REGULATIONS

P-Permitted use by Right
SP-Use by Special Permit
Acc.-Permitted Accessory Use
Blank Space-Use Not Permitted

<u>AGRICULTURAL USES</u>	R-20	R-40	R-LAKE	C-1	RBZ	C-VILL	I-1	I-2
Agricultural Operations (1)	P	P						
Farm Stands (2)	P	P		SP	SP		P	P
Keeping of Livestock on Less than 5 acres (3) (4)	SP	SP						
Greenhouse, Barn, Silo	Acc	Acc						
Commercial Kennel		SP						
<u>RESIDENTIAL USES</u>								
Single Family Detached	P	P	P		P	SP		
Two Family Attached	SP					SP		
Garden Apts., Condominiums	SP					SP		
Senior Residence Development	SP	SP						
Planned Affordable Housing Dev.	SP	SP						
Home Occupation	SP	SP	SP		SP	SP		
Boarding/Rooming House				P	SP	SP		
Mobile Home Park	SP	SP						
Garage	Acc	Acc	Acc		Acc	Acc		
Sheds (less than 144 sq.ft.)	Acc	Acc	Acc		Acc	Acc		
Above/below ground pools	Acc	Acc	Acc					
Accessory Apartment	SP	SP						
Open Space Subdivision	SP	SP						
Private Greenhouse	Acc	Acc	Acc		Acc			
Swimming Pools/tennis court	Acc	Acc	Acc		Acc			
Rear Lots	SP	SP						

Proposed
Change

<u>COMMERCIAL USES</u>	R-20	R-40	R-LAKE	C-1	RBZ	C-VILL	I-1	I-2
Motor Vehicle Sales				P		P		
Banks/Financial Institutions				P		P		
Beauty Parlor				P	SP	P		
Barbers				P	SP	P		
Bookstore				P		P		
Clothing Store				P		P		
Home Appliance Sales				P		P		
Hotels				P		SP		
Motels				SP				
Jewelry Stores				P		P		
Professional Offices				P	SP	P		
Personal Services				P		P		
Photography, Dance, Design, Art Studios				P		P		
Motor Vehicle Service Stations (5)				SP				
Bed & Breakfast	SP	SP				SP		
Restaurants				P		P		
Funeral Homes				P		P		
Car Washes (5)				P			P	
Retail Stores (6)				P		P		
Theaters, except drive-in				P		P		
Tourist Homes				SP	SP	SP		
Laundromat				P		P		
Dry cleaners (5)				P		P		
Adult Oriented Uses							P	
Off-Street Parking				Acc	Acc	Acc		
Off-Street Loading				Acc	Acc	Acc		
Storage				Acc	Acc	Acc		
Recreation Facility				P				
<u>INDUSTRIAL USES (9)</u>								
Industrial Parks							SP	SP
Manufacturing Uses (except as prohibited)							P	P
Dry Cleaning, Rug Cleaning (5)							P	
Bulk Storage, Bottled Gas							P	
Bulk Storage, Fuel Oil (5)							P	
Truck Terminal (5)							P	
Construction Equip. Storage							P	P
Open Storage Yards (5)							P	P
Rail/Freight Terminal (5)							P	SP
Office Buildings							SP	SP
Research & Development							P	P
Self Storage in pre-existing non-performing buildings							P	
Resource Removal (Sand and Gravel Pits)		SP						SP
Off-Street Parking							Acc	Acc
Off-Street Loading							Acc	Acc
Storage							Acc	Acc
Enclosed Commercial Recreational Facility							P	P

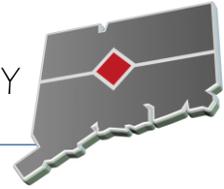
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TO: COMPREHENSIVE PLAN COMMITTEE
FROM: KRISTIN THOMAS, PLANNER
DATE: February 23, 2011

RECEIVED BY CCRPA ON: February 10, 2011
REFERRAL NAME: Proposed Zoning Regulation Amendment

INITIATOR: Town of Plainville
MUNICIPAL HEARING: March 8, 2011
REFERRED TO: CCRPA

DESCRIPTION: This referral proposes a text amendment to the Town of Plainville's Zoning Regulations. The Plainville Planning and Zoning Commission has initiated a zoning text amendment application. These text amendments were brought about during a period of related reorganizational work done by planning consultants under a Farmington River Enhancement Grant. The work by consultants brought to light many inconsistencies in the Town of Plainville's Zoning Regulations. These initial text amendments represent roughly one third of the total changes Plainville intends to make. Please see the Plainville Original Submittal for details on the amendments.

COMMENTS: No comments have been received from any neighboring town.

STAFF RECOMMENDATION: CCRPA recommends that this proposal be found **Not in Conflict** with the Regional Plan of Conservation and Development or any other Agency plan.

February 9, 2011

Mr. Carl Stephani, Executive Director
Central Connecticut Regional Planning Agency
225 North Main Street, Suite 304
Bristol, CT 06010

Re: Zoning Referral - Section 8-3b - Text Amendments to Zoning Regulations, Plainville, Connecticut

Dear Mr. Stephani:

In accordance with Section 8-3b of the Connecticut General Statutes, as amended, please be advised that the Plainville Planning and Zoning Commission has initiated a zoning text amendment application. The amendments are detailed on the attached pdf. Please review the amendments at your next available meeting. Our hope is that you are able to issue a report by the Commission's March 8, 2011 Public Hearing on these items.

If you have any questions regarding the proposed zoning regulation changes, please do not hesitate to contact me at (860) 793-0221, extension 210. We anticipate and appreciate your consideration and comment.

Sincerely,

Mark DeVoe, AICP
Director of Planning and Economic Development

Mark DeVoe, AICP
Director, Planning and Economic Development
One Central Square
Plainville, CT 06062
Email: devoe@plainville-ct.gov
Web: <http://www.plainvillect.com>
(860) 793-0221 ext 210

Proposed Zoning Text Amendments

Public Hearing set for 7:30 P.M., March 8, 2011

Plainville Municipal Center, One Central Square, Plainville, CT

Proposed additions are in **bold and underlined**.

Proposed deletions are ~~**bold and stricken**~~.

RESIDENTIAL USES

Section 1.01.A.3.7 Institutional Uses

1) *Remove philanthropic and fraternal organizations from special exception uses in all residential zones.*

3. Institutional Uses	R-40	R-20	R-15	R-12	R-11	R-10	R	NPH/ GAR
3.1. Church	SE							
3.2. Public or private school	SE							
3.3. Library / public museum	SE							
3.4. Public or private convalescent home	SE							
3.5. Hospital or clinic	SE							
3.6. Town Hall, Police Station or Firehouse	SE							
3.7. Any other similar educational, religious, philanthropic, fraternal or governmental use	SE							

Section 1.01.A.4.4 Other Uses

2) *Regulate heavy traffic generators by Special Exception.*

4. Other Uses	R-40	R-20	R-15	R-12	R-11	R-10	R	NPH/ GAR
4.1. Public or private cemetery	SE							
4.2. Public utility, building or facility with the exception of a wireless telecommunication facility	SE							
4.3. Telecommunication facility in accordance with the provisions of Section 6.03	SE							
4.4. <u>Heavy traffic generator creating 100 peak hour vehicle trips in accordance with Subsection 2.04.K</u>	<u>SE</u>							

Section 1.01.B.4.1 & 3 Other Accessory Uses

- 3) *Permit the Commission to make determinations regarding reasonable accessory uses.*
- 4) *Define campers as recreational vehicles.*

4. Other Accessory Uses	R-40	R-20	R-15	R-12	R-11	R-10	R	NPH/ GAR
4.1. Other accessory uses that are customary and incidental to a permitted use <u>as determined by the Commission.</u>	A	A	A	A	A	A	A	
4.2. Farming, raising poultry, forestry, truck or nursery gardening accessory to a permitted use in accordance with Subsection 1.04.E.	A	A	A	A	A	A		
4.3. Storage and repair of trailers, campers and recreational vehicles in accordance with Subsection 1.04.G (see 1.04G below)	A	A	A	A	A	A	A	

Section 1.03.B (3) Detached Accessory Buildings

- 5) *Establish clear setback requirements for decks and pools.*
- 6) *Allow greenhouses in approved educational settings.*

- (1) The minimum front yard shall be provided when no building line has been established by the Planning and Zoning Commission
- (2) The minimum front yard for property in any zone may be established at a dimension different than that prescribed in Section 1.03 by the initiative and action of the Commission in the administration of Section 7.02 if the Commission determines that a change in the front yard dimension will (1) effect better placement of structures, parking, and other site features related to new development or substantial redevelopment of a parcel and (2) advance a public interest in maintaining or improving the relationship between public and private spaces along the street on which the property fronts.
- (3) Detached accessory ~~buildings structures~~ not more than twelve (12) feet in height not used for human habitation or for the housing of animals, may be located in the required rear yard, providing that they are located not less than five (5) feet from any side or rear lot line, and provided further that they occupy, in the aggregate, not more than twenty (20) percent of the area of the required yard, or 700 square feet, whichever is smaller. Swimming pools shall not be considered a part of the allowable structure area in required rear yards.
- (4) **Swimming pools and deck structures shall comply with the following standards:**
 - a. **If attached to the primary structure, swimming pools and decks shall meet the minimum setback required for the zone. A swimming pool that is integral to an attached deck shall be considered an attached structure. For the purposes of these regulations, integral shall mean having direct access to the pool from the deck.**
 - b. **If detached from the primary structure, swimming pools and decks shall be located not less than 10 feet from property line.**

Greenhouses may be exempted from the accessory structure area limitation of 700 square feet provided that:

- a. The lot is two (2) acres or more in area.
 - b. The land is used primarily for commercial farming, forestry, truck or nursery gardening or education.
 - c. Location of the greenhouse is approved by the Commission.
 - d. A plan is filed with the Building Department showing the location of all structures on the land.
- (5) Except where otherwise provided for in these regulations, no building to be used as a dwelling, shall be constructed or altered in the rear yard of, or moved to the rear yard of a dwelling situated on the same lot. No building shall be constructed in front of or moved to the front of a dwelling situated on the same lot.

Section 1.04.A.6 Rear Lots

- 7) *Establish maximum number of rear lots that can be served by a common driveway.*
 - 8) *Require maintenance and access agreements for shared driveways serving multiple rear lots.*
6. No building to be used in whole or in part as a dwelling shall be erected on any rear lot unless:
- a. Said rear lot abuts on an accepted street or highway paved with bituminous concrete hard surface.
 - b. Said rear lot shall have unobstructed right of access to the street or highway over a segment of the lot intended for that purpose having a minimum width of twenty (20) feet, containing a driveway constructed and maintained by the owner(s).
 - c. Where two or more access ways to rear lots adjoin, a common driveway may be provided within them.
 - d. **Maximum dwellings served with a common driveway shall not exceed three (3).**
 - e. **A maintenance and access agreement/easement shall be provided with the application and recorded on the lands records concurrent with the Special Exception Certificate.**

Section 1.04.G Storage of Trailers, Campers and Recreational Vehicles

- 9) *Provide clarification regarding parking requirements, repair options and use classification for hauling trailers and recreational vehicles in residential zones.*

G. Storage Of Trailers, Campers And Recreational Vehicles

1. In any residential zone, a ~~camp or~~ hauling trailer or recreational vehicle ~~shall may~~ be **garaged or** parked or stored ~~in the open~~ in any side or rear yard provided that such storage may not project beyond the front line of the building or structure on the parcel on which such storage is proposed.
2. Not more than two (2) ~~camp or~~ hauling trailers or recreational vehicles, or combinations thereof shall be allowed on any one residential lot, ~~for purposes of storage and/or repair,~~ whether it be single family or multi-family residential.
3. In the case of a corner lot, only rear yard, and interior side yard storage shall be allowed.
4. A ~~camp or~~ hauling trailer or recreational vehicle shall not be used as living quarters.
5. **A hauling trailer shall not be used to store, haul or sell for commercial purposes including, but not limited to, contractor's equipment, material and supplies.**
6. ~~In a residential zone, no box trailer or open hauling trailer, whether registered or not, may be used for items or materials to be stored or offered for sale.~~
7. Repair of a ~~camp or~~ hauling trailer or recreational vehicle, or any combination thereof is permitted provided that:
 - a. Such repair is undertaken by the owner or occupant of the property.
 - b. All such repairs shall be undertaken in an enclosed accessory structure on the property except that such repair may be conducted in any **side or rear** yard provided that such repair can be completed in the same day in which said repair is begun.
 - c. This section shall not be construed to allow repair or storage of camp or hauling trailers, recreational or any other motor vehicle or combination thereof for profit or business.

BUSINESS USES

Section 2.02.A.1.3

10) Remove sale and storage of mobile homes from list of permitted uses in industrial zones.

1. RETAIL-TYPE USES	CC	GC	TP	RI	GI	QI
1.1 Commercial or retail establishment	SP	SP				
1.2 Commercial or retail establishment as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations					SE	SE
1.3 Sale and/or storage of mobile homes		SP			SP	SP

Section 2.02.A.4

11) Require bars and taverns in Central Commercial and General Commercial Zones to obtain a Special Exception Certificate. Remove as permitted use in Quarry Industrial Zone.

12) Permit conference centers and related facilities in the Technology Park zone.

4. HOSPITALITY USES	CC	GC	TP	RI	GI	QI
4.1. Restaurant	SP	SP				
4.2. Bars, taverns, cocktail lounges, nightclubs, other food service establishments and restaurants where food and/or drink is sold from the premises for consumption on and/or off the premises as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations	<u>SE</u>	<u>SE</u>			SE	SE
4.3. Dairy bars or ice cream parlors as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations					SE	SE
4.4. Hotel / Motel	SP	SP		SE	SE	SE
4.5. Conference centers and related facilities			<u>SE</u>	SE	SE	SE

Section 2.02.A.5

13) Permit Indoor Recreation Centers in General Commercial Zones.

14) Permit Health Clubs in Central Commercial and General Commercial Zones.

15) Clarify accessory uses.

5. ENTERTAINMENT / RECREATION-TYPE USES	CC	GC	TP	RI	GI	QI
5.1. Indoor theater	SP	SP				
5.2. Indoor theater as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations					SE	SE
5.3. Health club, gymnasium, indoor tennis center, or Indoor recreation center		<u>SE</u>		SE	SE	SE
5.4. <u>Health fitness club</u>	SP	SP				

5.5.	Other amusement or recreation use except arcades or electronic game establishments, amusement parks, pool halls, roller skating rinks and race tracks of any kind	SP	SP		<u>SE</u>	<u>SE</u>	
5.6.	<u>Accessory amusement machines or games not to exceed one per 1,000 square feet of approved establishment area, or three such devices, whichever is less</u>	<u>A</u>	<u>A</u>		<u>A</u>	<u>A</u>	

Section 2.02.A.7

16) Clarify that a contractor's business cannot be a storage yard alone. Require Special Exception in a Restricted Industrial Zone. Emphasize screening.

17) Clarify Machine Shop use.

7. INDUSTRIAL-TYPE USES	CC	GC	TP	RI	GI	QI
7.1. Industrial park				SP	SP	SP
7.2. Assembling, fabricating, light manufacturing, and/or processing of components or goods			SP	SP	SP	SP
7.3. Small scale assembly, processing or fabrication (such uses as: baker, barber, caterer, cleaners, decorator, dressmaker, florist, furrier, hairdresser, hand laundry, milliner, optician, photographer, printer, shoe repair, tailor, undertaker, or upholsterer) provided that such activity shall take place only for immediate sale or direct service to customers from the premises and provided further that no noise, odor, dust, vibration or disorder is experienced beyond the lot lines of said business	SP	SP				
7.4. Contractor's <u>primary</u> business <u>establishment</u> . <u>Storage yard and equipment yards may be permitted as an accessory use if properly screened</u>				<u>SP</u> <u>SE</u>	SP	SP
7.5. Machine <u>shop, including</u> repair & reconditioning				SP	SP	SP
7.6. Painting, woodworking and sheet metal shops				SP	SP	SP
7.7. Industrial launderers, not located in a primary aquifer recharge area				SE	SE	SE
7.8. Dry cleaning plants and shops, not located in a primary aquifer recharge area, as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations					SE	SE

Section 2.02.A.8

18) Expand requirements for self storage facilities in General and Quarry Industrial Zones to match those in Restricted Industrial Zones.

8. WAREHOUSE/STORAGE USES	CC	GC	TP	RI	GI	QI
8.1. Warehousing and wholesale trade				SP	SP	SP
8.2. Distribution center except that receipt or distribution of chemicals, agricultural chemicals or lawn care products is prohibited in a primary aquifer recharge				SE	SP	SP

area						
8.3. Self storage facility					SP	SP
8.4. Self-storage facility in accordance with Subsection 2.04.F of the Regulations				SE	<u>SE</u>	<u>SE</u>

Section 2.02.A.12 – Automotive and Similar Uses

- 19) Remove Gasoline Service Stations as permitted uses in Central Commercial Zone and allow by Special Exception in General Commercial Zones.
- 20) Remove Motor Vehicle Sales, rental repair and/or service as permitted use in Central Commercial Zone and allow by Special Exception in General Commercial Zone.
- 21) Remove boat sales and repair from list of permitted uses in a General Industrial Zone.
- 22) Clarify and allow by Special Exception, sales and storage of personal and commercial trailers - Remove as a permitted use in the Central Commercial Zone and allow by Special Exception in General Commercial and General Industrial Zones.
- 23) Clarify sales and storage of recreations vehicles. Remove as permitted use in a Central Commercial Zone and allow by Special Exception in General Commercial and General Industrial Zones.

12. AUTOMOTIVE/ RECREATIONAL VEHICLE/TRAILER TYPE USES	CC	GC	TP	RI	GI	QI
12.1. Gasoline service station in accordance with the provisions of Subsection 2.04.J.	SP	SP <u>SE</u>				
12.2. Motor vehicles sales, rental, repair, and/or service in accordance with the provisions of Subsection 2.04.J	SP	SP <u>SE</u>			SE	SE
12.3. Motor vehicle sales and repairs					SE	SE
12.4. Expansion of automobile repair and sales facilities which existed prior to July 31, 1996				SE		
12.5. Boat sales and repairs					SE	SE
12.6. Open storage and sale of <u>personal and commercial hauling</u> trailers, <u>but not tractor trailers</u> , in accordance with the provisions of Subsection 2.04.J	SP	SP <u>SE</u>			<u>SE</u>	
12.7. Open storage and sale of campers and <u>recreational</u> vehicles in accordance with the provisions of Subsection 2.04.J	SP	SP <u>SE</u>			<u>SE</u>	

Section 2.02.A.13

- 24) Remove single family residential dwellings as permitted uses by right in Central Commercial and General Commercial Zones and allow by Special Exception Certificate only.
- 25) Limit efficiency units to 25% of the total residential units per property in the General Commercial Zone.

13. RESIDENTIAL USES	CC	GC	TP	RI	GI	QI
13.1. Any use permitted in Residence R Zone subject to the same provisions as in the Residence R Zone including the height, area and yard requirements of the Residence R Zone	A ZP SP <u>SE</u>	A ZP SP <u>SE</u>				
13.2. Efficiency dwelling <u>units not to exceed 25% of the total residential units per property</u> in accordance with the provisions of Subsection 2.04.C		SP				

13.3. Two and three room dwelling units in accordance with the provisions of Subsection 2.04.C	SP	SP				
13.4. Condominium and multi-family developments in accordance with Subsection 1.04.D.	SE	SE				

Section 2.02.A.14

26) Regulate heavy traffic generators by Special Exception. Refer to special requirements under Section 2.04.K.

14. OTHER USES	CC	GC	TP	RI	GI	QI
14.1. Multiple buildings and structures on a single lot in accordance with the provisions of Subsection 2.04.G of the Regulations				SP / SE	SP / SE	SP / SE
14.2. Public or private cemetery	SE	SE	SE	SE	SE	SE
14.3. Adult uses in accordance with the provisions of Subsection 2.04.H			SE			
14.4. <u>Heavy traffic generator creating 100 peak hour vehicle trips in accordance with Subsection 2.04.K</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>

Section 2.04.C.2

27) Revise Section 2.04.C.2 to coincide with changes made to 2.02.A.13.2

C. Residential / Mixed Use

1. Residential dwelling units may be permitted as part of a mixed use building in Central Commercial and General Commercial Zones provided that one-hundred percent (100%) of the first floor level of the building is used for retail or office use.
2. An efficiency dwelling unit shall only be permitted in a General Commercial Zone (GC) subject to the following:
 - a. **No more than 25% of the total residential units per property may be efficiency units.**
 - b. Each dwelling unit shall consist of one room only, exclusive of hall and bathroom but shall include eating and sleeping facilities.
 - c. Each dwelling unit shall contain a minimum of three-hundred (300) square feet of floor space, inclusive of the bathroom and exclusive of the hall.
 - d. There shall not be more than one unit per 2,000 square feet of lot area.
 - e. The lot shall have a minimum frontage of 100 feet.
 - f. Adequate provision for parking, water and sewerage shall be made for the proposed site.
3. A two-room or three-room dwelling unit shall be permitted in the Central Commercial (CC) and General Commercial (GC) Zones subject to the following:
 - a. Any such unit shall be limited to one bedroom only.
 - b. Each two-room dwelling unit shall contain a minimum of 400 square feet, inclusive of bathroom and exclusive of hall.
 - c. Each three room dwelling unit shall contain a minimum of 520 square feet inclusive of bathroom and exclusive of hall.
 - d. There shall not be more than:
 - i. one two-room dwelling unit per 3,000 square feet of lot area.
 - ii. one three-room dwelling unit per 4,000 square feet of lot area.
 - e. The lot shall have a minimum frontage of 100 feet.
 - f. Adequate provision for parking, water and sewerage shall be made for the proposed site.

Section 2.04.K - (New for Heavy Traffic Generators)

28) *Regulate heavy traffic generators by Special Exception.*

K. Heavy Traffic Generators

1. Developments generating 100 peak hour vehicle trips are permitted by Special Exception in any business/commercial/industrial and shall require submittal of a traffic impact study using the standards set forth in the most recent edition of the Institute of Transportation Engineers, Trip Generation, or a more accurate source, if available, subject to the following:
 - a. The study shall contain present roadway conditions, existing roadway capacity, existing and projected traffic volumes (ADT, Peak A.M. and Peak P.M.), existing and projected capacity analyses to include volume/capacity ratios and levels of service, available sight distances along with sight distance requirements for the posted speed limit and speeds of ten miles per hour greater than the speed limit (per CTDOT requirements), site generated trips, traffic distribution, and traffic accident experience, all in accordance with standard and accepted traffic engineering practices.
 - b. A Traffic Impact Study will also be required for an expansion to an existing use, which presently or with the expansion will generate 100 peak hour trips.
 - c. In all cases in which the Commission feels that a peer review of the applicant's Traffic Impact Analysis is warranted, the applicant shall be required to reimburse the Town for the cost of the peer review in accordance with Section 7.08.E. of these regulations.

Section 2.04.A

29) *Require traffic impact study for all drive through windows.*

30) *Permit the Commission to require additional stacking for all types of drive through windows if deemed necessary.*

L. Drive Through Windows

1. Drive through windows may be permitted by Special Exception for banks and financial institutions in GI, RI, GC and CC Zones and retail stores and restaurants in GC and CC Zones subject to **the submittal of a traffic impact study** and the following requirements:
2. The drive through window clearly shall be accessory to the primary use and require a Special Exception in accordance with the provisions of Section 7.03 of the Regulations.
3. Stacking lanes for the drive through window shall be separated from pedestrian traffic and other vehicular traffic circulation lanes and parking areas and shall be identified with appropriate pavement markings, internal walkways, speed bumps, directional signs and the like.
4. Stacking lanes for banks, financial institution and restaurants shall provide a minimum stacking area for five vehicles and shall be measured as follows: ten feet by twenty feet (10' x 20') per vehicle or a minimum of ten (10) feet wide and one hundred (100) feet long. The Commission may require a stacking area for five (5) to ten (10) vehicles ~~for fast food type restaurants~~ if it determines that a longer stacking lane is necessary to ensure the public safety and welfare of vehicular and pedestrian traffic on the site.
5. Exits and entrances for stacking lanes shall be located at a safe distance from any street intersection and shall not impair the flow of vehicular and pedestrian traffic.

Section 2.04.J

31) *Add controlling standards for automotive and recreational vehicle sales and service.*

M. Automotive/Recreational Vehicle/Trailer Uses

1. For automotive uses:
 - a. All repairs, except for emergency repairs, shall take place within a building.

- b. Storage of ~~vehicles~~ **motor vehicles, recreational vehicles or trailers** that are unregistered or unfit for repair is prohibited.
- c. **No storage, other than approved display area, shall be permitted in the required front yard.**
- d. **Storage areas shall be screened from view to the street and abutting properties.**
- e. **Sales areas may be permitted in the front yard by permission of the Planning and Zoning Commission only.**
- f. **Automotive uses regulated under Sections 22a-354a through 22a-354bb of the Connecticut General Statutes, as amended, shall not be permitted in areas designated as Final Level A APA (Aquifer Protection Areas) by the Connecticut Department of Environmental Protection.**

Section 4.03.3

32) Clarify controlling standards for screening in business zones.

Buffers and Screening

- a. If a business property, use or building **within a business zone** abuts a ~~residence and/or~~ residential zone, a twenty-five (25) foot buffer area with screening is required. ~~and such screening:~~
- b. **If a business property, use or building within a business zone abuts an existing residence within a business zone, standard setbacks shall apply and screening will be required by the Commission in a manner adequate to protect the residential use.**
- c. **Such screening shall consist of one or more of the following elements as required by the Commission:**
 - 1. **Opaque fencing a minimum of six (6) feet in height.**
 - 2. **Trees and shrubs, indigenous to the region a minimum of five feet in height at the time of planting, and planted at five (5) foot intervals.**
 - 3. **Alternate rows of trees and shrubs.**
 - 4. **Vegetated berms.**
 - 5. **Combinations of items 1 through 4 as may be considered necessary by the Commission.**
 - 6. ~~Shall include a fence and trees, indigenous to the region, which are a minimum of five (5) feet in height and are planted at five (5) foot intervals.~~
 - 7. ~~May include a berm with trees which are a minimum of five (5) feet in height and are planted at five (5) foot intervals.~~
 - 8. The Commission may modify the buffer and screening requirements for sites in the Central Commercial Zone or if in its judgment the physical features and characteristics of the site, including but not limited to inland wetlands, watercourses, rock outcropping and/or excessive slopes, which make it impractical to require such screening and buffers.
- d. If in the judgment of the Planning and Zoning Commission, **additional** screening is necessary to protect nearby residential areas from detriment, the Commission may require landscaping, fencing or other appropriate screening within any required front, side or rear yard.
- e. All ~~parking areas,~~ service delivery areas, outside storage of goods and materials, **and to the extent feasible, parking areas** associated with the primary use of the property shall be properly and reasonably screened:
 - 1. From adjacent lots and streets.
 - 2. With a combination of trees, indigenous to the region, shrubs, earthen berms, fences and/or other plant materials throughout the year.
 - 3. In character with the surrounding neighborhood.
- f. Outside storage areas and refuse areas visually shall be screened from adjoining properties by trees, shrubs and/or **an opaque** fence.

Section 4.04 Removal of Top Soil, Sand and Gravel

33) Add controlling standards for the removal of earth materials.

1. Permitted Activities

a. Removal of up to 75 cubic yards of surplus <u>top soil, loam,</u> earth, sand, gravel or clay material from any property in any district <u>as a result of bona fide permitted construction</u>	A
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provided that the construction site shall retain upon completion, a minimum of four (4) inches of topsoil is retained in areas to be either seeded, planted with trees, shrubbery or cultivated	
b. Removal or <u>deposition storage of greater than 75 cubic yards</u> of top soil, or loam, <u>earth, sand, gravel or clay material</u> within any property <u>in any district</u> provided that upon completion, a minimum of four (4) inches of top soil is retained in areas to be either seeded, planted with trees, shrubbery or cultivated	SP SE
c. Any other removal of earth, sand, gravel or clay material from any property in any district	SE
d. <u>Earth material stockpiles in association with an approved contractor's storage yard</u>	SE
e. <u>Bulk storage and/or sale of any earth material at retail or wholesale, including mulch and other landscaping materials in the General Industrial, Restricted Industrial and Quarry Zones only</u>	SE

2. **Special Exception / Site Plan Application Requirements:**

- a. The applicant shall submit a plan in accordance with Section 7.02 and 7.03 of these regulations showing existing grades in the area from which the material is to be removed, together with finishing grades at the conclusion of the operation.
- b. The plan shall provide for proper drainage of the area of the operation during and after completion and no bank shall exceed a slope of one (1) foot of vertical rise in two (2) feet of horizontal distance, except in the case of ledge rock, where vertical walls may be stepped in increments not to exceed five (5) feet with adequate fencing as required by the Commission for safety.
- c. In addition, the applicant shall:
 1. provide a site reclamation plan indicating proposed grades and specific landscaping features
 2. provide a plan for the control of dust and noise emanating from the site
 3. provide detail regarding a timeline for the completion of the project; and
 4. provide traffic impact analysis enabling the Commission to determine impacts from truck traffic entering and exiting the site.

3. **Special Exception / Site Plan Approval Considerations:**

- a. Before a permit is granted under this section, the applicant shall post a bond with the Planning and Zoning Commission, or its designated agent, in an amount approved by the Planning and Zoning Commission as sufficient to guarantee conformity with the provisions of the permit issued hereunder. Such bond may be released upon the satisfactory restoration of the affected areas in accordance with approved plans.
- b. Such permits shall be issued for a period not to exceed two (2) years, except in the case of retail or wholesale trade of earth materials, which may be approved indefinitely.
- c. The Commission may place reasonable limitations on the hours of operation to insure reasonable peaceful and enjoyable use of surrounding properties.
- d. The Commission may consider the impact of vehicle trips on the local road system for prolonged operations.

4. **Other Special Exception / Site Plan Requirements:**

- a. No removal shall take place within ~~twenty (20)~~ forty (40) feet of a property line and no excavation shall occur below the grade of any adjacent street, highway or travel-way for a distance of 60 feet from the property line.
- b. Except in a General Industrial or Quarry Industrial Zone, no stone crushers, screeners, or any other machinery not required for actual removal of the material shall be used.
- c. At the conclusion of the operation, or of any substantial portion thereof, the whole area where removal takes place shall be covered with not less than four (4) inches of top soil and either seeded, planted with trees, shrubbery or cultivated. ~~This requirement may be modified or waived, in part or in full, when, in the judgment of the Planning and Zoning Commission, no practicable purpose is accomplished by adherence thereto where land is beyond redemption or cultivation.~~

Section 4.01.C – Bicycle and Pedestrian Access New

34) *Provide controlling standards to insure a higher level of pedestrian and bicycle access and safety in parking lots.*

C. Bicycle and Pedestrian Access

1. Plainville recognizes the need to support and encourage alternate transportation modes and seeks through these regulations to provide safe and convenient bicycle and pedestrian access within parking lots including movement to and from public walkways, bikeways and streets. Understanding that once people exit their vehicles they become pedestrians requires parking lot design that provides clearly defined routes that are well lit, safe, comfortable and convenient, thus encouraging such alternative modes of transportation. For the purposes of these regulations, walkways and bikeways are synonymous so design must incorporate safe and reasonable access for both types of users.
2. Design
 - a. New parking lots and parking lot expansions of 20% or more which contain at least 24 spaces shall provide pedestrian and bicycle access from the provided parking spaces, public sidewalks, bikeways, trails and streets to the intended primary use(s) on the property.
 - b. A written request for a waiver from requirement 4.01.C.2.a may be approved by majority vote of the Commission for parking lots with fewer than 24 spaces and a showing of good cause that such facilities cannot be reasonably provided, except that no such waiver shall be granted for the connection from the required sidewalk/pathway under Section 4.01.C.2.h.
 - c. All internal walkways/bikeways shall be a minimum of four feet in width and shall not be encumbered by vehicle overhang areas.
 - d. All internal walkways/bikeways shall be well lit and well marked, including pavement marking and signage as necessary to encourage use and protect the users.
 - e. All internal walkways/bikeways shall incorporate safe separation and clear delineation from vehicle traffic ways.
 - f. Internal walkways and bikeways shall be incorporated into required landscaping to the extent feasible.
 - g. Design, construction and maintenance shall take into consideration requirements under the Americans with Disabilities Act.
 - h. Unless waived in accordance with requirements 1 through 4 below, the Commission shall require sidewalks along the street frontage in all new developments:
 1. any request for a waiver shall be made in writing to the Commission and shall not be granted unless by a majority vote of seated Commissioners
 2. the provisions of a sidewalk would cause significant environmental harm to adjacent wetlands or habitat
 3. the provision of a sidewalk would pose significant engineering challenges; ~~or~~ and
 4. a bituminous concrete path in an alternate location is preferable to a standard sidewalk due to the conditions above.
3. To encourage alternate transportation modes, the Commission may require internal sidewalks or alternate trail designs that are linked to the required street sidewalk system or alternate trail as permitted under subsection 4.01.C.2.f.4.
4. In order to conserve energy and further lessen congestion in the streets; sidewalks, bikeways and transit facilities shall be designed to encourage the use of bicycles. Bicycle racks shall be conveniently located at bus stops, shelters and building entrances where appropriate including:
 - a. spaces that are a minimum of 2 feet by 6 feet per bicycle
 - b. the minimum number possible of potential conflict points between bicycles and motor vehicles; and
 - c. provisions allowing cyclist to lock their bicycles to a secure location.
 - d. a waiver to the requirement to provide bicycle racks may be approved by majority vote of seated Commissioners.

Section 7.02.A.1.a

35) *Revise Section 7.02.A.1.a to coincide with changes made to 2.02.A.13.1 regarding single family residences in Commercial Zones*

D. Application Requirements

1. A Site Plan Application shall be submitted for:
 - a. Any use, other than single family dwelling and customary accessory structures incidental to the existing residence on an approved building lot, unless such single family residential use is within a Central Commercial or General Commercial Zone alternate application requirements are specifically required in other sections of this regulation.

NEW DEFINITIONS

36) *Define terms to provide clarification and support proposed amendments.*

CLUB, OR PHILANTHROPIC OR FRATERNAL ORGANIZATION: Means an organization of persons incorporated pursuant to law, which is the owner, lessee or occupant of an establishment operated solely for social, patriotic, benevolent, or athletic purpose, but not for pecuniary gain, and includes the establishment so operated. A club shall cater only to its members or guests accompanying them. A "Member of a Club" is a person who, whether as a charter member or admitted in agreement with the bylaws of the club, has become a bona-fide member thereof, who maintains his membership by the payment of his annual dues in a bona-fide manner in accordance with such bylaws, and whose name and address are entered on the list of membership. Such establishment may include banquet halls for use of the membership and rental to the general public for lawful functions.

DAY CARE CENTER FOR CHILDREN OR ADULTS: A facility providing a program of supplementary care to more than twelve related or unrelated children/adults outside their own home on a regular basis for three to twelve hours a day, which may be an accessory facility to exclusively serve employees of a commercial facility.

DAY CARE CENTER, FAMILY: A private family home, providing a program of supplementary care to not more than six children/adults, including the provider's own children/relatives, where the children/adults are cared for on a regular basis for three to twelve hours a day, and where the principal provider of the services resides on the premises. Family day care homes shall not be regulated differently from a single-family home.

DRIVE THROUGH SERVICE: Includes retail and service activity occurring at a window or kiosk where consumers queue their motor vehicles in a lane to receive and pay for goods and services at such window or kiosk.

FAMILY: One person; a group of two or more people related by blood, marriage, legal adoption, or legal guardianship; or a group of not more than five unrelated people, living and cooking together in the same dwelling unit as a single housekeeping unit. A family may also include domestic help, but does not include roomers, boarders, or lodgers.

HEALTH FITNESS CLUB: A club or facility designed to offer athletic activities, physical conditioning and/or diet, exercise and nutritional counseling. Such facility may include but not be limited to the following activities: aerobic dance classes, stationary aerobic and weight lifting equipment such as treadmills, free weights and Nautilus type equipment, but not playing fields or courts of any kind.

MOTOR VEHICLE, COMMERCIAL: Any type of vehicle designed and used for the discharge of any commercial activity including, but not limited to, transportation of workers, materials, equipment, merchandise, freight, or paying passengers, including school buses.

MOTOR VEHICLE, RECREATIONAL: Any type of vehicle used primarily for recreational use including but not limited to motor homes or coaches, motorized campers, camping trailers, boats, all terrain vehicles, snowmobiles and similar equipment including associated trailers but excluding mobile homes and unregistered race cars of any kind or their associated trailers.

MOTOR VEHICLE GASOLINE SERVICE STATION: A building or structure designed or used primarily for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles including the customary space and facilities for the installation of such commodities on or in such vehicles, but does not include painting or body repair.

MOTOR VEHICLE, GENERAL REPAIR AND SERVICE: Shall be the definition established by Connecticut General Statutes.

RECREATION CENTER, INDOOR: A business providing recreation opportunity or service such as, but not limited to tennis, racquet ball, swimming, bowling, game arcade, exercise and health center, miniature golf, driving range and similar uses, and appropriate accessory uses and facilities, but not to include game arcades, pool or billiard halls.

RESTAURANT: A place having an adequate kitchen and dining room, the primary business of which is the service of hot meals to patrons seated at tables or counters. Meals are served by waiters or waitresses and consumed at the table or counter where they are ordered. A Restaurant may have a Permit to allow the retail sales of alcoholic liquor to be consumed on the premises, as granted by the Department of Liquor Control

RESTAURANT, FAST FOOD: A place whose primary business is the quick sale of (1) frozen desserts, (2) food, already prepared, or prepared and cooked quickly, or cooked or heated in a microwave oven, or (3) non-alcoholic beverages for consumption on or off the premises. Generally, service is cafeteria style in disposable plates or containers, and food and beverages are not consumed at the point where they are ordered or paid for.

RESTAURANT, DRIVE IN: An establishment where food or beverages are sold primarily for consumption by customers parked in motor vehicles on the premises, whether or not the establishment also serves customers indoors.

TRAILER, RESIDENTIAL HAULING: A hauling trailer intended for personal use stored on the residential property of the owner or user.

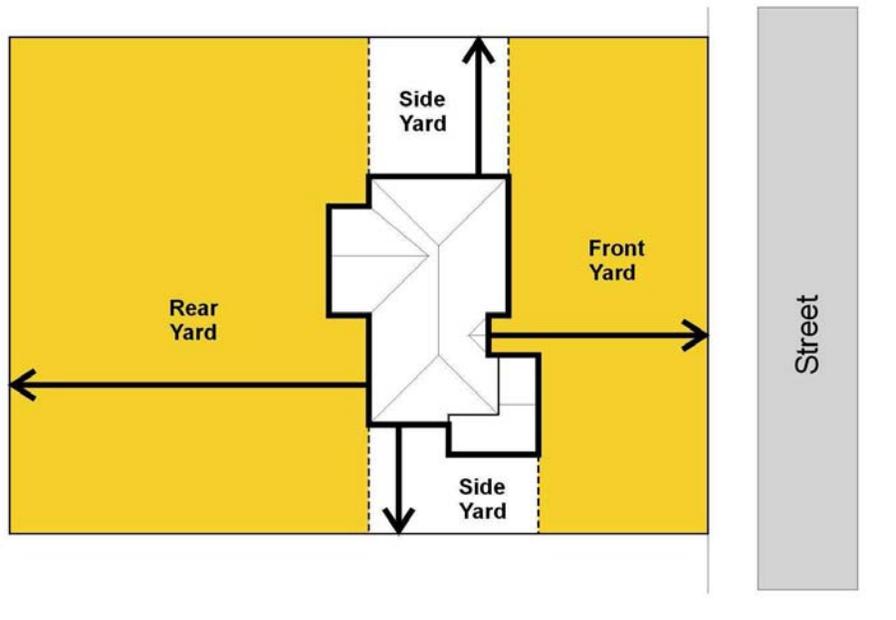
TRAILER, COMMERCIAL HAULING: A hauling trailer used to carry or store goods and/or equipment for commercial delivery, service, construction, and/or sales stored on the commercial property of the owner or user.

TRAILER, COMMERCIAL TRACTOR TYPE: An enclosed hauling trailer used primarily to carry large loads over the road by tractor trailer operators.

TRAILER, RECREATIONAL HAULING: Any type of trailer used to transport and/or store personal recreational vehicles.

UTILITY USE: Uses, structures and equipment necessary to provide the community with electricity, cable television, telephone and other communication service, water, gas and other similar community needs whether or not they are owned and/or operated by a public, quasi-public or private company.

Add illustration to existing definition of Yards:

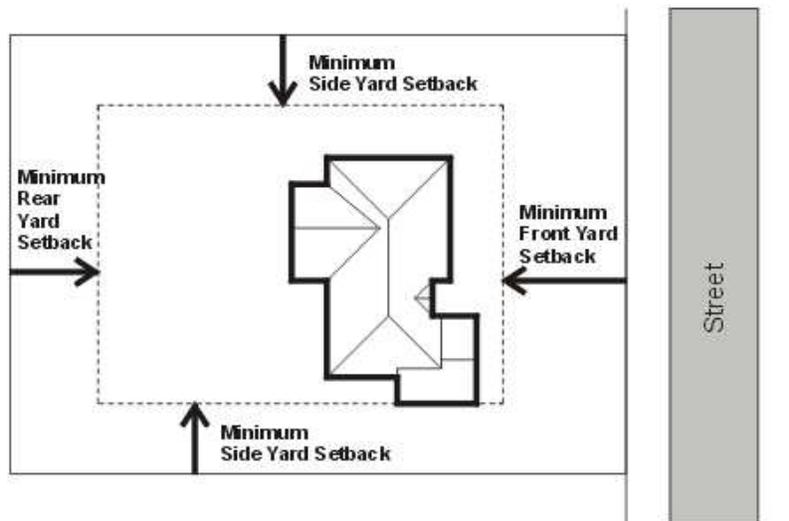


Add definition of Setback with illustration below.

YARD, MINIMUM SETBACK, FRONT: The minimum required distance from the front lot line to a building, structure, or use.

YARD, MINIMUM SETBACK, REAR: The minimum required distance from the rear lot line to a building, structure, or use.

YARD, MINIMUM SETBACK, SIDE: The minimum required distance from the side lot line to a building, structure, or use.



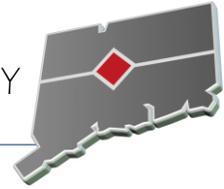
CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

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TO: COMPREHENSIVE PLAN COMMITTEE
FROM: KRISTIN THOMAS, PLANNER
DATE: March 2, 2011

RECEIVED BY CCRPA ON: March 2, 2011
REFERRAL NAME: Proposed Zoning Regulation Amendment

INITIATOR: Private Citizen
MUNICIPAL HEARING: April 5, 2011
REFERRED TO: CCRPA

DESCRIPTION: This referral proposes an amendment to New Britain's Zoning Map. It proposes to change the zone of certain properties, on the northern side of Osgood Avenue, in the vicinity of 755 Osgood Avenue from S-3 (Single Family) to TPC (Technology Park Commercial).

The property owner of 755 Osgood Avenue is looking to have his parcel changed to a TPC zone due to similar changes happening in the property surrounding him. There is going to be a 60 acre commercial development directly across the street which will be zoned TPC. The property owner and the city of New Britain feel that it makes sense for his property to become zoned TPC as well. The property owner currently runs a small communications business out of 2 houses he owns at the end of the street and is looking to purchase surrounding residential property for the potential expansion of his business. Residents in the immediate area are willing to sell to him, particularly since it is not an especially desirable residential area due to I-84 being directly adjacent. He is proposing to change the current S-3 zone to TPC both on his current property and the surrounding parcels that he will most likely purchase in the future. As of yet the property has always been non-conforming.

COMMENTS: No comments were received from any neighboring town.

STAFF RECOMMENDATION: CCRPA recommends that this proposal be found **Not in Conflict** with the Regional Plan of Conservation and Development or any other Agency plan.

CERTIFIED

February 28, 2011

Carl J. Stephani, Executive Director
Central Connecticut Regional Planning Agency
225 North Main Street – Suite 304
Bristol, CT 06010-4993

Dear Mr. Stephani:

In accordance with Section 8-3b of the Connecticut General Statutes this letter is to provide notice that the Zoning Committee of the Common Council will hold a public hearing on Tuesday, April 5, 2011 at 7:00 p.m. in Council Chambers, City Hall, 27 West Main Street, New Britain, Connecticut, for the following:

Petition #31328: An amendment to the zoning map to change the zone of certain properties, on the northern side of Osgood Avenue, in the vicinity of 755 Osgood Avenue from S-3 (single-family) to TPC (Technology Park Commercial). A copy of the petition and property description is attached.

Any questions regarding this petition may be directed to the City Planner at 860-826-3430.

John B. Melecsinsky 
Clerk of Committees

CITY CLERK'S OFFICE
NEW BRITAIN, CONN.



February 24, 2011

Mr. John Melecsinsky

Clerk of Committees

Dear Sir:

Your attention is called to the following petition received by the Common Council at its meeting held Wednesday Evening, February 23, 2011, and referred to the City Plan Commission and the Zoning Committee.

31328

To His Honor, the Mayor, and the Common Council of the City of New Britain:
the undersigned beg leave to petition your Honorable body:

To change the zone of the properties on the north side of Osgood Avenue in the vicinity of 755 Osgood Avenue from S-3 (single-family Residential District) to TPC (Technology Park - Commercial), as depicted on the attached map titled "Zone Change Plan" by JL Surveying dated February 17, 2011.

By: *Louis Salvio*
Louis Salvio
Minority Leader
By request

ATTEST: *Peter J. Deming*
City Clerk

LEGAL DESCRIPTION OF AREA IN THE VICINITY OF 755 OSGOOD AVENUE,
NEW BRITAIN, CONNECTICUT TO BE RE-ZONED TO TECHNOLOGY PARK -
COMMERCIAL

Said piece or parcel of land is more particularly bounded and described as follows:

- NORTHWEST: By land n/f State of Connecticut (I-84), 1,62.11’;
- EAST: By land n/f Francis B. McKee, et al, 133.41’;
- SOUTHEAST: By land n/f James Gavin & Alice Galvan, land n/f Gino Silvio & Gisela Dinzio, land n/f Walter & Lucy Thiede, land n/f Mary Anne Audet, land n/f Jeffrey & Leslie Raymond, land n/f Norman P. Chiger, land n/f James & Geraldine Ward, land n/f Arthur & Zofia Woznial, land n/f Stanislaw Galka, land n/f Paul & Lynn Segarra, land n/f Maynard & Mary Jo Ronstrom, land n/f Zdzislaw & Krystyna Grabowski, and land n/f Paul & Connie Swenton, partly by each, in all 915.63’;
- NORTH: By land n/f Eugene & Mary Martin, land n/f Michael Jennings, and land n/f Darwin Ashby, 160’ +/-;
- EAST AGAIN: By Kenyon Circle, 160’ +/-; and
- SOUTH: By Osgood Avenue, 502’ +/-.