

ZONING REGULATIONS

FOR THE

BOROUGH OF JEWETT CITY, CONNECTICUT



ADOPTED BY THE
BOROUGH ZONING COMMISSION ON SEPTEMBER 15, 1975
AND AUTHORITY TRANSFERRED TO THE TOWN OF GRISWOLD
PLANNING & ZONING COMMISSION
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**ZONING REGULATIONS
BOROUGH OF JEWETT CITY, CONNECTICUT**

SECTION 1. TITLE, AUTHORITY AND PURPOSE

- 1.1** These regulations shall be known and may be cited as the “Zoning Regulations, Borough of Jewett City, Connecticut”, which herein are called “these Regulations”, and have been prepared and adopted in accordance with the provision of Chapter 124 of the Connecticut General Statutes.
- 1.2** The purpose of these Regulations is to protect the public health, safety, convenience and property values; to lessen congestion in the streets; secure safety from fire, panic, flood and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population and to facilitate the adequate provision for transportation, water, sewage, schools, parks and other public requirements.

SECTION 2. GENERAL REQUIREMENTS

- 2.1** **Classification of Uses.** Uses of land or buildings are classified and regulated by these Regulations as either PERMITTED USES or as SPECIAL EXCEPTIONS.
 - 2.1.1** Permitted uses are those which are allowed by right in a zoning district. Applications for permitted uses are submitted to the Zoning Enforcement Officer and are approved by him or by the Planning & Zoning Commission, depending upon the nature of the proposed use.
 - 2.1.2** Special Exceptions shall be permitted only after meeting the special provisions of Section 12 of these Regulations. Applications for Special Exceptions shall be submitted to the Planning & Community Development Department and are approved by the Planning & Zoning Commission.
- 2.2** **Zoning Permit.** No building shall be erected, moved, structurally enlarged or changed to another use or shall any use be established or changed in any area of the Borough of Jewett City without a Zoning Permit therefore from the Zoning Enforcement Officer, issued in conformance with the provisions of these Regulations, except that a written order from the Zoning Board of Appeals in the form of an administrative review or variance shall constitute a Zoning Permit. Uses of land or buildings not clearly permitted in the various zoning districts are prohibited.
 - 2.2.1** The Zoning Enforcement Officer is empowered to cause any building or land to be inspected and to order in writing any violation of these Regulations to be corrected or terminated.
 - 2.2.2** Application for a Zoning Permit shall be made on a form provided for that purpose and obtainable from either the office of the Zoning Enforcement Officer or the Planning & Community Development Department.
 - 2.2.3** Applications for permitted single-family and two-family dwellings and accessory buildings or expansions or additions to such buildings on residential lots may be approved by the Zoning Enforcement Officer provided they meet the requirements of these Regulations. Applications for all other uses and building shall be reviewed by the Planning & Zoning Commission and shall be submitted together with a site plan as prescribed in Section 13 of these Regulations, to the Planning & Community Development Department at least ten (10) business days prior to a Regular Meeting of the Commission. The Commission shall approve such applications after finding that all aspects of the proposed uses conform to the spirit as well as the letter of these Regulations.

- 2.2.4** It shall be unlawful for any newly erected structure or addition for which a Zoning Permit has been issued to be occupied or used, or for any building or premises or part thereof to be converted or changed from one type of use or occupancy to another until a Certificate of Occupancy has been issued by the Zoning Enforcement Officer, stating that the building or premises complies with the provisions of these Regulations. Such certificate shall be issued within ten (10) days after notification from the Permittee that the premises are ready for occupancy if inspection carried out by the Zoning Enforcement Officer subsequent to this notification indicates that approval of the application is warranted.
- 2.2.5** After the effective date of these Regulations, the Zoning Enforcement Officer will issue, without charge, upon request of the owner or occupant, a Certificate of Zoning Compliance for any legal, non-conforming building existing on the effective date of these Regulations.
- 2.2.6** **All Zoning Permits** as approved by the Commission and all Special Exceptions shall be endorsed by the Commission Chairman or Secretary and shall describe the kind of special exception granted and any conditions of approval attached and shall be filed on the Griswold land records. When a Special Exception document is filed for uses on a property, previous Special Exceptions on the parcel shall be null and void unless the previously approved Special Exceptions for any other ongoing uses on that same parcel unrelated to the new Special Exception application shall remain in force. Special Exceptions shall expire in five (5) years unless all work has been completed and certified as zoning compliant. Variances granted by Zoning Board of Appeals are associated with the specific land parcel and do not expire if the variance document has been filed on the land records of the Town Clerk. (06/10/2013) (07/08/2013)
- 2.2.7** A Certificate of Occupancy shall remain valid only so long as the building, the use thereof, or the use of the land remains in full conformity with these Regulations or of an amendment thereto.
- 2.2.8** Nothing in these Regulations shall require any change in plans, construction or designated use of any building on which construction was begun under a permit issued prior to the effective date of these Regulations. Actual construction is the (a) excavation of a basement, cellar or foundation; (b) actual placing of construction materials in their permanent position fastened in a permanent manner; (c) substantial beginning of demolition and removal of an existing building preparatory to rebuilding; provided, however, in each circumstance that the actual construction shall be diligently carried on until the completion of the building involved.
- 2.2.9** No lot shall be occupied by more than one permitted principle building or use, or group of permitted buildings, such as an apartment project or commercial complex, under the same ownership or sponsorship.
- 2.2.10** All lots shall have frontage on and direct access to a street.
- 2.3** **Zoning Map.** The map entitled, "Zoning Map, Borough of Jewett City, Connecticut", is a part of these Regulations. The Zoning Map shows the boundaries and zoning designation for each district of the Borough. Use and dimensional requirements for each district are found in these Regulations.
- 2.3.1** All district boundaries shown on said Zoning Map follow the outside boundary lines of the land parcel at the effective date of the most current zoning map.
- 2.3.2** Where a district boundary divides a lot of record at the time such boundary line is adopted, the regulations for the less restricted portion of any such lot may extend into the more restricted portion provided that the lot has frontage on a street in the less restricted district.

- 2.3.3** Where any uncertainty exists as to the correct location of any zoning district boundary shown on the Zoning Map, it shall be the duty of the Planning & Zoning Commission to establish correct location thereof according to the intent of these Regulations.
- 2.4** **Building on Existing Lots.** Nothing in these Regulations shall prevent construction of a permitted building or the establishment of a permitted use in the relevant zoning district on a lot which, on the effective date of these Regulations and continuously thereafter, was owned separately from an adjoining lot as evidenced by deed recorded in the Land Records of the Borough of Jewett City provided, however, that all requirements regarding height, yards, setbacks, and parking for the appropriate district in which such lot is situated shall be met.
- 2.5** **Unspecified Uses.** In any case where a use is alleged to be similar to a specified use permitted by these Regulations, its status shall be determined by the Planning & Zoning Commission by reference to the most clearly similar use or uses permitted by these Regulations, or it shall be declared that the use is not similar. When the status of a use has been so determined, such determination shall thereafter have general applicability to all uses of the same type.
- 2.6** **Maintenance Not Affected.** Nothing in these Regulations shall prohibit the normal maintenance, repair and upkeep of property in any zoning district.
- 2.7** **Administrative Procedures.** Whenever an application is filed with the Planning & Zoning Commission that requires a public hearing per the Borough of Jewett City Zoning Regulations, or whenever the Commission deems it necessary to hold a public hearing for an application, the applicant shall, no later than ten (10) days prior to the date of the scheduled public hearing send notices to all abutting property owners by First Class Mail, and proof of such mailing shall be evidenced by a certificate of mailing. Such notices shall contain the following information: (03/30/09)
1. A copy of the zoning application filed with the Commission.
 2. A copy of the site plan. If the site plan contains multiple sheets, the sheet that best describes the proposed project shall be forwarded. The copy may be reduced as long as the document is readable.
 3. A narrative describing the proposed development.
 4. A copy of the legal notice giving the date, time and place of the public hearing.

SECTION 3. ZONING DISTRICT

- 3.1** The Borough of Jewett City is divided into zoning districts as shown on the Zoning Map (Appendix B). The zoning is based on considerations of the existing use of land, physical conditions, access, and the anticipated needs for various types of housing and economic activities. The names of the zoning districts and their purposes are as follows:
- 3.1.1** **R – Residential District.** It is intended that these zones remain exclusively residential in use, with permitted residential uses limited to single-family and two-family dwellings. (12/1/04)
- 3.1.2** **RM – Residential, Multi-Family District.** These zones include many large multi-family dwellings which form an important part of the Borough’s housing supply. These zones would continue to permit a variety of housing types, together with business and personal services and professional offices. The zones are located close to the central business area of the Borough, making many retail and service establishments within walking distance of the residents.

- 3.1.3 **RC – Residential/Commercial District.** These districts are located generally on the fringes of the central business area of the Borough and along the major traffic arteries. A mixture of residential dwelling types and limited business activities would be permitted, taking advantage of the great accessibility of these areas but, at the same time, safeguarding the residential properties in the zones.
- 3.1.4 **C – Commercial District.** This is the central business area of the community and the zoning is intended to support the economic well-being of this area by encouraging compatible activities and discouraging uses that might prevent desirable economic growth. Although it is intended primarily as a commercial area, residences are permitted above the street level.
- 3.1.5 **I – Industrial District.** These zones are based on the locations of existing industrial activity and are intended to provide area for expansion of current industrial land uses, or the development of future industrial uses. (12/1/04)

SECTION 4. R – RESIDENCE DISTRICTS

- 4.1 **Permitted Uses.** The following uses are permitted by right:
 - 4.1.1 Single-family dwellings
 - 4.1.2 Two-family dwellings
 - 4.1.3 Home Occupations
 - 4.1.4 Public and parochial schools, churches, and other places of worship
 - 4.1.5 Accessory buildings and uses
 - 4.1.6 Public utility structures such as pump stations, water storage, power transformers and the like
 - 4.1.7 Buildings for the parking of emergency vehicles, and
 - 4.1.8 Parks, playgrounds, and other public recreation facilities.
- 4.2 **Special Exceptions.** The following uses are permitted provided they meet the conditions of Section 12 of these Regulations.
 - 4.2.1 Elderly housing and assisted living facilities. (12/1/04)

SECTION 5. RM – RESIDENCE, MULTI-FAMILY DISTRICTS

- 5.1 **Permitted Uses.**
 - 5.1.1 Single-family, two-family, and multi-family dwellings, (12/1/04)
 - 5.1.2 Elderly housing and assisted living facilities, (12/1/04)
 - 5.1.3 Personal service shops, such as barber shops and beauty salons,
 - 5.1.4 Business and professional offices, accommodating doctors, lawyers, engineers, architects, real estate brokers, insurance agents, and similar professions, (12/1/04)

- 5.1.5 Hotels and motels, and,
 - 5.1.6 Public utility structures such as pump stations, water storage, power transformers, and the like.
- 5.2 **Special Exceptions.** The following uses are permitted provided they meet the conditions of Section 12 of these Regulations.
- 5.2.1 Membership clubs.

SECTION 6. RC – RESIDENTIAL/COMMERCIAL DISTRICTS

- 6.1 **Permitted Uses.** The following uses are permitted by right.
- 6.1.1 All uses permitted in Section 4.1 above,
 - 6.1.2 Business and professional offices, accommodating doctors, lawyers, engineers, architects, real estate brokers, insurance agents and similar professions.
 - 6.1.3 Personal service shops, such as barber shops and beauty salons
 - 6.1.4 Food Vending Operations
 - 6.1.4.1 Mobile food vending vehicles are prohibited in all Borough Zoning Districts. (01/01/2014)

EXEMPTIONS: The provisions of this section shall not apply to special events, festivals, community projects or public events which occur on a periodic basis and/or those that are specifically approved by the Griswold Board of Selectmen as an approved community-based special event or the Jewett City Burgesses as an approved community-based special event.
 - 6.1.5 Light custom crafting of specialty items such as fishing rods and related products, dental labs optical labs, computer repair and retail sales of products assembled on site, and store front retail businesses at street level. To expand the permitted uses within the RC – Residential Commercial Districts within the Borough of Jewett City to allow for a more diversified specialty business attraction. (12/16/13)
- 6.2 **Special Exceptions.** The following uses are permitted provided they meet the conditions of Section 12 of these Regulations
- 6.2.1 Multi-family dwellings,
 - 6.2.2 Membership clubs,
 - 6.2.3 Automobile service stations,
 - 6.2.4 Drive-in or other quick service eating establishments,
 - 6.2.5 Elderly housing and assisted living facilities, (12/1/04) and
 - 6.2.6 New and used car sales and service.

SECTION 7. C – COMMERCIAL DISTRICTS

7.1 Permitted Uses. The following uses are permitted by right.

- 7.1.1 Retail businesses, such as grocery stores, drug stores, apparel stores, variety stores, antique shops, and sporting good stores, and book, stationery, magazine, candy and tobacco shops,
- 7.1.2 Eating and drinking establishments,
- 7.1.3 Business and personal services, such as banks, laundry and dry cleaning establishments, barber shops, beauty salons, printers and lithographers,
- 7.1.4 Business and professional offices, accommodating doctors, lawyers, engineers, architects, real estate brokers, insurance agents, and similar professions,
- 7.1.5 Repair services, such as radio, television, appliance and plumbing shops, upholstery shops and shoe repair shops,
- 7.1.6 Hotels, motels,
- 7.1.7 Theaters and other places of indoor entertainment,
- 7.1.8 Government offices and police and fire protection facilities,
- 7.1.9 Multi-family dwelling units provided all such units are located above or below the street level of the building, (12/1/04)
- 7.1.10 Public utility structures, such as pump stations, water storage, power transformers and the like, (12/1/04)
- 7.1.11 Membership clubs, and (12/1/04)
- 7.1.12 Public and parochial schools, and other places of worship. (12/1/04)

7.2 Special Exceptions. The following uses are permitted provided they meet the conditions of Section 12 of these Regulations.

- 7.2.1 Single-family dwellings, two-family dwellings and multi-family dwelling units located on the street level of the building, (12/1/04)
- 7.2.2 Elderly housing and assisted living facilities, (12/1/04)
- 7.2.3 Automotive service and repair garages,
- 7.2.4 Drive-in or other quick service eating establishments,
- 7.2.5 New and used car sales and service.

SECTION 8. I – INDUSTRIAL DISTRICTS

8.1 Permitted Uses. The following uses are permitted by right.

- 8.1.1 The manufacturing, processing, assembling and packaging of products made from cellophane, canvas, cloth, work, fiber, felt, feather, fur, hair, horn, leather, paper, plastics, shell, glass, stone, textiles, tobacco, and wood,
 - 8.1.2 Finishing and assembling of articles or products made of metal, excluding processes employing the use of drop hammers or drop forges,
 - 8.1.3 The manufacturing, processing and packaging of foods, beverages, candy, cosmetics, pharmaceuticals and drugs,
 - 8.1.4 Lumber yards, home and business improvement supply sales, and the sale and storage of construction supplies and equipment,
 - 8.1.5 Warehousing and truck terminals,
 - 8.1.6 Scientific and research laboratories,
 - 8.1.7 Printing and publishing establishments,
 - 8.1.8 New and used car sales, services and repairs, provided major repairs are conducted within building,
 - 8.1.9 Retail business, such as grocery stores, drug stores, apparel stores, variety stores, antique shops, and sporting goods stores, and book, stationery, magazine, candy, and tobacco shops. Liquor stores are permitted by Special Exception as long as there is no consumption of liquor on the premises and as long as there are no liquor stores or retail businesses selling alcoholic beverages located on a lot within 500 feet of a lot containing a liquor store, any other store selling alcoholic beverages, a house of worship, public or private school, or public library. (11/18/11)
 - 8.1.10 Eating and drinking establishments,
 - 8.1.11 Business and personal services, such as banks, laundry and dry cleaning establishments, barber shops, beauty salons, printers and lithographers,
 - 8.1.12 Business and professional offices, accommodating doctors, lawyers, engineers, architects, real estate brokers, insurance agents, and similar professions,
 - 8.1.13 Repair services, such as radio, television, appliance and plumbing shops, upholstery shops and she repair shops,
 - 8.1.14 Hotels, motels,
 - 8.1.15 Theaters and other places of indoor entertainment,
 - 8.1.16 Government offices and police and fire protection facilities,
 - 8.1.17 Public utility structures, such as pump stations, water storage, power transformers and the like, and
 - 8.1.18 Membership clubs.
- 8.2 **Special Exceptions.** The following uses are permitted provided they meet the conditions of Section 12 of these Regulations. (12/1/04)
- 8.2.1 Public and parochial schools, and other places of worship, (12/1/04)

- 8.2.2** Automotive service and repair garages, (12/1/04)
- 8.2.3** Drive-in or other quick-service eating establishments, (12/1/04)
- 8.2.4** Retail Businesses which are not package stores that may wish to sell beer and/or wine, not for consumption on the premises, and which receive subsequent state permits. (11/18/11)
- 8.2.5** Building materials reprocessing facility with reprocessing and recycling inside and finished material/product storage outside on a parcel over 5 acres. (01/15/12)
- 8.2.6** Power generation facilities (01/15/12)
- 8.2.7** Public utility structures such as pump stations, water storage, power transformers, and the like. (01/15/12)

SECTION 9. DIMENSIONAL REQUIREMENTS

9.1 **Minimum Lot Size and Street Frontage.** Although the amount of developable land in the Borough is minimal and public sewer and water is available throughout the Borough, density is already high and open space limited. Therefore there is a need to address minimum lots size and minimum frontage requirements to protect the remaining available land from being developed at excessive levels of density or intensity. (9/26/02)

9.1.1 Existing lots upon which a single family dwelling is located or to be established shall comply with the requirements of Sections 9.2, 9.3, 9.4, 9.5, 9.6 and 9.7 of these Regulations. For all other uses of land, including cases where a commercial use abuts a residential use, the yard setback requirements of Sections 9.4 and 9.5 shall be increased by 50 percent of that required for a single-family dwelling. (9/26/02)

9.1.2 Except as provided in the following subsection, existing lots that are divided or subdivided into additional lots shall have a minimum of 50 feet of frontage on a street, as defined in these Regulations, for each lot so created. (9/26/02)

9.1.3 The Commission may approve a Special Exception in accordance with the criteria of Section 12.4 of these Regulations to allow a reduction of frontage to no less than 25 feet for lots (often called “flag”, “rear”, or “interior” lots) that are divided or subdivided into additional lots, provided that: (a) not more than two such lots shall be located adjacent to each other on the same side of the street; and (b) any two such adjacent lots shall be located not less than 50 feet from any other flag lot as measured in a straight line from their closest points. (9/26/02)

9.1.4 The division or subdivision of any lot within the Borough for [residential] development that requires the extension of any street to satisfy the street frontage requirement of Section 9.1.1 shall require the subdivider to extend such street in accordance with the construction standards required by the Town of Griswold Road Ordinance adopted June 11, 2002. (9/26/02)

9.2 **Minimum Setback from Street Centerline.**

R	Zones	–	50 feet
RC	Zones	–	50 feet
RM	Zones	–	50 feet
C	Zones	–	40 feet
I	Zones	–	75 feet

9.2.1 Setback requirements shall be 75 feet on circular turn-arounds at the end of dead-end or cul-de-sac streets

9.2.2 Additions may be made to existing buildings that do not conform to the setback requirements of these Regulations provided the additions extend no closer than the existing building to the street.

9.2.3 Any new building in any Residential or Commercial district need not be set back further than the average setback for all other existing buildings in the block wherein it is to be constructed.

9.2.4 On the corner lot, setback requirements shall be met for both street frontages.

9.3 Maximum Lot Coverage by Buildings.

R	Zones	–	30%
RC	Zones	–	40%
RM	Zones	–	40%
C	Zones	–	50%
I	Zones	–	60%

9.4 Minimum Side Yards.

R	Zones	–	10 feet
RC	Zones	–	15 feet
RM	Zones	–	15 feet
C	Zones	–	10 feet
I	Zones	–	20 feet

9.4.1 Side yards not required in RC and C Zones between adjoining commercial buildings within such zones.

9.4.2 Corner lots. When a lot has two front yards, setbacks shall be maintained on corner lots where the front yard shall be the street side on which the house faces and the rear yard shall be opposite the front yard, and the remained side shall be the side yard. The setback dimensions shall be determined by the setback requirement. (01/01/2014)

9.5 Minimum Rear Yard.

R	Zones	–	20 feet
RC	Zones	–	15 feet
RM	Zones	–	15 feet
C	Zones	–	10 feet
I	Zones	–	20 feet

9.6 Maximum Building Height.

R	Zones	–	35 feet
RC	Zones	–	35 feet
RM	Zones	–	35 feet
C	Zones	–	50 feet
I	Zones	–	50 feet

9.7 Minimum Floor Area for Residences.

9.7.1 One-story, single-family dwelling – 500 square feet.

9.7.2 Two-story, single-family dwelling – 600 square feet on the first floor and a total of 1,000 square feet on both floors.

9.7.3 Two-family dwelling – 500 square feet per dwelling unit.

9.7.4 Multi-family dwelling – 500 square feet per dwelling unit with one bedroom, plus 150 square feet for each additional bedroom.

9.8 Maximum Density Allowance. The development of two-family and multi-family residences shall be limited to a maximum allowable density of four (4) units per acre, as follows: (12/1/04)

- 9.8.1 For two-family dwellings: Minimum lot area of ½ acre for each two- family dwelling, plus an additional ½ acre for one additional two-family dwelling. See section 10.8 (no more than two (2) principal structures on a lot) (12/1/04)
- 9.8.2 For multi-family dwellings: Minimum lot area of 1 ½ acres for up to six (6) dwelling units in one or two buildings. See Section 10.8 (no more than two (2) principal structures on a lot). (12/1/04)

SECTION 10. SUPPLEMENTARY REGULATIONS

- 10.1 **Conversion of Older Residences.** A building used for residential purposes and located in an RM, RC or C zone may, with permission of the Planning & Zoning Commission, be converted so as to include a greater number of dwelling units, provided the following conditions are met:
 - 10.1.1 The building is at least 20 years old and structurally capable of being enlarged to accommodate additional persons in a safe and healthy manner.
 - 10.1.2 The lot is capable of meeting the dimensional requirements of the district in which it is located.
 - 10.1.3 Off-street parking is in the form of either a garage or suitably-surfaced and drained parking area behind the building line shall be provided at the ratio of 1½ spaces per dwelling unit.
 - 10.1.4 Each dwelling unit shall contain a minimum of 500 square feet plus 150 additional square feet per bedroom and shall include complete kitchen facilities and a private bath.
- 10.2 **Camper Units.** One camper unit may be parked and occupied on a parcel or lot not to exceed three weeks with the written permission of the Zoning Enforcement Officer. No more than one camper unit may be parked or stored on a lot in a residential district for a period exceeding three weeks.
- 10.3 **Accessory Buildings.** An accessory building attached or connected to the principle building by walls or roofs shall be considered part of the principle building and limited by minimum yard requirements.
- 10.4 **Height Limits.** Notwithstanding the height limitations imposed by other provisions of these Regulations, church spires, belfries, cupolas, towers, penthouses, domes, chimneys, flagpoles, radio and television antennae, ventilators, skylights, bulkheads, water tanks and similar features occupying in the aggregate not more than 10 percent of the ground area of the building and not used for human occupancy may be erected to such reasonable height as may be necessary to accomplish the purpose they are to serve.
- 10.5 **Junk Yards Prohibited in All Zones.** Without limiting the scope of Section 2.5 of these Regulations (unspecified uses prohibited), junk yards, as defined in these Regulations, shall be prohibited in all zones. (11/24/98)
- 10.6 **Home Occupation.** A Home Occupation, as defined in Section 20.1.9 of these Regulations, may be allowed in all residential zones subject to the issuance of a Zoning Permit by the Planning & Zoning Commission and compliance with the following terms and conditions. Permits for Home Occupations shall not be issued for periods exceeding three (3) years. A renewal application shall be filed a minimum of sixty (60) days prior to the Home Occupation expiration date. (12/28/00)
 - 10.6.1 The Home Occupation shall be clearly secondary, subordinate, and incidental to the residential use of the property, and it shall not impair the residential character of the premises and neighborhood. Accessory buildings may be used for Home Occupations, provided that the other requirements of this section are met. There shall be no visible evidence or indication of the operation from the outside of any building or structure used for the Home Occupation: for example, there shall be no display windows, outside storage or display of goods, outside work areas, banners, lights, or other devices to attract public attention. (12/28/00)

- 10.6.2** Resident Occupant: No more than two (2) Home Occupations shall be conducted on any premises. Each such Home Occupation shall be conducted by the residents of the premises. (12/28/00)
- 10.6.3** Employee: No more than one (1) full-time or part-time person at one time shall be permitted for each Home Occupation in addition to the principal resident person conducting the use. (12/28/00)
- 10.6.4** The total square foot area used for the conduct of the Home Occupation, including accessory buildings and storage areas related to such use shall not exceed twenty percent (20%) of the floor area of the applicant's principle dwelling unit on the site, but it shall not exceed 600 square feet. (12/28/00)
- 10.6.5** In addition to the two (2) residential parking spaces required for a dwelling, all Home Occupations shall provide enough additional parking spaces to alleviate the need to use town roads for customer or employee parking. As a minimum, Home Occupations shall provide one (1) additional parking space for each non-resident employee. (12/28/00)
- 10.6.6** It shall be the responsibility of the operator of the Home Occupation to secure all appropriate State and Federal licenses and permits prior to the conducting of a Home Occupation approved by the Commission. Failure to secure the necessary local, State and/or Federal permits shall be sufficient cause for the Commission to revoke the Home Occupation permit. (12/28/00)
- 10.6.7** A detailed written narrative describing all pertinent aspects of the proposed activity and acknowledging the requirements of this section shall be submitted with the application for a Home Occupation. (12/28/00)
- 10.6.8** The proposed use does not create any objectionable noise, odors, vibrations, or unsightly conditions noticeable off the lot. (12/28/00)
- 10.6.9** For Home Occupations involving the use of chemicals, solvents and/or electrical equipment, the applicant shall, prior to submitting the Home Occupation application, supply the Griswold Fire Marshal with Material Safety Data (MSD) Sheets for products used with the Home Occupation. In addition, the applicant shall also provide the Fire Marshal with a site map that shows the location of the chemicals, solvents and/or electrical equipment referenced in the MSD record. A copy of the MSD Sheet and site map shall be filed with the Home Occupation application. (12/28/00)
- 10.6.10** An accurately drawn plot plan (to scale) depicting property lines, structure locations, access drives, parking spaces, and any other pertinent features. (12/28/00)
- 10.6.11** An accurately drawn floor plan (to scale) depicting the area to be utilized by the proposed Home Occupation. (12/28/00)
- 10.7** **Storage Containers.** The location and use of a storage container(s) for the temporary storage of products or building materials as accessory use to the principal use on the property located within commercial and industrial zones, or associated with a residential or multi-family construction project, shall be subject to approval by the Griswold Zoning Enforcement Officer and shall require a temporary permit. The intent of this section to limit the number of and the use of storage containers to a fixed time period based on the specific needs of the applicant. (12/28/00)
- 10.7.1** Storage container(s) shall be located to the rear or side of the principal building and shall not occupy or obstruct required parking spaces or loading areas. Storage containers shall satisfy all applicable Zoning Regulations as deemed applicable by the Zoning Enforcement Officer. Each container shall contain a lockable door. Commercial advertising of any kind shall not be permitted on any storage container. Storage containers containing hazardous

materials/dangerous goods shall satisfy the signage requirements of the local Fire Marshal. (12/28/00)

10.7.2 Storage container(s) shall be maintained in a neat and orderly condition. (12/28/00)

10.7.3 The maximum time period for any individual permit issued by the Zoning Enforcement Officer shall not exceed three (3) months; however, the Zoning Enforcement Officer may allow the continued use of a storage container(s) for bona fide construction projects for an additional three (3) month period upon the receipt of a new permit application and fee. However, the Zoning Enforcement Officer may re-issue permits every three (3) months for a period of twelve (12) months. Any request beyond the twelve (12) month period shall be submitted as a new application to the Planning & Zoning Commission. (12/28/00)

10.7.4 The application fee for a storage container permit shall be \$100.00 per storage container for a three (3) month period. (12/28/00)

10.7.5 Violations of these Regulations shall be grounds for the revocation and/or denial of an application renewal. (12/28/00)

10.8 **Multiple Buildings.** Only two (2) principal structures containing two (2) or more residential dwelling units shall be permitted on a lot within the Residential (R), Residential Multi-family (RM), Residential/Commercial (RC), and Commercial (C) Zoning District. Such development must also meet all other requirements as established in these Regulations. (12/1/04)

10.9 **Elderly Housing and Assisted Living Facilities.** In the RM zones, the following condition shall be met. (12/1/04)

10.9.1 Assisted living facilities shall be no more than one story in height. (12/1/04)

10.10 **Animals.** Large Animals Such As Cows, Horses, Sheep And Pigs Etc. Including Their Miniature Varieties, Are Prohibited In All Borough Zones. (01/01/2014)

Chickens may be kept for personal use only within the Borough Residential (BR) Zone provided that the number of chickens does not exceed six (6). Poultry are prohibited in the BRM, BRC, BC and BI Borough Zoning Districts. Roosters are prohibited in all zoning districts in the Borough. Free-ranging of chickens is prohibited in all zoning districts. Proper coops and fenced enclosures must be provided in the Borough Residential (BR) zone at all times.

SECTION 11. PARKING AND LOADING REQUIREMENTS

11.1 **General.** All off-street parking spaces shall consist of not less than 300 square feet per vehicle All parking spaces, loading facilities and access roadways shall have adequate all-weather surfacing treated to inhibit dust, adequate drainage, and shall allow free and safe movement of all vehicles customarily using the facility.

11.2 **Off-Street Parking Requirements.** Spaces shall be required as follows: (12/1/04)

11.2.1 Dwelling – 1½ spaces per dwelling unit

11.2.2 Hotel, motel – 1 space per guest sleeping room.

11.2.3 Restaurant, eating establishment or tavern – 1 space per each 50 square feet or portion thereof, of public floor space. For a drive-in eating establishment, a minimum of 10 parking spaces shall be required.

- 11.2.4 Personal patron service shops, i.e., barber shops, beauty salons – 1 space per patron accommodation.
 - 11.2.5 Retail stores – 1 space per 150 square feet of floor space used for sale or display of merchandise.
 - 11.2.6 Theater, auditorium, church or place of public assembly – 1 space per each 5 seats.
 - 11.2.8 Finance, insurance or real estate establishment – 1 space per each 200 square feet of office space.
 - 11.2.9 Wholesale establishment – 1 space per each employee.
 - 11.2.10 Rest homes – 1 space per each 5 beds.
 - 11.2.11 Elderly Housing and Assisted Living Facilities – 1 space per dwelling unit.
 - 11.2.12 Industrial use – 1 space for each two employees on the largest shift.
 - 11.2.13 Business and professional offices – 2 spaces per employee.
 - 11.2.14 Multi-family Housing - Two outside spaces for each unit up to three bedrooms. One additional outside parking space per bedroom for each unit with bedrooms over four. Spaces internal to a garage, accessory structure, or carport shall not be included toward this parking requirement. (03/30/09)
 - 11.2.15 Gasoline Stations/Convenience Stores – One outside parking space for each 150 square feet of inside display area. Spaces at the gasoline pumps, in the queuing aisle, or under the gasoline canopy, carport, or within an accessory structure shall not count toward this parking requirement. (03/30/09)
- 11.3 **Circulation Patterns and Public Safety.** Adequate provision shall be made for the separation of vehicular and pedestrian traffic, within a particular site or development, to minimize the potential for personal injury and to protect the health, safety and general welfare of Borough residents. (12/1/04)
- 11.4 **Off-Street Loading.** Every commercial, industrial, wholesale and hospital use, or additional use thereto, must maintain at least one paved off-street loading space of not less than 10 feet in width, 30 feet in length, and 14 feet vertical clearance. For wholesale and industrial buildings, there shall be one such off-street loading space or every 4,000 square feet of floor area or portion thereof, excluding basements.

SECTION 12. SPECIAL EXCEPTIONS

- 12.1 **General.** In accordance with the following requirements, the Planning & Zoning Commission may grant a Special Exception. All requirements of this Section shall be in addition to other requirements applicable in the zoning district in which the Special Exception is located.
- 12.2 **Application Procedure.** All applications for Special Exceptions shall be submitted to the Planning & Community Development Department together with the site plan prescribed in Section 13 of these Regulations and the prescribed application fee at least ten (10) business days prior to a regularly scheduled meeting of the Planning & Zoning Commission.

- 12.3 Planning & Zoning Commission on Action.** The Planning & Zoning Commission shall hold a public hearing on the application within 65 days of its receipt and shall take action with regard to the application within 65 days after the public hearing thereon, all in accordance with the provisions of Section 8-3c of the Connecticut General Statutes, as amended.
- 12.4 General Requirements for Approval.** The Planning & Zoning Commission shall approve the issuance of a permit for a Special Exception when, after holding a public hearing, it has been determined that the proposal will meet the following general requirements and conforms to all other requirements of these Regulations.
- 12.4.1** That the proposed use shall be in harmony with the appropriate and orderly development of the neighborhood and will not hinder or discourage the development of adjacent property.
 - 12.4.2** That any proposed building or structure shall be so designed and located on the site so that there will be adequate access for fire protection purposes.
 - 12.4.3** That the streets serving the proposed use shall be adequate to safely carry the vehicular traffic generated by the proposed activity, that there is provision for entering and exit points which will not create a traffic hazard or undue traffic congestion, and that adequate off-street parking and loading facilities shall be provided.
 - 12.4.4** That the proposed lot is of a size and dimension to accommodate the proposed activity and remain in keeping with the character of the surrounding neighborhood.
 - 12.4.5** That the property of a proposed use will be suitably landscaped to provide a buffer area between the proposed use and adjacent residential properties.
 - 12.4.6** That any new street, water main or sanitary sewer proposed in connection with the use will conform to applicable State and Borough standards.
- 12.5 Elderly Housing and Assisted Living Facilities.** In R, RC, and C Zones, the conditions of Section 12.4, above, and the following shall be met: (12/1/04)
- 12.5.1** Assisted living facilities shall be no more than one story in height.
- 12.6 Multi-Family Dwelling.** In RC and C Zones, the conditions of section 12.4, above, and the following shall be met:
- 12.6.1** No residential building located within the Borough shall contain more than six (6) dwelling units, and no building containing a mix of uses shall contain more than four (4) dwelling units, all of which shall be located above or below the street level of the building, except as provided in Section 7.2 for the (C) Commercial Districts. (12/1/04)
 - 12.6.2** No building used for such purpose shall be located closer than 75 feet from any existing single-family dwelling.
 - 12.6.3** No outside storage area will be provided unless it is completely screened from view from any adjoining property or road. Refuse containers shall be screened from view and provided in sufficient numbers to accommodate refuse from all residents in a sanitary and odorless manner. All accumulated refuse shall be removed from the premises at least once a week.
 - 12.6.4** All driveways and parking areas shall be paved, curbed and drained and points of intersection with streets shall be designed to provide 350 feet of unobstructed visibility along the street.

- 12.7 Membership Clubs.** In RC and RM zones, the conditions of Section 12.4, above, and the following shall be met:
- 12.7.1** Such uses shall not be located closer than 1,000 feet from any lot containing a place of worship or a school.
- 12.8 Automotive Service Stations.** In RC zones, the conditions of Section 12.4, above, and the following shall be met:
- 12.8.1** No lot or building shall be approved for such use that is within 750 feet of another lot used for such use.
- 12.8.2** No part of a lot used for an automotive service station shall be located within 500 feet of a lot used for a church, school, playground or public park.
- 12.8.3** Only such repairs and mechanical work may be performed at an automotive service station as is permitted by a Limited Repairer's License issued by the State of Connecticut pursuant to Chapter 246 of the Connecticut General Statutes, and all such work shall be performed within the station building.
- 12.8.4** The storing of wrecked or unlicensed motor vehicles for periods exceeding 24 hours shall not be permitted.
- 12.9 Automotive Service and Repair Garages.** In RC, C, and I zones, the conditions of Section 12.4, above, and the following shall be met: (12/1/04)
- 12.9.1** No lot or building shall be approved for such use that is within 750 feet of another lot used for such use.
- 12.9.2** No part of a lot used for an automotive service station shall be located within 750 feet of a lot used for a church, school, playground or public park.
- 12.10 Drive-In Restaurants.** In RC and C zones, drive-in or other quick service eating establishments shall meet the general requirements of Section 12.4, above, and the following:
- 12.10.1** Adequate off-street parking shall be provided on the lot to ensure that patrons do not park within the right-of-way of any street or highway, except that in no case shall less than ten off-street parking spaces be provided.
- 12.11 New or Used Automotive Sales and Service.** In RC and C and I zones, the conditions of Section 12.4, above, and the following shall be met: (1/5/99) / 12/1/04)
- 12.11.1** Any facilities used for the repair, maintenance or servicing of vehicles shall be located no closer than 750 feet from any church or school and all such activity shall be conducted within buildings.
- 12.12 Wireless Communications Facilities.** The purpose of this section is to provide for the establishment and expansion of wireless communications services in accordance with the 1996 Federal Communications Act while protecting neighborhoods and minimizing adverse visual and operational effects of wireless communications facilities through careful design, siting, and screening in order to accomplish the following: (1/15/99)
- 12.12.1** Preserve the character and appearance of the Borough of Jewett City while allowing adequate communications services to be developed,

- 12.12.2 Protect the scenic, historic, and environmental resources of the Borough of Jewett City,
- 12.12.3 Provide standards and requirements for the regulation, placement, design and construction of wireless communications facilities,
- 12.12.4 Establish a review process that ensures action within a reasonable period of time for requests to place, construct, operate, or modify a wireless communication facility,
- 12.12.5 Minimize the total number of height of towers throughout the Borough of Jewett City by requiring tower sharing and clustering of wireless communications facilities, and
- 12.12.6 Prevent potential damage to adjacent properties from tower failure.

These Regulations are intended to be consistent with the Telecommunications Act of 1996 in that (1) they do not prohibit or have the effect of prohibiting the provision of wireless communication services, (2) they are not intended to unreasonably discriminate among wireless providers, and (3) they do not regulate wireless telecommunications services on the basis of the environmental effects of radio frequency emissions to the extent that the regulated services and facilities comply with the Federal Communication Commission's (FCC) Regulations concerning such emissions.

12.13 Definitions: (1/15/99)

- 12.13.1 **Antenna:** Device used to receive or transmit electromagnetic waves. Examples include but are not limited to whip, panel or dish antennae.
- 12.13.2 **Co-Location:** Locating wireless communication equipment of less than one provider on a single tower
- 12.13.3 **Monopole:** A circular, self-supporting vertical pole with no guy wire anchors.
- 12.13.4 **Premises:** That area of land dedicated for the principle use of siting a wireless telecommunications facility, whether dedicated for that purpose by lease, fee, simple ownership, easement, or otherwise. Antennas accessory to and mounted upon an existing building shall not be deemed to be "premises" as defined herein. Premises shall not exceed one quarter (1/4) of an acre.
- 12.13.5 **Propagation Analysis:** An analytical technique used to determine and delineate the location of areas and strength in which electromagnetic communications can be conducted.
- 12.13.6 **Tower:** A structure, whether freestanding or attached to another structure that is used to support equipment used to receive or transmit electromagnetic/radio waves. Examples include monopoles, self-supporting lattice, and guyed towers.
- 12.13.7 **Wireless Communications:** Commercial wireless and telecommunications systems that include but are not limited to cellular, personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and related systems.
- 12.13.8 **Wireless Communications Facilities:** All ground and roof-mounted towers or antennae, ancillary equipment and other structures associated with the transmission and reception of wireless communications.

- 12.14** **General.** Wireless Communications Facilities shall be permitted in all zones, subject to the following requirements, in addition to any other applicable provisions of these Regulations: (1/15/99)
- 12.14.1** All wireless communications facilities shall comply with the rules and regulations as set fourth by the FCC. Towers not requiring Federal Aviation Administration (FAA) paintings or markings shall be painted a non-contrasting blue, gray or other neutral color.
- 12.14.2** Co-location is encouraged and preferred to the construction of a new tower. The applicant shall commit to allow co-location in accordance with this Section. Applicants shall provide a description of existing towers or other suitable antenna mounting locations in the service area and documentation indicating why their antennas cannot be mounted on these towers. Such documentation shall include demonstration that the shared use is not technically, legally, or environmentally feasible or, for towers constructed prior to the effective date of this section, that shared use is not economically feasible or that the owner of such facility/facilities has/have refused permission for the shared use. The owner of any tower approved under this section shall be required to make space available for at least four additional antennas, including competitors. Such availability shall be made under commercially reasonable terms and conditions. Failure of an owner to share use of a tower approved hereunder shall constitute a violation of any permit issued to such owner and shall be grounds for the Planning & Zoning Commission, upon public hearing and notice to the owner, to revoke such permit. In the event that co-location is found to be infeasible by the applicant, the Planning & Zoning Commission may retain a technical expert to verify if co-location at the site is feasible or not feasible. The cost for such a technical expert will be at the expense of the applicant, and such cost shall be reimbursed prior to the decision on any pending application. Failure to reimburse the Planning & Zoning Commission for such costs shall be grounds for denial of the application without prejudice.
- 12.14.3** All towers shall be a monopole design unless otherwise approved by the Planning & Zoning Commission.
- 12.14.4** The maximum height of a tower proposed under these Regulations shall be 190 feet.
- 12.14.5** No lights shall be mounted on proposed towers unless otherwise approved by the FAA.
- 12.14.6** The design of the wireless communications facility shall comply with the standards promulgated by the FCC for non-ionizing electromagnetic emissions.
- 12.14.7** The minimum lot area of the lot on which the wireless communication facility premises is located shall be that of the zone in which it is located and the lot shall meet both the buildable land requirements of the lot and requirements of Subsection 12.14.8 below.
- 12.14.8** No portion of a wireless communication facility premises shall be located within 200 feet of a residence, residential accessory building or property line, whichever is closer.
- 12.14.9** Generators, air conditioners, compressors or any other machinery installed shall comply with state and local noise regulations.
- 12.14.10** A chain link fence with a height of eight feet shall be required around the wireless communications facility premises. A minimum setback distance of 10 feet shall be maintained between equipment cabinets, equipment buildings and the fence enclosure.
- 12.14.11** Landscaping shall be required around the fence. At a minimum, the landscaping shall consist of a row of evergreen trees planted not more than five feet on center. The evergreen trees shall be a minimum of six feet in height at planting. All landscaping shall be properly maintained to ensure screening effectiveness.

- 12.14.12** Antennas or accessory building or equipment mounted to or on an existing structure or building shall, to the greatest extent possible, blend with the color and design of the underlying structure.
 - 12.14.13** Roof-mounted antennas shall not exceed more than 15 feet above the highest part of the building or structure and shall be set back from the roof edge a minimum of 10 feet.
 - 12.14.14** Buildings shall be designed to be in harmony with the surrounding neighborhood properties, i.e., buildings must have characteristics such as rooflines, siding, etc., that are compatible with residential structures in the immediate area such as determined by the Planning & Zoning Commission. Buildings shall be limited to one story not exceeding 14 feet in height. Building dimensions shall not exceed 10 feet by 20 feet. Flat roof structures are prohibited, unless an exception is granted by the Planning & Zoning Commission.
 - 12.14.15** Commercial advertising shall not be allowed on any antenna, tower or accessory building or equipment.
 - 12.14.16** No wireless communication facility shall be designed, located or operated as to interfere with existing public safety communications.
 - 12.14.17** Plans for the wireless communications facility shall be prepared and signed and sealed by a professional engineer licensed in the State of Connecticut.
 - 12.14.18** All applications shall comply with any applicable requirements of the Floodplain Management Ordinance and the Inland Wetlands, Watercourses & Conservation Planning & Zoning Commission Regulations.
 - 12.14.19** All equipment cabinets and equipment buildings shall be maintained in good appearance. The Planning & Zoning Commission shall determine whether or not the facilities are maintained in good appearance.
 - 12.14.20** Antennas shall be permitted on existing sign pylons, telephone poles and other freestanding structures.
 - 12.14.21** Unpaved driveways leading to the wireless communications facility premises area shall not exceed 10% in grade. Grades exceeding 10% shall be paved with bituminous concrete. No driveway, whether paved or unpaved, shall exceed 15% in grade.
 - 12.14.22** Appropriate safety signage shall be affixed to the perimeter chain link fence, equipment cabinets and equipment buildings.
- 12.15** **Application Requirements.** New towers under Subsection 12.15.1 of these Regulations shall be a Special Exception under Section 12 of these Regulations. New antennas on existing structures shall require site plan review under Section 13 of these Regulations. In addition to the requirements under Sections 12 and 13 of these Regulations, applications pursuant to this Section shall be accompanied by the following: (1/15/99)
- 12.15.1** **New Towers**
 - a) A survey meeting A-2 standards of the wireless communications premises site at a scale of one inch to 40 feet with topography drawn at a minimum of five-foot contour intervals. The survey shall show existing utilities, property lines, existing buildings or structures, stone walls or fence lines and wooded areas within 200 feet of the site area. Show boundary of any wetlands, flood plains or watercourses within 200 feet of the site area.

- b)** A description of the slopes, wetlands, watercourses and other environmental characteristics of the site and any historically designated areas of the site and the impact that the tower will have on these resources.
- c)** A design drawing, including a cross section and elevation of the proposed tower. A description of the tower's capacity as well as the proposed location of all mounting positions for co-located antennas and the minimum separation distances between antennas. The design shall also illustrate how the tower will collapse upon itself without encroaching upon any adjoining property.
- d)** A propagation analysis that illustrates the predicted propagation for the location of the proposed wireless communication site.
- e)** A map depicting the extent of the service area of the proposed wireless communications site along with a map indicating the search radius for the proposed site.
- f)** The applicant must certify that existing towers within 1,500 feet of the proposed new tower do not meet the applicant's technical requirements or lack the structural capacity to accept additional antennas. Furthermore, the applicant must demonstrate that it has examined all wireless telecommunications sites or existing structures over 50 feet in height within a two-mile radius to determine whether existing facilities can be used to provide adequate coverage and/or capacity as part of the applicant's system. The Planning & Zoning Commission may require the investigation of alternative sites by the applicant and demonstration of a good faith effort to co-locate with other carriers. Such good-faith effort includes contact with all other licensed carriers licensed to operate a wireless communications facility in Griswold. In the event that the applicant finds alternate site(s) to be infeasible, the Planning & Zoning Commission may retain a technical expert to verify if the alternate site is feasible or not. The cost for such a technical expert will be at the expense of the applicant, and such costs shall be reimbursed at the expense of the applicant, and such cost shall be reimbursed prior to the decision on any pending application. Failure to reimburse the Planning & Zoning Commission for such costs shall be grounds for denial of the application without prejudice.
- g)** An elevation drawing to scale of all proposed equipment buildings or ancillary equipment.
- h)** Details, including dimensions and appearance of all proposed antennas and associated equipment.
- i)** Proposed utilities, including distance from source of power, size of service available and required locations of proposed utility lines, whether underground or above ground.
- j)** Plans indicating locations and specifics of proposed screening, landscaping, fencing and lighting.
- k)** Erosion and sedimentation plan for construction phase and as a permanent measure.
- l)** A graphic representation of the proposed installation in relation to the site and its vicinity in order to ascertain the visual impacts associated with the proposal. Examples of such representation include photo simulations or architectural drawings or renderings.
- m)** Show longitude and latitude values of the tower location.

12.15.2 New Antennas

- a) Detail design plan, including dimensions and appearance of all proposed antennas and associated equipment.
- b) An elevation drawing of all proposed equipment, buildings or ancillary equipment and host structure.
- c) Proposed utilities, including distance from source of power, sizes of service available and required locations of proposed utility lines, whether underground or above ground.
- d) A graphic representation of the proposed installation in relation to the site and its vicinity in order to ascertain the visual impacts associated with the proposal. Examples of such representation include photo simulations or architectural drawings or renderings.
- e) An A-2 survey of the property may be required at the discretion of the Planning & Zoning Commission.
- f) Earth station dish type antennas for uses other than commercial wireless and telecommunications systems that include but are not limited to cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging and related systems, are governed by Section 11.16 of the Griswold Zoning Regulations.

12.15.3 Review and Decision. In its review and decision on the application for a wireless communication tower, antennas and/or facilities, the Planning & Zoning Commission shall:

- a) Act on the application in accordance with the schedule set forth in Sections 8-3c and 8-7d of the Connecticut General Statutes,
- b) Find conformance with all applicable criteria of these Regulations, including Sections 12 and 13, as the case may be,
- c) Find that the planned equipment cannot be accommodated on an existing tower as documented by a licensed professional engineer registered in the State of Connecticut,
- d) Find that the equipment would not cause unacceptable interference with the operation of other existing or planned equipment of an existing structure, and
- e) Find that the existing or planned equipment would not cause unacceptable interference with the equipment proposed by the applicant and that interference cannot be prevented or eliminated at a reasonable cost.

12.15.4 Abandonment

- a) Upon abandonment of use, the carrier shall physically remove the wireless communications facility within 90 days from the date of abandonment. Abandonment shall be evidence by loss of any necessary license from the Federal Communications Planning & Zoning Commission, voluntary abandonment by the operator or other evidence indicating an intent to permanently discontinue the use. A finding of abandonment shall not be made except following a public hearing with notice to the property owner and operator of record. "Physically remove" shall include, but not be limited to, removal of antennas, base equipment and security barriers from the subject property and restoring the location of the wireless communication facility to its natural condition, except that any landscaping and grading shall remain in the after-condition.

- b) If an owner or operator fails to remove a wireless telecommunications facility in accordance with this section, the Town of Griswold shall have the authority to enter the subject property and physically remove the facility. Costs for the removal of the wireless communication facility shall be charged to the landowner in the event that the Town of Griswold must remove the facility, and the cost thereof may be deducted from any bond posted by the carrier.

12.15.5 **Site Bond.** The owner of the communications tower shall post a cash bond with the Treasurer of the Town of Griswold in an amount satisfactory to remove all physical improvements to the telecommunications facility premises. The amount of the cash bond shall be based on 5% of the total cost of the construction of the site, including the cost of the tower, or the cost of dismantling the tower, whichever is greater. The applicant shall submit, with the application to construct a telecommunications tower, an itemized cost estimate prepared by a Connecticut registered engineer to erect the proposed tower and all associated site improvements. In addition, the engineer shall also submit an itemized estimate for the dismantling of the tower and all associated site improvements necessary to return the premises to its original state. The cash bond shall remain with the Treasurer of the Town of Griswold and shall be in full force and effect for the life of the wireless telecommunications facility. Failure to maintain the bond shall result in an immediate Cease-and Desist order by the Planning & Zoning Commission's Zoning Enforcement Officer.

12.15.6 **Maximum Building Heights.** No building shall exceed three full stories, nor shall the total building height above the finished grade exceed 35 feet, except that features such as steeples, cupolas, water towers, antenna structures for individual dwellings, chimneys, wind energy conservation systems and agricultural buildings may exceed 35 feet in height up to a maximum of 50 feet in height, and any such structure which exceeds 35 feet shall require a Special Exception in accordance with Section 12 of these Regulations. The Planning & Zoning Commission may, by Special Exception in accordance with Section 12 of these Regulations, permit a non-residential building higher than 35 feet or three stories if it determines that such building shall not constitute a safety hazard or be visually inconsistent with the general character and appearance of the surrounding area. All items higher than 35 feet must have fall space on the same lot, equal to the height of the item, to protect adjacent property. For Wind Energy Conversion Systems (WECS) see Section 1 of these Regulations. For wireless communications facilities, towers and other commercial radio tower structures, see Section 12.12 of these Regulations.

SECTION 13. SITE PLAN REQUIREMENTS

13.1 **General Requirements.** A site plan shall be submitted when applying for a Zoning Permit involving uses other than single-family dwellings, two-family dwellings, and for any accessory buildings thereto, and for all Special Exceptions. Applications for Zoning Permits shall be submitted to the Department of Planning & Community Development and are reviewed by the Planning & Zoning Commission. (12/1/04)

13.2 **Site Plan Ingredients.** A site plan on a sheet no larger than twenty four inches (24) by thirty-six inches (36), at a scale of one inch equals twenty feet (1"=20'), or other such scale as may be approved by the Commission shall be prepared that will include and show, where applicable, the following information, and shall be accompanied by all written reports and documentation as required herein. Such plan shall be prepared and sealed by a professional Engineer, land surveyor or architect licensed to practice in the State of Connecticut: (12/1/04)

13.2.1 Name and address of applicant, (12/1/04)

13.2.2 Address of property and name of owner of record, (12/1/04)

- 13.2.3 Scale, north arrow, date of drawing or revision, and name of person preparing the site plan, (12/1/04)
 - 13.2.4 Property boundaries, dimensions and area, (12/1/04)
 - 13.2.5 Locations of all existing and proposed buildings and uses on site, and within 50 feet of the property lines, including but not limited to: signs, sidewalks, driveways, parking and loading areas, and abutting streets, poles, hydrants and other utility appurtenances, areas to be used for exterior storage and the type of screening provided, (12/1/04)
 - 13.2.6 Dimensions of all yards, as required by these Regulations, (12/1/04)
 - 13.2.7 Locations and descriptions of water supply and sewage disposal facilities, (12/1/04)
 - 13.2.8 Existing and proposed drainage structures on the property and those off the property that may affect the proposed building or use, and (12/1/04)
 - 13.2.9 Proposed landscaping, including type, size and location of proposed plantings, (12/1/04)
 - 13.2.10 Demonstration of satisfaction of the Parking & Loading Requirements, (12/1/04)
 - 13.2.11 Estimated number of residents/occupants/employees. (12/1/04)
- 13.3 **Site Plan Evaluation.** The Commission shall determine the following in its review of a site plan. (12/1/04)
- 13.3.1 Any proposed building or structure shall be so designed and located on the site so that there will be adequate access for emergency vehicles. (12/1/04)
 - 13.3.2 The streets serving the proposed use shall be adequate to safely carry the vehicular traffic generated by the proposed activity, and there will be provision for entrance and exit points which will not create a traffic hazard or undue traffic congestion. (12/1/04)
 - 13.3.3 All proposed traffic access ways are adequate but not excessive in number, adequate in width, grade, alignment and visibility; not located too near street corners or other places of public assembly; and other similar safety considerations. (12/1/04)
 - 13.3.4 Adequate off-street parking and loading spaces are provided to prevent parking in public streets of vehicles of any persons connected with or visiting the use and the interior circulation system is adequate to provide safe accessibility to all required off-street parking spaces. (12/1/04)
 - 13.3.5 All playground, parking and service areas are reasonably screened at all seasons of the year from the view of adjacent lots and streets and the general landscaping of the site will preserve and enhance the borough streetscape, so that landscaping will be visually dominant. Preservation of existing trees over 12" in diameter to the maximum extent possible shall be encouraged. (12/1/04)
 - 13.3.6 Lighting from the installation of outdoor flood or spot lighting and illuminated signs will be properly shielded so that such lighting will not adversely affect any abutting property or public street. (12/1/04)
 - 13.3.7 The character and appearance of the proposed use, buildings and/or outdoor signs will be in general harmony with the character, and will improve and enhance the general appearance of the surrounding neighborhood and that of the Borough of Jewett City and will not adversely affect the general welfare of the residents of the Borough. (12/1/04)

13.4 Waivers. The Commission may, upon written request by the applicant, waive one or more of the site plan ingredient requirements if the applicant can show, to the satisfaction of the Commission, that the information is not needed to reach a decision on the application. (12/1/04)

13.5 Technical Review. The cost of any technical review of the site plans or other documents by professionals duly contracted through the Town of Griswold for any application for Plan Review, Zoning Permit, or Special Exception, having been deemed necessary by the Zoning Official, Town Planner, or Planning & Zoning Commission shall hereafter be borne by the applicant. In accordance with the most current schedule in Town Ordinance Section 144, Land Use Application Review Fees which is appended to this document as Appendix A. (03/30/09)

The following 13.5.1–13.5.6 were removed on 03/30/09

13.5.1 Review by a licensed Engineer (12/1/04)

13.5.2 Review by a licensed Architect (12/1/04)

13.5.3 Review by a licensed Environmental Professional (12/1/04)

13.5.4 Review by a licensed Surveyor (12/1/04)

13.5.5 Review by a licensed Soil Scientist (12/1/04)

13.5.6 Legal Review (12/1/04)

13.6 Landscaping, Screening, Buffer, and Architectural Design Requirements.

13.6.1 Purpose. The following landscaping, screening, buffer, architectural design standards are designed to improve and enhance the aesthetic appearance of proposed development and protect property values through the preservation of existing vegetation and the establishment of new landscaping materials and architectural standards. (12/28/00)

13.6.2 Uses requiring Special Exceptions, Zoning Permits and/or Site Plan Approval. The following landscaping, screening, buffer, architectural design and signage standards shall apply to all commercial, industrial, and multi-family uses requiring Special Exceptions, Zoning Permits and/or site plan approval. (12/28/00)

13.6.2.1 General. All portions of a building lot or property which are not used for the location of buildings, structures, accessory uses, off-street parking and loading areas, sidewalks, or similar purposes shall be landscaped and permanently maintained to improve the appearance of the development and the Borough of Jewett City as a whole. To the extent possible, existing specimen trees shall be retained and protected and incorporated into the landscape scheme for the proposed development. (12/28/00)

a) Official Plans. All landscaping plans shall conform to the Borough of Jewett City Zoning Regulations, as amended. (12/28/00)

b) Installation. All plant materials shall be installed according to accepted horticultural standards and methods and planting areas and beds shall be mulched to a minimum depth of two (2) inches. Automatic water systems are encouraged. (12/28/00)

c) Maintenance. All plantings shown on an approved site plan shall be maintained in healthy growing condition and all fences and walks shall be maintained in good physical and aesthetic condition throughout the life of the use. Vegetation, fences and walls not so maintained shall be replaced with new materials no later than the beginning of the following growing season. (12/28/00)

13.6.2.2 Front Landscaping Areas. (Type A Species)

- a)** Location. The required front yard setback, as measured from the property line, shall include a minimum eight (8) foot front landscape area along all streets, as shown on the attached "Landscape Design Standards". Such landscaped area shall be retained and is to be used for no other purpose. Signs may be located within the 8-foot setback area if approved by the Planning & Zoning Commission. (12/28/00)

 - (1)** In situations where the edge of pavement or curb within a street line right-of-way does not coincide with the front lot line, the applicant shall, in addition, landscape the area between the front lot line and the edge of the street pavement or sidewalk in such a manner as will not obstruct vehicular sight lines. (12/28/00)
 - (2)** Prior written approval from the Town of Griswold and/or the Connecticut Department of Transportation (CDOT) may be required in cases as referenced above in item a. (12/28/00)
- b)** Standards. All front landscape areas shall have at least one (1) shade tree for each twenty-five (25) feet of front lot width or measured parallel to the street line and shall be set back at least ten (10) feet from the street line. Where property fronts on a state highway, the Commission will accept the CDOT written recommendation for the recommended front setback distance. (12/28/00)
- c)** Front Landscape Area Plants. The purpose of this type of planting is to provide partial visual screening and partial separation. Plant materials shall consist of shade trees, flowering trees, and/or low, broad-leafed or needled evergreens planted with ground cover and may include evergreen trees as shown on the attached "Landscape Type Standard". Trees may be planted in groups; however, the spacing between trees or groups of trees shall not exceed fifty (50) feet. Shade trees shall not be planted under or within fifteen (15) feet of overhead utility lines. Each required shade tree shall be at least two and one-quarter (2-1/4) inch caliper, as measured six (6) inches above the root crown. Each flowering tree shall be a minimum of 8 feet in height at the time of planting. Low, broadleaf evergreens shall not exceed thirty-six (36) inches in height. Please refer to the "Landscape Varieties for Specific Location and Purposes List", Section 7.0. (12/28/00)

13.6.2.3 Parking Areas (Type B Species)

- a)** Location. On-site parking areas shall be planted with shade trees that are located entirely within the parking field, as shown on the attached "Landscape Design Standards", except that no more than one required tree shall be located in each field corner. (12/28/00)
- b)** Standards. All parking areas shall have at least one (1) shade tree for each ten (10) required off-street parking spaces. Each tree shall be located in a porous island. (12/28/00)

- c) Parking Landscape Area Plants. The desired effects of this type of planting are to screen interiors of parking areas and to provide shade for the protection of pedestrians and vehicles. Plant materials shall consist of shade trees planted with ground cover, as shown on the attached "Landscape Type Standards". The trees shall be evenly distributed throughout the parking lot area and shall be protected from vehicle bumpers and doors. Each required shade tree shall be at least two and one-quarter (2-1/4) inch caliper, as measured six (6) inches above the root crown. Please refer to the "Landscape Varieties for Specific Location and Purposes List", Section 7.0. (12/28/00)
- d) Sidewalks. Sidewalks at least three (3) feet in width shall be installed within the site to provide walkways between parking areas and other principal or accessory uses when deemed necessary for public safety. Sidewalks shall provide handicap ramps at all driveway and intersection crossways. (12/28/00)

13.6.2.4 Buffer Strips. (Type C Species)

- a) Location. A buffer strip shall be required along and within all non-residential district boundaries immediately adjacent to a Residential District or Residence Use and may be required along and within the rear and/or side lot lines on any Special Exception use. Such buffer strip shall comply with at least the following minimum provisions. (12/28/00)
 - (1) The buffer strip shall be at least eight (8) feet in width and shall be retained as an integral part of the development project and is to be used for no other purposes. (12/28/00)
 - (2) A berm, hedge, mound, wall or fence of suitable location, height, design and materials as determined by the Planning & Zoning Commission may be required in conjunction with any portion of the required planting and/or buffer strip. (12/28/00)
- b) Standards. The buffer strip shall consist of a single row of evergreen plantings with at least two trees for each ten (10) feet of buffer length per row, as measured parallel to the property line. (12/28/00)
- c) Buffer Strip Landscape Area Plants. The purpose of this type of planting is to provide complete visual screening of the activity on the lot. The planting shall consist of a single row of evergreen trees at least eight (8) feet in height, as shown on the attached "Landscape Type Standards". Non-evergreen plantings and/or a screening berm, hedge, fence or wall at least five (5) feet in height may be used in conjunction with evergreen trees. The evergreen trees shall be planted at three (3) feet on center. The evergreen trees may be grouped or staggered at intervals, provided that the spacing between groups is filled with a screening hedge, berm, fence or wall at least five (5) feet in height. Please refer to the "Landscape Varieties for Specific Location and Purposes List" Section 13.6.2.12.c. (12/28/00)

13.6.2.5 Protection from Vehicles. When vehicles will be located adjacent to sidewalks, fences, walls, buffer strips, trees, landscaping or similar obstructions, a suitable barrier, curb, wheel stop or similar device shall be provided so that vehicle overhang does not damage said plantings or obstruction. (12/28/00)

- 13.6.2.6** Sight Lines. The minimum required front, parking and buffer landscaped areas shall not obstruct vehicle sight lines and shall be planted with trees, shrubs, and other materials of a type and height as required herein. (12/28/00)
- 13.6.2.7** Quality and Methods. All required plantings shall be of species and varieties as approved by the Commission and shall be installed in accordance with the standards of the American Nurseryman's Association. (12/28/00)
- 13.6.2.8** Landscaping of Developed Sites. To the greatest extent possible, the minimum landscape requirements contained in this section shall be adhered to for any site plan application involving the expansion, structural alteration, or reuse of an existing building or site, and/or a new use or change of use for a developed site. (12/1/04)
- 13.6.2.9** Landscape Modifications. Existing specimen trees may be used to satisfy the landscape requirements provided they are protected during construction and the area within five (5) feet of the tree trunk consists of porous materials to permit adequate drainage. (12/28/00)
- a) The Planning & Zoning Commission may, upon written request, modify or waive the location, number and/or type of plantings required for any front, parking or buffer landscape area where the existing natural topography, existing natural vegetation, and/or proposed alternative method such as a berm, mound, hedge, fence or wall at least five (5) feet in height can be reasonably shown to achieve the applicable landscape objectives as identified in this section. (12/28/00)
 - b) Prior to granting any modification or reduction of these landscaping requirements by the Commission, the applicant shall submit a preliminary standard or parking lot layout with all required landscaped areas in order to substantiate that the proposed project can, in fact, comply with these Regulations prior to any such landscape modification. (12/28/00)
- 13.6.2.10** Other Landscape Plan Elements. Any preliminary or final landscape plan required under these Regulations shall show all required landscape areas plus the following additional elements, as applicable: (12/28/00)
- a) Exterior lighting fixtures, back lighted signs and security lighting, including location, height, fixture design, materials and illumination. Also provide schedule of hours when lighting types will be illuminated. (12/28/00)
 - b) Freestanding signs, including location, height, design, colors, material and illumination. (12/28/00)
 - c) Refuse collection areas, including dumpsters, screening and vehicle pick-up maneuvering areas. Any refuse collection area shall be located near or adjacent to the building's loading area and/or service entrance. (12/28/00)
 - d) Mailbox clusters, including location, height and design. (12/28/00)
 - e) Ground mounted mechanical units, including cooling towers, air conditioning units, compressors, above ground and below ground storage tanks, etc., with their locations, heights, capacities and purpose. (12/28/00)

- f) Other similar site improvements such as stone walls, fences, fire hydrants, utility poles, walkways, etc. (12/28/00)

13.6.2.11 Architectural Design. The architectural design, scale and mass of buildings and other structures, including, among other elements, the exterior building materials, color, roof-line, and building elevations, shall be of such character as to harmonize and be compatible with the other buildings in the district so as to preserve and improve the appearance and beauty of the community. (12/28/00)

- a) Buildings designed to achieve a small scale and residential appearance shall be encouraged. (12/28/00)
- b) Pitched roof buildings shall be encouraged. (12/28/00)
- c) Rooftop mechanical equipment, other than solar panels, shall be concealed from all sides. (12/28/00)
- d) Buildings shall be designed and located on the site so as to retain the existing topography and natural features of the land to the greatest extent possible. (12/28/00)
- e) Commercial buildings, office buildings, restaurant buildings (including fast food) shall be designed to reflect a New England Colonial, Early American or Traditional type of architecture, in keeping with the surrounding architecture. (12/28/00)
- f) Existing stone walls shall be incorporated into the design and layout of the proposed development. If the walls require removal due to curb cuts, sight line problems or building(s)/improvement(s) placement, said wall(s) shall be reconstructed on the property. Existing stone walls that do not require relocation shall be rebuilt if their current condition warrants it. (12/28/00)
- g) Building Color/Façade: Building color and materials are important to the aesthetics and character of the development and its impact on the surrounding community. The following standards have been incorporated to encourage the use of quality materials to complement surrounding residential neighborhoods: (12/28/00)
 - 1) Predominant exterior building materials must be of high quality, including brick, wood, stone and tinted/textured concrete masonry units. Smooth-faced concrete blocks, tilt-up concrete panels, and prefabricated steel panels are prohibited, unless the applicant can show that said materials conform to the architectural requirements of Sections 13.6.2.11 e, g, and g.2 and g.4.
 - 2) Façade colors must be low reflecting, subtle, and neutral or earth-toned. The use of metallic colors, black or fluorescent colors are prohibited and the excessive use of high-intensity colors or black is prohibited. (12/28/00)
 - 3) Building trim may feature brighter colors, but neon tubing is not allowed as an accent material. (12/28/00)

- 4) All facades of a building that are visible from adjoining properties or public streets should contribute to the scale features of the building and encourage community integration by featuring characteristics similar to a front façade. (12/28/00)

13.6.2.12 Landscape Varieties for Specific Locations and Purposes List. (12/28/00)

a) Type A Species – Front Area Landscape Requirements. (12/28/00)

These types of trees are tall shade variety and flowering deciduous variety: (12/28/00)

- Maple
- Oak
- Sycamore
- Dogwood
- Crab Apple
- Flowering Cherry
- White Ash
- Bradford Pear

Also permitted within the front yard landscape area, parking areas and buffer areas are various types of flowering plants and spreading evergreens: (12/28/00)

- Rhododendron
- Juniper
- Yews
- Holly
- Azalea
- Arrowwood
- Mapleleaf Viburnum

b) Type B Species – Parking Area Landscape Requirements. (12/28/00)

These types of trees are tall shade variety: (12/28/00)

- Maple
- Oak
- Sycamore
- Gingko
- Sweet Gum
- American Holly

Parking lot drainage outlet structures that flow water onto grass swales or into wetland areas shall use one or more of the following salt tolerant plants within the receiving swale: (12/28/00)

- Flat Pea (Lathco)
- Switch Grass (Blackwell)
- Tall Fescue (Kentucky 31)
- Crown Vetch (Chemung, Penngift)

c) Type C Species – Buffer Area Landscape Requirements. (12/28/00)

These types of trees are tall evergreen variety: (12/28/00)

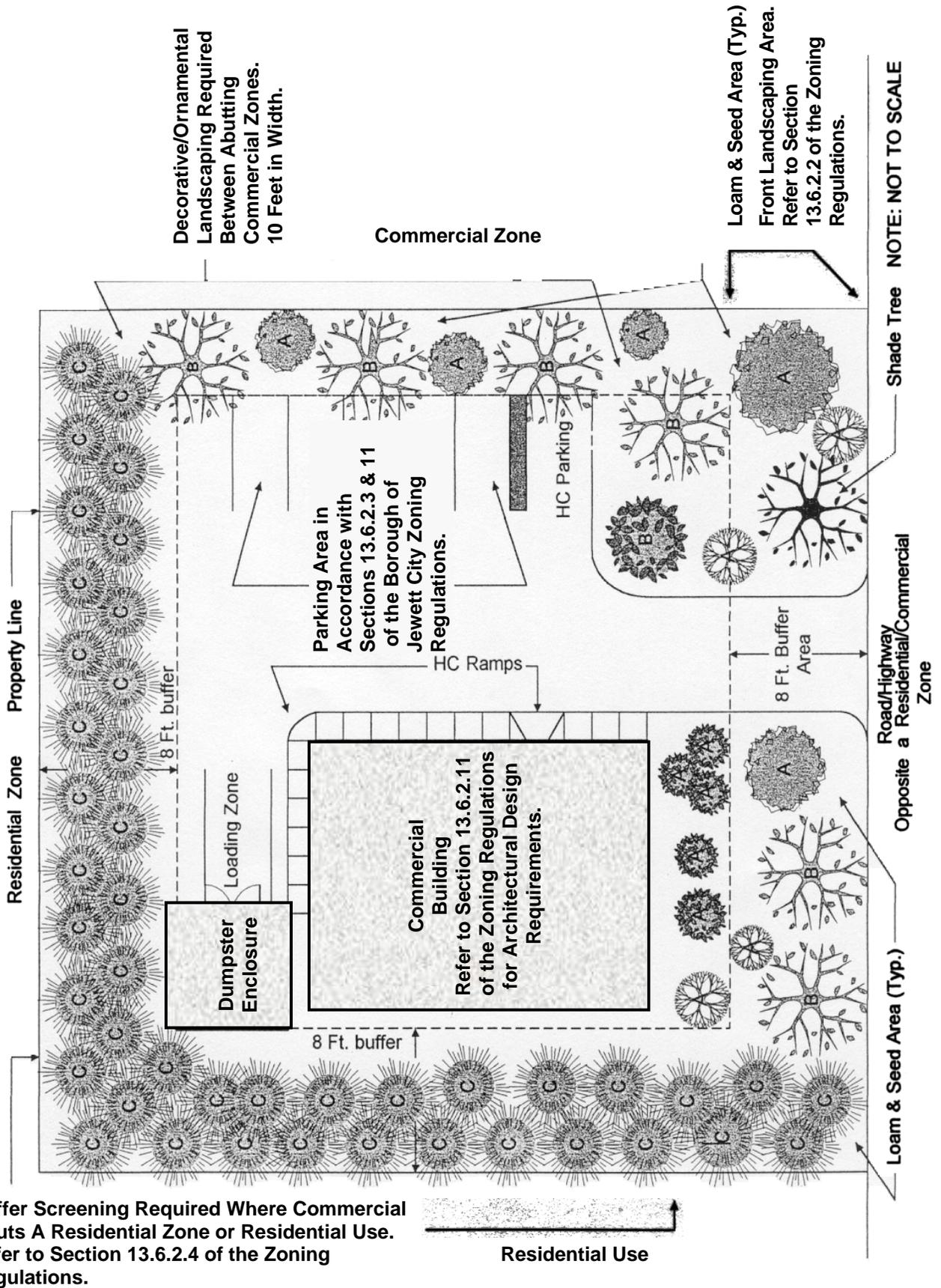
- Arborvitae
- Blue Spruce
- White Pine
- Hemlock
- American Holly
- Juniper
- Eastern Red Cedar
- Japanese Yew

13.6.2.13 The Planning and Zoning Commission may, at its discretion, provide waivers or modification of specific landscaping, screening, and buffer requirements of this section 13.6. (03/30/09)

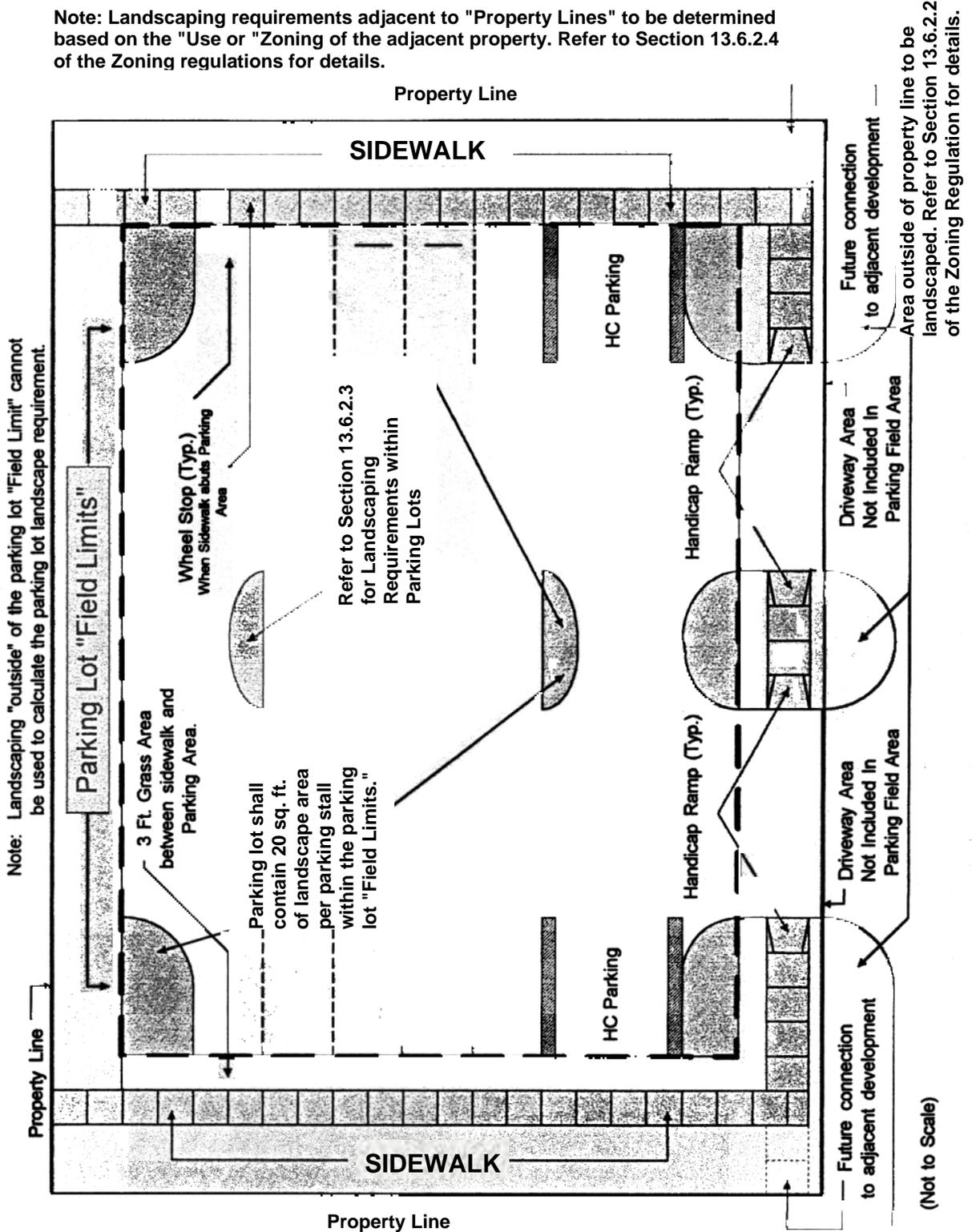
13.6.2.13.1 Upon written request of the applicant accompanied by a written explanation of what portion(s) of Section 13.6 are desired to be waived or modified and an explanation of why existing or proposed site conditions pose special difficulty, over and above mere increases in cost, to achieve the goals of this Section 13.6 and are not necessary to the design of a reasonable, safe, and attractive project in context of both present or permitted future development nearby. Conditions of waiver or modification may include, but are not limited to :

- a. Situations where a site has been designed and submitted to the Commission as a single, unified planned development and its designated to be subdivided into phases or components and sold independently, subject to cross easements or other perpetual restrictions for shared parking, access, landscaped areas, amenities, and provision for the maintenance thereof.
- b. Situations where the topography of a site is such that buffering is not required; such situations where adjoining properties are so far above or below the grade of the subject site that the adjoining property will not be subjected to noise, glare from parking lot lights, vehicles, signs, litter, or visual intrusion.
- c. Situations where the adjoining properties contain landscaping or buffering that would comply with this Section 13.6 and such property is owned in perpetuity by an entity which will preserve such property in its natural state, and has entered into a perpetual easement with the applicant to that effect.

**BOROUGH OF JEWETT CITY
LANDSCAPE DESIGN STANDARDS**



BOROUGH OF JEWETT CITY LANDSCAPE DESIGN STANDARDS FOR PARKING LOTS AND SIDE WALKS



Note: Landscaping requirements adjacent to "Property Lines" to be determined based on the "Use or "Zoning of the adjacent property. Refer to Section 13.6.2.4 of the Zoning regulations for details.

- 13.7** **General Sign Requirements.** The following general sign requirements shall apply throughout the Borough of Jewett City: In addition, any site plan which includes reference to a sign but does not provide specific details regarding the type of sign, size of sign, type of technology, with day and night brightness for the lighting of sign, graphics in sign design, hours of operation, and specifics regarding the static versus cycling nature of sign message shall not include any sign approvals as part of the site plan approval regardless of whether that exclusion is stated at the time of that approval.(12/28/00) (2/15/11)
- 13.7.1** No sign shall be designed or located in a manner that confuses or obstructs the view of official traffic signs or signals nor shall an illuminated sign or lighting device be so directed to permit the beams and illumination there from to be directed or beamed upon a public street, highway, sidewalk, or adjacent lot such that it causes glare or reflection constituting a traffic hazard or nuisance. (12/28/00)
- 13.7.2** No sign or advertising device shall be erected or maintained at the intersection of streets in such a manner as to obstruct free and clear vision of the intersection. (12/28/00)
- 13.7.3** All signs shall be constructed of sound materials, firmly supported and maintained in good condition and repair. It is the responsibility of the applicant to check with the building inspector to determine if a building permit is required. (12/28/00)
- 13.7.4** Except for a one-week time limit, no sign or part thereof shall contain or consist of banners, posters, pennants, ribbon streamers, spinners, or other similar moving, fluttering or revolving devices. (12/28/00)
- 13.7.5** Signs for political purposes shall be allowed provided that such signs, banners, or posters shall be displayed not more than thirty (30) days before the election and removed not more that seven (7) days following the election. (12/28/00)
- 13.7.6** Ground signs, including supports, shall not exceed a height of twelve (12) feet in a residential district, or twenty-four (24) feet in commercial or industrial district, above the surface of the ground on which it is located. (12/28/00)
- 13.7.7** A religious, governmental or institutional use shall have not more than one sign, not exceeding twenty (20) square feet. Business directory/welcoming signs erected by or on behalf of a governmental body serving a public information purpose may exceed this number and size, but shall be professionally designed and reviewed by the Commission. (12/18/00)
- 13.7.8** Temporary signs, not over six (6) square feet in area, and advertising the sale, rental, building contractor or special features of the building or lot on which they are located, may be erected in residential districts. In non-residential districts, temporary signs, not over thirty-two (32) square feet in area, advertising the sale, rental, or special features of the building or lot on which they are located may be erected. Temporary sign(s) shall be removed in accordance with the following: (12/28/00)
- 13.7.8.1** Temporary sign(s) relating to the construction of a residence shall be removed immediately upon the issuance of a Certificate of Occupancy by the Building Official. (12/28/00)
- 13.7.8.2** Temporary sign(s) relating to the sale of a residence or residential property shall be removed within 5 working days of the transfer of the title of the property. (12/28/00)

- 13.7.8.3** Temporary sign(s) relating to the repair or remodeling of a residence shall be removed immediately upon the completion of the work as permitted by the permit issued. (Permit shall include any permit issued by the Town of Griswold, i.e., Building, Health, Planning & Zoning, Conservation Commission, Board of Selectmen.) (12/28/00)
- 13.7.8.4** Temporary sign(s) shall not be placed in the right-of-way line of any public or private street. The sign(s) shall be placed within the property line of the property. (12/28/00)
- 13.7.9** No sign shall advertise a product, service, or activity other than that which is produced, provided or conducted on the premises except that a maximum of two (2) directional signs each not more than four (4) square feet in area and conforming to the other provisions of these Regulations shall be permitted off the premises, and governmental business directory/welcoming signs shall be permitted according to Section 4.1.7 above. (12/28/00)
- 13.7.10** Signs in Residential Districts. The following signs are permitted in Residential Districts. (12/28/00)
 - 13.7.10.1** One sign giving the name and address of the property and/or the occupant. Such signs shall not exceed four (4) square feet. (12/28/00)
 - 13.7.10.2** One sign identifying a permitted profession or home occupation, not exceeding four (4) square feet. (12/28/00)
 - 13.7.10.3** One sign identifying an approved special exception, not exceeding thirty-two (32) square feet. (12/28/00)
 - 13.7.10.4** One sign offering more than one vacant lot for sale in an approved subdivision, such sign not to exceed thirty-two (32) square feet. Two such signs are permitted where the number of lots for sale is ten (10) or more. The sign(s) may be displayed for the duration of the approval of the subdivision and shall be removed immediately when all lots have been sold or conveyed. Said sign(s) shall be maintained in good appearance. Said sign(s) shall be located in the right-of-way of the street line and placed so that it does not create a sight line problem and shall conform to Section 11.6 of these Regulations. (12/28/00)
 - 13.7.10.5** No sign shall be equipped with flashing lights or movable parts in a residential district. (12/28/00)
 - 13.7.10.6** No sign, other than one identifying the occupant of a residence, shall be located closer than five (5) feet from any property line in a residential district, except that signs permitted in accordance with Sections 13.7.7 and 13.7.10.7 may be permitted within the five (5) foot setback area. (12/28/00)
 - 13.7.10.7** A Zoning Permit shall be obtained for a permanent sign that identifies a development or subdivision. The sign face shall not exceed six square feet in area or 4 feet in height above the existing grade of the sign location. The sign shall be constructed of permanent materials and shall be placed in the right-of-way of the street line and shall be placed so that it does not create a sight line problem. The placement of the sign shall conform to Section 11.6 of these Regulations. (12/28/00)

- 13.7.11** Signs in Commercial and Industrial Districts. Every place of business may erect plain or illuminated signs upon the property on which the business is conducted which indicate the name of the owner or proprietor, the character of the business, the name of the business, and/or the products made or sold on the site, subject to the following regulations: (12/28/00)
- 13.7.11.1** Each individual commercial building located on a separate lot and in a separate building from other uses may have a non-movable, free-standing sign not exceeding thirty-two (32) square feet in area. (12/28/00)
- 13.7.11.1.1** Each individual commercial building located on a separate lot and in a separate building from other uses may have a maximum of two (2) portable, movable signs, each not more than eight (8) square feet in area. Such signs shall not be located within or on a street, right-of-way, sidewalk, or driveway. (12/28/00)
- 13.7.11.2** Where two or more commercial uses are grouped in a single building or in one or more buildings on a single lot, as in a shopping center, one sign not exceeding 100 square feet shall be permitted. For a commercial building with frontage on two streets, two such signs are permitted. (12/28/00)
- 13.7.11.3** Each commercial or professional use may be permitted one sign, not exceeding four (4) square feet in size, attached to the building in which it is located, unless such use is located in a separate building on a separate lot and has no free-standing sign, in which case the sign may be increased to eight (8) square feet. (12/28/00)
- 13.7.11.4** The total area of all signs for each unit of occupancy of a building shall not exceed two (2) square feet for each front foot of building occupied by such unit and shall be located at least ten (10) feet back of the street line, except that for each five (5) feet of additional setback beyond the required setback line, an additional 5% of sign area shall be permitted; but in no case shall the square footage of such sign exceed three times the lineal frontage of the building. (12/28/00)
- 13.7.11.5** A Zoning Permit shall be obtained for any sign exceeding thirty-two (32) square feet in size, unless the design and location of such sign is shown on a site development plan approved by the Commission. (12/28/00)
- 13.7.12** A Message Board Sign Panels for Banks and/or Financial Institutions in Commercial and Industrial Zones may be added as one component of the single free-standing sign for the bank or financial institutions under 13.7.11.1 or 13.7.11.5 provided there shall be no increase in the total sign area; that no more than 25% of the total sign area is devoted to recurring, lighted advertising or public services messages, provided that the message sign board advertises goods or services available from the bank or financial institution or public service/municipal related messages only, and provided that the duration of each message, transition time between messages, and brightness has been demonstrated to follow the Federal Highway Administration Guidelines on Changeable Message Signs in Memorandum HEPR-20 dated September 25, 2007 and as subsequently revised. Lighted message boards shall be set to function from 6:00 A.M. to 10:00 P.M. with the exception of time and temperature information or emergency alert information which can be provided at all times of the day or night. (11/09/2010)

- 13.7.13** Identification and Public Service Signs or Message Boards. (11/09/2010)
- 13.7.13.1** A Signs on Town-owned property for all Zoning Districts may be permitted on certain properties owned by the Borough of Jewett City and the Town of Griswold subject to the following regulations for identification and public service signs or message boards. (11/09/2010)
 - 13.7.13.2** One free-standing identification sign or lighted message board at Town Hall or Fire Station is permitted with as many as two-faces, each face up to maximum of 32 square feet in area, and up to a maximum height above the natural grade to six feet high overall including mounting after review by the Zoning Enforcement Officer. (11/09/2010)
 - 13.7.13.3** Signs shall be located no closer than ten feet from the front boundary line of the lot or any internal access way on the lot provided that the location meets clear sightline maintenance regulations. Sign should be readable from the road or access way curb. (11/09/2010)
 - 13.7.13.4** Sign or message boards at Town Hall or Fire Station may be lighted by external fixtures on the ground or within a valance. Alternatively, the sign may be internally lighted. Message boards may be lighted with LEDs whose intensity is programmed and monitored by sensors so brightness is not excessive for prevailing ambient conditions; and which message may be changed with time frequency designed not to distract motorists and to follow Federal Highway Administration Guidelines on Changeable Message Signs in Memorandum HEPR-20 dated September 25, 2007 as subsequently revised. (11/09/2010)
 - 13.7.13.5** Message boards at Town Hall and Fire Station shall be set to function only from 6:00 A.M. to 10:00 P.M. local time(11/09/2010)
- 13.7.14** Special Sponsor Signs attached to existing structures and fences located in Town or Borough-owned public recreational areas, ball fields, or parks are permitted as long as each sponsor sign is thirty-two (32) square feet or less in size. (11/09/2010)

13.8 **Bond Requirement.** In the event that certain improvements may not be installed at the time of occupancy of a site or building due to weather conditions or other factors beyond the control of the applicant, the Zoning Enforcement Officer may issue a temporary Certificate of Zoning Compliance at the time of the application for a Certificate of Occupancy, provided that the applicant shall require a performance bond in the form of cash, surety, or an irrevocable letter of credit from a Connecticut banking institution in an amount necessary to cover one hundred fifty percent (150%) of the construction cost, as estimated at the time of projected completion to insure the completion of such improvements not more than six (6) months following such occupancy. Said construction estimate shall be reviewed and approved by the Town Engineer prior to the issuance of a temporary Certificate of Occupancy. All public health and safety related components of a project must be completed prior to occupancy or use of any parcel of land, building, or structure, and shall be bonded. (12/28/00)

In the event that the improvements described above are not completed within the time limits contained herein, the Commission, Zoning Board of Appeals, or the Zoning Enforcement Officer, as the case may be, shall be authorized to utilize the performance bond to complete such improvements, and to compensate the Town for any administrative expenses incurred in connection with the completion of such improvements. (12/28/00)

13.8.1 Maintenance bonds may be required by the Commission to insure that landscaping material which has been improperly planted or cared for will be replaced; that public improvements have been properly installed; and that other defects which do not appear immediately after completion of construction will be repaired or utilized, as the case may be, not more than one (1) year following completion of all improvements, as evidenced by the issuance of a Certificate of Zoning Compliance, or the release of the bond as described above. (12/28/00)

13.8.2 All bonds posted in accordance with these Regulations shall be effective at least until the completion of the activity or development which they serve to guarantee. No such bond shall require the Town or any agency thereof to incur any expense or enter into any contract prior to payment of the obligation which such bonds secure. All bonds shall be in such form, as the Town Attorney shall require. (12/28/00)

13.9 **Erosion and Sedimentation Control Plan.** A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half (1/2) acre. The soil erosion and sediment control plan shall contain proper provisions to adequately control stormwater runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the "Connecticut Guidelines for Soil Erosion and Sediment Control (2002)" or as amended available through the Connecticut Department of Environmental Protection. (03/30/09)

13.9.1 The Soil Erosion and Sediment control Plan shall include the following

A. A narrative describing:

1. The development,
2. The Schedule for grading and construction activities including:
 - a) Start and completion date.
 - b) Sequence of grading and construction activities
 - c) Sequence of installation and/or application of soil erosion and sediment control measures, and
 - d) Sequence for final stabilization of project site.
3. The design criteria for proposed soil erosion and sediment control measures and storm water management facilities.
4. The construction details and the installation and/or application procedures for proposed soil erosion and sediment control measures and stormwater management facilities, and
5. The operations and maintenance program for proposed soil erosion and sediment control measures and stormwater management facilities.

B. A map of at least one inch equals fifty feet (1" = 50') showing:

1. The location of the proposed development and adjacent properties,
2. The existing and proposed topography including soil types, wetlands, watercourses and water bodies,

3. The existing structures on the project site, if any,
 4. The proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines.
 5. The location of and design details for all proposed soil erosion and sediment control measures and stormwater management facilities,
 6. The sequence of grading and construction activities.
 7. The sequence for installation and/or application of soil erosion and sediment control measures.
 8. The sequence for final stabilization of the development site, and
 9. The words "Certified by the Griswold Planning and Zoning Commission" with designated space for the date and signature of the Chairman or Secretary of the Commission;
- C. The narrative required in Section 13.9.1 a) may be included on the map of Section 13.9.1 b) if room allows it without affecting the readability of the map. The items required to be mapped in Section 13.9.1 b) may be depicted on the site plan map required in Section 13.2 if the readability of the site plan is not affected.

13.9.2 After review of the Erosion and Sediment Control Plan by the Commission of its designated agent, the Commission shall vote to certify, modify and certify or deny that the soil erosion and sediment control plan complies with these Regulations. A vote of the Commission to approve a site plan shall mean certification of the erosion and sediment control plan as well. Prior to certification, any plan submitted to the Commission may be reviewed by the New London County Soil and Water Conservation District which may make recommendations concerning such plan, provided such review shall be completed within thirty (30) days of the receipt of such plan by the New London County Soil and Water Conservation District.

13.9.3 The estimated costs of measures required to control soil erosion and sedimentation as specified in the certified plan, may be covered in the cash passbook or letter of credit acceptable to the Commission.

13.9.4 The Commission or its designated agent shall periodically conduct inspections to verify compliance with the certified plan and that control measures are properly performed or installed and maintained. The commission may require the applicant to submit progress reports which show that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being correctly operated and maintained.

SECTION 14. NON-CONFORMING BUILDINGS AND USES

14.1 **Non-Conforming Building and Uses.** Any non-conforming use of a building or lot lawfully existing at the effective date of these Regulations or of any amendments thereto, may be continued, and any building so existing which was designed, arranged, intended for or devoted to a non-conforming use therein changed subject to the following regulations:

14.1.1 Nothing in this ordinance shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.

- 14.1.2 A non-conforming use may be extended to another part of a building designed for such use but not at the expense of a conforming use.
 - 14.1.3 No building devoted to a non-conforming use shall be enlarged or extended unless the use therein is changed to a conforming use.
 - 14.1.4 Structural alterations of any non-conforming building may be permitted, provided the total costs of such alterations do not exceed fifty percent (50%) of the assessed valuation of such building at the time it becomes non-conforming, unless the use thereof is changed to a conforming use.
 - 14.1.5 When a building in which there is a non-conforming use is damaged by fire, explosion, act of God, or act of the public enemy, it may be reconstructed, repaired or rebuilt only to its previous floor area and cubical content, provided such reconstruction or rebuilding is commenced within one year of such damage, and the same non-conforming use is continued.
- 14.2 **Changes.** A non-conforming use may, by permission of the Planning & Zoning Commission, be changed to another non-conforming use when the proposed use is equally appropriate or more appropriate to the district than the existing use.
- 14.3 **Abandonment.** When a non-conforming use intentionally abandoned or discontinued or converted to another use, it shall thereafter be used in conformity with the regulations for the district in which it is located. (03/30/09)

SECTION 15. FEES, PENALTIES

- 15.1 **Fees.** See Appendix A, (03/30/09)

Section 144. Land Use Application Processing and Review Fees

- 15.1.1 Fees shall be waived for official municipal agencies.
- 15.2 **Penalties.** In accordance with Section 8-12 of the Connecticut General Statutes, the owner or agent of any building or premises where a violation of any provision of these Regulations has been committed or exists, or the lessee or tenant of an entire building or premises where such violations have been committed or exists, or the agent, architect, builder, contractor or other person who commits, takes part or assists in any such violation or who maintains any building or premises in which such violation exists, shall be fined not less than ten nor more than two hundred dollars for each day that such violation continues; but if the offense is willful, the person convicted thereof shall be fined not less than \$100.00 nor more than \$250.00 for each day that such violation continues, or imprisoned not more than 10 days for each day such violation continues or both; and the circuit court shall have jurisdiction of all such offenses, subject to appeal as in other cases.

SECTION 16. APPEALS

- 16.1 **Appeals.** Any person may appeal to the Zoning Board of Appeals when it is alleged that there is an error in any order, requirement, or decision made by the Zoning Enforcement Officer related to the enforcement of these Regulations. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, or decision appealed from and shall make such order, requirement, or decision as in its opinion ought to be made in the premises, and shall have the powers of the officer from whose order, requirement, or decision the appeal was taken. The concurring vote of four (4) members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, or decision of the Zoning Enforcement Officer. (12/28/00)

- 16.2** **Variances.** Any person seeking a Variance from the literal enforcement of these Regulations may apply to the Zoning Board of Appeals for a Variance. Said Board may, after consideration of a variance application in accordance with Section 8-6 and 8-7 of the Connecticut General Statutes, approve or deny a Variance, except that no Variance may be approved for uses in districts in which such uses are not otherwise permitted by these Regulations. (12/28/00)

SECTION 17. AMENDMENTS

- 17.1** **General.** These Regulations may be amended by the Planning & Zoning Commission, after proper public notice and public hearing, in accordance with Section 8-3 of the Connecticut General Statutes.
- 17.2** **Variance Notification:** The applicant shall, no later than ten (10) days prior to the hearing for the Variance, send notices to all abutting property owners and all owners directly opposite the applicant's property by First class mail, and proof of such mailing shall be evidenced by a certificate of mailing. Such ownership shall be indicated on the most recent Grand List. Said notices shall include the following information: (12/28/00) (8/10/09)
- 1)** The zoning regulation(s) that is (are) the subject of the Variance application. (12/28/00)
 - 2)** Detailed written narrative explanation of the proposed Variance application. (12/28/00)
 - 3)** Copy of any plan or sketch that shows the location of the Variance(s) as described in the Variance application. (12/28/00)
 - 4)** The date, time and place of the Zoning Board of Appeals hearing. (12/28/00)

The applicant shall present the evidence of mailing to the Zoning Board of Appeals at the scheduled hearing. Failure to satisfy these requirements shall render the Variance application null and void. If an application is declared null and void, a new application and application fee shall be required. (12/28/00) (8/10/09)

SECTION 18. SEPARABILITY

- 18.1** Should any section or provision of these Regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of these Regulations as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 19. EFFECTIVE DATE

- 19.1** These Regulations amend and supersede Regulations adopted by the Zoning Commission of the Borough of Jewett City on September 18, 1975, and subsequently amended. Planning & Zoning functions for the Borough of Jewett City was transferred to the Town of Griswold, Planning & Zoning Commission, by Ordinance adopted by the Warden and Burgesses on October 2, 1995 and approved by the freemen of the Borough of Jewett City at a meeting held on October 10, 1995. The effective date of transfer of duties was January 1, 1996. The Griswold Planning & Zoning Commission accepted the duties of the Zoning Commission for the Borough of Jewett City at their Regular Meeting held on December 11, 1995. These amended Regulations shall take effect on March 30, 2009.

SECTION 20. DEFINITIONS

20.1 General. Certain words and terms used in these Regulations shall have the meanings presented in this section. All words in the present tense include the future tense. The word “shall” is always mandatory; a “building” includes a “structure”; a “building” or “structure” includes any part thereof; “used” or “occupied” shall be deemed to include “designed, intended, or arranged to be used or occupied”.

Abutting: Separated by no intervening private property; properties separated by a public or private street shall be deemed to be abutting. (3/9/04)

Accessory Building or Use: A building or use subordinate to and customarily incidental to the principle building or use of land or buildings and on the same lot or on a contiguous lot under the same ownership.

Poultry Domesticated fowl collectively, especially those valued for their meat and eggs, as chickens, turkeys, ducks, geese, and guinea fowl.

Assisted Living Facility: A residential facility primarily inhabited by individuals requiring professional assistance to maintain daily function due to physical or mental disability. (12/1/04)

Camper Unit: A self-propelled or portable unit, such as a camper bus, travel trailer, truck-mounted camper, or other similar unit, originally designed and constructed or redesigned and reconstructed for recreation or other shelter for one or more persons.

Planning & Zoning Commission: The Planning & Zoning Commission of the Town of Griswold.

District: A zoning district established by Section 3 of these Regulations. (12/1/04)

Dwelling, Single-Family: A residential building containing one dwelling unit, other than a mobile home, designed for and occupied by one family only.

Dwelling, Two-Family: A residential building containing two dwelling units, designed for occupancy by not more than two families.

Dwelling, Multiple-Family: A residential building designed for or occupied by three or more families with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling Unit: One room or rooms connected together, constituting a separate, independent housekeeping establishment for owner or renter occupancy, and containing independent cooking and sleeping facilities and toilet facilities.

Elderly Housing: A housing unit or group of housing units specifically designed for and occupied by adult individuals over the age of 65, for whom no physical assistance is necessary. (12/1/04)

Family: One or more persons occupying a single dwelling unit, provided that, unless all members are related by blood or marriage, no such family shall contain over five (5) persons.

Junk Yard: An area of land, with or without buildings, used either as a principle or accessory use or occupied by the outdoor storage of used or discarded materials such as waste paper, rags, scrap metal, building materials, house furnishings, machinery, vehicles or parts thereof, with or without dismantling, processing salvage, sale or other use of disposition of the same. A deposit or the outdoor storage on a lot of more than two (2) wrecked or unregistered vehicles, or vehicles otherwise not in a condition for legal use on public highways, or parts of more than two (2) such vehicles, shall be deemed a junk yard. (11/24/98)

Home Occupation: Accessory uses conducted for compensation by the occupant(s) of a residential building or lot, which complies, with the provisions of Section 10.5 of these Regulations. Home Occupations shall not include restaurants, tea rooms, or other eating or drinking places; dog kennels, animal hospitals; barber shops or beauty salons having more than one (1) sink with one (1) chair; doctors, dentists, or lawyers; or automotive service, supply, sales or repairs except for vehicles registered in the name of family members residing in the dwelling. (12/28/00)

Home Occupations include, but are not limited to: the preparation and sale of those products customarily produced in the home or garden, and actually produced in the subject home or garden, such as baking and home preserves; the preparation and sale of the products of the arts and crafts actually prepared on the subject premises, such as sewing, painting, wood carving, cabinet making, ceramics, writing, sculpture, ornamental glass and metal working; the workshops of skilled craftsmen such as watchmakers, plumbers, electricians, carpenters, house painters, paperhangers, and radio and television repairmen; and the offices of architects, accountants, engineers, psychotherapists, real estate and insurance agents, and other recognized professional groups. (12/28/00)

Lot: One or more adjacent parcels of land under single ownership or control to be used, developed, or built upon as a unit.

Lot Frontage: The continuous linear measurement of the lot boundary that abuts the street. (9/26/02)

Membership Club: Buildings and facilities owned and operated by a corporation, association, person or persons, for a social, educational or recreational purpose, to which membership is required for participation and not primarily operated for profit nor to render a service which is customarily carried on by a business. (12/1/04)

Mobile Food Vending Vehicle: Any portable device including but not limited to pushcarts, trailers, trucks, knockdown concessions, frozen food carts, catering type trucks, mobile cookers, Barbeque trailers, and any similar device from which food products are prepared for sale to the general public. (01/01/2014)

Poultry Domesticated fowl collectively, especially those valued for their meat and eggs, as chickens, turkeys, ducks, geese, and guinea fowl.

Street: An improved right-of-way accepted for public use by lawful procedure and suitable for vehicular travel; or a proposed street shown on a subdivision plan approved by the Planning & Zoning Commission.

Storage Container: Any portable structure which has been or can be mounted on wheels, or any shipping type container regardless of the material of which it is constructed. (12/28/00)

Telecommunications See section 12.13 of these Regulations. (1/15/99)

Facilities:

Towers, Communications: See Section 12.13 of these Regulations. (1/15/99)

Use: The purpose for which property is arranged, designed or intended, or for which the land and/or building is or may be occupied or maintained. (12/1/04)

Yard: A required ground area of a lot, unoccupied by any buildings, extending between the property line and any building for the distance specified in these Regulations.

Zone: A zoning district established by Section 3 of these Regulations. (12/1/04)

APPENDIX A

TOWN ORDINANCE OF FEES FOR LAND USE APPLICATION PROCESSING AND REVIEW

Land Use Ordinance 144 of the Town of Griswold pertaining to Land Use Application Processing and Review Fees, adopted 9/23/08 and made effective on 10/11/08. 144.030 Fee Schedule (03/30/09) (01/01/14)

§144.010 Fees Established.

Pursuant to Section 8-1c of the Connecticut General Statutes there is established a schedule of fees for the processing of land use applications received by the Planning and Zoning Commission, Zoning Board of Appeals and Inland Wetlands and Watercourses Conservation Commission. The schedule of fees established shall supersede those fees presently charged by the land use commissions and boards as previously established in Section 143 and pursuant to any provision of the General Statutes or any Special Act. These fees are intended to cover a portion of the Town's costs for processing and administrative handling of land use applications, including, but not limited to: legal advertisements regarding public hearings, decisions of a commission, and other matters requiring publication in a newspaper; other notifications or referrals required or authorized by applicable law; recording and transcribing, where necessary, of public hearings and meetings, the preparation of minutes and other documentation applicable to the application, and other clerical expenses; staff salaries and overhead expenses for staff to the commission, including officials of the Town for whom land use application review is only a part of his/her duties, such as the sanitarian, fire chief, etc.; Town Attorney fees in direct connection with legal advice, review of documents, and attendance at meeting, where deemed desirable, in connection with the application; inspection of construction and other work to insure compliance with approved permits and applicable regulations; keeping and updating of files and other documentation relative to the application; such other expenses as may be incidental to the processing of land use applications or subsequent research or review relating to land status requested by outside parties but involving documents or procedures within the Town of Griswold.

§144.020 Definitions.

For the purpose of this chapter the following definitions shall apply:

“Commission(s)” means one or all of the land use regulatory agencies of the Town of Griswold known as the Planning and Zoning Commission, Zoning Board of Appeals and Inland Wetlands and Watercourses Conservation Commission.

“Processing of land use application(s)” means the actions of a commission, supported by staff employed by the Town of Griswold, independent contractors, or consultants, in receiving, reviewing and acting upon an application to conduct an activity regulated by said commission and including both pre-action reviews and post-approval supervision of work and inspection of activities permitted.

“Improved land area” means any portion(s) of a development site not covered by buildings, but covered by parking, driveways, outdoor storage or loading areas, lawns, formal landscaped areas, or any other area not in its natural state.

“Fixed Application Fees” shall mean those set forth in Section 144.030, subsection A of this Chapter.

“Additional Expenses” shall mean those reimbursements set forth in Section 144.030, subsection C of this Chapter.

Any other term not defined in this Ordinance shall have the meaning set forth in the “definitions” section of any applicable regulations (e.g., the zoning regulations for zoning applications, the subdivision regulations for subdivision or resubdivision applications, etc.).

§144.030 Fee schedule.

A. Fixed Application Fees. Commissions shall charge Fixed Application Fees for the processing of land use applications in accordance with the following schedule:

Planning & Zoning Commission Completed application forms along with the required fee are to be submitted to the Planning and Community Development Department no later than ten (10) Business days prior to the meeting. Meetings are held on the second Monday of each month.

	<u>Application Fee</u>		<u>State Fee</u>		<u>Total</u>
Zone Changes					
Text Amendment Flat Fee	\$375	+	\$60.00	=	\$435.00
Map Amendment Flat Fee	\$400 1 to 14 acres	+	\$60.00	=	Variable
Map Amendment*	\$600 15 acres or more	+	\$60.00	=	Variable
*PZC Commission may reduce the map amendment fee to the Flat Fee if the requested zone change is for a less intensive zone usage.					
Zoning Permits					
Residential	\$150 / unit	+	\$60.00	=	Variable
Basic Review of Site Plan	\$250	+	\$60.00	=	\$310.00
Minor Change in Use or Site Plan for Existing Commercial /Industrial	\$300	+	\$60.00	=	\$360.00
New Commercial/Industrial or Site Plan Amendment of Existing Commercial /Industrial	\$400 + \$25 / 1,000 sq. ft.**	+	\$60.00	=	Variable
Home Occupation	\$250	+	\$60.00	=	\$310.00
Special Exceptions					
Residential (multifamily)	\$200 / unit	+	\$60.00	=	Variable
New Commercial or Industrial	\$600 + \$25 / 1,000 sq. ft.**	+	\$60.00	=	Variable
Existing Buildings/Modifications	\$350 + \$25 / 1,000 sq. ft. **	+	\$60.00	=	Variable
** Charge per 1000 sq. ft. of buildings and outside active area proposed					
CGS Section 8-30 Zoning Appeals	\$500 + \$50.00/unit	+	\$60.00	=	Variable
Subdivisions	\$300 / lot Minimum \$350	+	\$60.00	=	Variable
Re-Subdivisions	\$350 / lot Minimum \$400	+	\$60.00	=	Variable

Zoning Board of Appeals

Completed application forms along with the required fee are to be submitted to the Planning and Community Development Department no later than three Thursdays prior to the meeting. Meetings are held on the first Wednesday of each month.

	<u>Application Fee</u>		<u>State Fee</u>		<u>Total</u>
Variance	\$150.00	+	\$60.00	=	\$210.00
Appeal of Zoning Enforcement Officer Order	\$150.00	+	\$60.00	=	\$210.00
Automotive Location	\$150.00	+	\$60.00	=	\$210.00

Inland Wetlands & Watercourses Conservation Commission

Completed application forms along with the required fee shall be submitted to the Planning & Community Development Department no later than 15 days prior to the meeting. Meetings are held on the third Thursday of each month.

<u>Basic Fee</u>	<u>Application Fee</u>		<u>State Fee</u>		<u>Total</u>
1-family & 2-family residences or Administrative Approval	\$100.00	+	\$60.00	=	\$160.00
Commercial multi-family residence per dwelling unit	\$ 50.00	+	Basic Fee & State Fee	=	Variable
If Applicable add:					
Public Hearing	\$175.00	+	Basic Fee & State Fee	=	Variable
Wetlands Jurisdiction Review	\$ 75.00	+	Basic Fee & State Fee	=	Variable
Regulation Amendment	\$175.00	+	Basic Fee & State Fee	=	Variable
Subdivision: For each lot with wetlands or watercourses and/or in which activity is proposed in a wetland/ regulated area	\$ 50.00/lot	+	Basic Fee & State Fee	=	Variable
Commercial Activity	\$300.00	+	Basic Fee & State Fee	=	Variable
			Total		Variable

B. Maximum Fee; Calculation of Fee. Except as provided in Paragraph C below, no application fee calculated in accordance with the preceding formulae shall exceed \$20,000.00. Each applicant for any permit shall provide, at the time of application, the necessary data to permit the calculation of the application fee (such as square footage of buildings or outside storage or active display area requested, the proposed number of lots, or acreage involved in a zone change), and such information shall, where appropriate, be certified by a licensed land surveyor, professional engineer, or registered architect. Failure to file any application fee set forth in this ordinance shall be grounds for denial, without prejudice, of such application.

C. Additional Reimbursable Costs.

1. In addition to the fixed fees set forth in subsection A of this section, the commissions may collect payment for direct costs of materials and review services performed by other than town employees, including but not limited to:
 - a. specialized inspections;
 - b. third party reviews with professional certifications;
 - c. reviews by consultant Town Attorneys;
 - d. reviews by consultant Town Professional Engineers;

- e. reviews by licensed Landscape Architects;
- f. reviews by licensed Architects;
- g. reviews by archeologist/cultural resource consultants;
- h. reviews by certified soil scientists, wildlife biologists, or ecologists;
- i. reviews by Licensed Environmental Professionals;
- j. reviews by certified professional in stormwater quality;
- k. legal, stenographic and transcription services associated with any type of land use application.

The Commission may require an applicant to provide certifications, inspections or professional consultant reports at the applicant's expense. It is intended that the fixed fees set forth in subsection A do not cover such costs for additional expenses resulting from non-town staff reviews necessitated by land use applications. These additional expenses will be required where applicable for any permit application before any land use Board or Commission, regardless of whether a public hearing is required. This section is also applicable to all expenses incurred after an approval is issued in the event that action is needed to enforce compliance with specific conditions of approval or violation of regulations.

D. Fees Not in Lieu of Bonds. The payment of fees shall not prohibit commissions from requiring performance or forfeiture bonds to ensure the successful completion of all work as may be prescribed in the respective land use regulations.

§144.040 Exemptions

All boards and agencies of the Town of Griswold, including the use of fire company properties for fire protection purposes, shall be exempt from the payment of fees established pursuant to this chapter. Each board may in whole or in part exempt an application from the payment of any or all fees if said application is for low and moderate income housing or special needs housing. In addition, each commission shall be authorized, by majority vote, to reduce or waive application fees where (1) the application does not appear, upon initial examination, to require intensive staff review and (2) the applicant is a non-profit entity which qualifies for tax deductible charitable contributions under Regulations of the U.S. Internal Revenue Service. The commission may also credit all or a portion of application fees from previous application(s) which were denied or withdrawn, where the review work performed on the previous application(s) may be of benefit in reviewing the new application. Any commission exempting an application from payment of a fee, in whole or in part, shall state in the minutes of the meeting at which the plan was received the fee type exempted, the percentage exempt and reasons for granting the exemption. This exemption shall not prohibit a commission from requiring consultant reports, professional certification or conducting inspection to ensure conformance with land-use regulations.

§144.050 Payment of fees

- A. Other Fees.** The payment of a fee established in accordance with the provision of this chapter shall not relieve the applicant, owner or their agent from the payment of other fees that may be prescribed for a different type of land use application, or by another ordinance of the Town of Griswold.
- B. Fees Nonrefundable.** All fees received by a commission as part of a land use application submission shall be nonrefundable.
- C. Method and Timing of Payment, Failure to Pay.** All Fixed Application Fees shall be paid by cash, check or money order made payable to the Town of Griswold. Fees shall be paid at the time of application submission. The applicant shall be provided with invoices or other evidence of any Additional Expense(s), and reimbursement to the Town shall be made within thirty (30) days after presentation of such invoices or other evidence. Failure to comply with this subsection shall be grounds for denial of any application without prejudice, or revocation of any permit previously issued. Reimbursement of the Town under this subsection shall be a condition for the endorsement of any plan, the issuance of any final permit, or the issuance of any certificate of zoning compliance for an approved application, or the renewal of any periodic or temporary approval, as the case may be.

D. Post Approval Notices and Fees. The Town is authorized to place a notice of non-payment of review fees on the land records if any fees from pre-approval or post-approval non-staff reviews are not paid for a period of 90 days.

§144.060 Periodic Updates of Fee Schedule

The foregoing fees schedules are based upon an analysis of the expenses incurred, on average, in the processing of land use applications as of the date of passage of this Chapter. The First Selectman shall periodically examine the expenses incurred by the Town in the processing of land use applications, and shall make recommendations based on input from land use boards and commissions to the Board of Selectmen for adjustments to the foregoing fee schedules based upon current staffing, regulatory requirements, and other relevant factors.



Official Zoning Map of the Borough of Jewett City

EFFECTIVE DATE: AUGUST 1, 2010
 Map Effective Date: March 30, 2009

Appendix B

