

# TOWN OF LEDYARD ZONING REGULATIONS

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## **SECTION 1.0: AUTHORITY, PURPOSE, ADOPTION AND RETROACTIVITY**

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### **1.1 Authority**

- A. These regulations are enacted pursuant to the provisions of Chapter 124, Connecticut General Statutes, Revision of 1958 as amended.

### **1.2 Purpose**

- A. The purpose of these regulations is to promote the health, safety and general welfare of the community; to conserve the value of property and encourage the most appropriate use of land throughout the Town; to lessen congestion in the streets; to avoid undue concentration of population; to secure safety from fire; to facilitate adequate provision for transportation, water, sewerage, schools, parks, recreation and other public requirements; to provide for the Public Health, comfort and general welfare in living and working conditions and to regulate and restrict the location and time of operation of trades and industries and the location of buildings/structures for specific uses; to regulate and limit the height and bulk of buildings/structures hereafter erected; to regulate and determine the area of yards, courts and other Non-Developed Land for building hereafter erected in the Town of Ledyard; to conserve and improve the physical appearance of the Town.

### **1.3 Adoption**

- A. These regulations are adopted in accordance with the provisions for notice and public hearing set forth in Section 8-3, Connecticut General Statutes, Revision of 1958, as amended, and these regulations shall become effective October 11, 1963, as amended; May 5, 1968, October 6, 1970, August 3, 1971, October 1, 1975, April 30, 1977, June 8, 1978 and January 4, 1979, June 1, 1979, July 15, 1979, December 1, 1979; January 7, 1980, February 1, 1980; March 1, 1980; July 15, 1980; August 15, 1980; January 1, 1982; April 1, 1982; October 1, 1983; December 15, 1983; February 1, 1984; July 1, 1984; July 15, 1984; October 10, 1984; June 1, 1985; July 15, 1985; August 1, 1985; November 1, 1985; April 16, 1986; October 16, 1986; August 25, 1987; March 30, 1988; March 30, 1988; June 30, 1988; July 15, 1988. The amendment of these regulations effective July 1, 1989 is for the purpose of complete reformatting without constructive change of content. Subsequent amendments are described in Section 17.0 of these regulations.

### **1.4 Retroactivity**

- A. Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit has been issued and construction shall have commenced, prior to the effective date of these regulations (or any amendment thereto) and which shall be completed according to such plans within one (1) year of the adoption of these regulations.

## SECTION 2.0: DEFINITIONS

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### 2.1 Interpretation and Use of Words

- A. For the purpose of these regulations, the following terms shall have the meaning given herein. The following terms shall be interpreted as follows:
- (1) The masculine includes the feminine;
  - (2) The singular includes the plural and the present tense includes the future tense;
  - (3) The word "person" includes an individual, firm or corporation, limited liability company, trust, and federally recognized tribe;
  - (4) The word "shall" is always mandatory; the word "may" is permissive or discretionary;
  - (5) The word "lot" includes the word "plot" or "parcel;"
  - (6) The words "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged, or designed to be used or occupied;"
  - (7) Any reference to a residence or residential district shall be interpreted to mean any district with the word "residence" in its title;
  - (8) A building or structure includes any part thereof;
  - (9) The words "zone", "zoning district", and "district" have the same meaning;
  - (10) The words "these regulations," "the regulations," "said regulations," "the zoning regulations," and "said zoning regulations," shall be deemed to refer to the Zoning Regulations of the Town of Ledyard as may be amended.

### 2.2 Definitions

**ABANDONMENT:** The discontinuance of a pre-existing non-conforming use of a property with the intent by its owner to voluntarily, intentionally, and permanently renunciate said prior use, which may be inferred as fact from the surrounding circumstances. Failure to maintain a lawful nonconforming use for a period of time is not sufficient to constitute abandonment. **OK**

**ACCESSORY APARTMENT:** A secondary dwelling unit with housekeeping facilities separate and subordinate to the primary dwelling unit and the accessory apartment shall be located within the primary structure; entrance to the accessory apartment shall be limited to the side or rear of the structure.

**ACCESSORY BUILDING:** A building or structure whose use is customarily incidental to and subordinate to the principal use of the land or building and located on the same lot as the principle use.

**ACCESSORY USE:** A use of land, building, structure and/or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.

**ADULT DAY CARE CENTER:** Any building or structure which is used to provide supervision for persons who are 18 years of age or older who may be elderly, physically ill, infirm, or physically handicapped such that they require daily supervision and medical treatment incidental to such supervision. The term does not include uses which provide residential, surgical, medical, or special treatment as relates to housing persons who have a chronic illness, disease or injury, or other condition that would require the degree and treatment provided by a nursing home or hospital. **OK**

**AGE RESTRICTED HOUSING:** Housing for residents age fifty-five (55) or older. Each housing unit shall be occupied by at least one (1) resident fifty-five (55) years of age or older and no housing unit shall include a resident who has not attained the age of eighteen (18) years of age. Age restricted housing units may be either single family detached dwelling units, mobile manufactured homes, **OK** duplex units or multi-family dwelling units. Any age restricted housing units proposed for development in the Town of Ledyard shall be so designated on any site plan submitted to the Ledyard Zoning Commission for approval and shall be subject to a covenant enforceable by the Town of Ledyard Zoning Official restricting the occupancy of such housing units.

**ALCOHOLIC LIQUOR:** The sale of alcoholic liquor as defined in Chapter 545 of the Connecticut General Statutes, Liquor Control Act.

**ANTENNA:** A device used to receive or transmit electromagnetic waves. Examples include, but are not limited to whip, panel, and dish antennas.

**APARTMENT:** A room, or suite of rooms, designed as a residence and generally located in a building occupied by more than one household.

**ARCHITECT:** An individual or firm of Registered Professional Architects licensed to operate in the State of Connecticut.

**ARCHITECTURAL REVIEW BOARD (ARB):** The Town Advisory Board responsible for reviewing applications for new construction and/or substantial reconstruction or rehabilitation within the Ledyard Center Village Districts 1, 2, and 3 (LCVD) and the Multifamily Village District (MFVD). **MOVE TO LCVD w/State Statute Language**

**AREA OF SPECIAL FLOOD HAZARD:** The land in the floodplain within a community subject to one percent (1%) or greater chance of flooding in any given year. **Leave In Flood**

**ART GALLERY:** A structure or building utilized for the display of art work, including paintings, sculptures, and prints for view and/or sale to the public.

**ARTIST STUDIO:** A workshop or workroom for the creation of fine art and crafts such as painting, sculpturing, photography, or other handmade pieces of art for sale.

**ASSISTED HOUSING:** Housing which is receiving, or will receive, financial assistance under any governmental program for the construction or substantial rehabilitation of low and moderate income housing, and any housing occupied by persons receiving rental assistance under Chapter 319uu or Section 1437f of Title 42 of the United States Code, as defined by Connecticut.

**ASSISTED LIVING FOR SENIORS:** An Age Restricted Housing complex of more than ten (10) private residential dwelling units restricted to not more than two (2) persons per dwelling unit, at one of whom is a person 55 years of age or older, that provides an assisted living environment for those who are in otherwise good health, and that provides the support of services, both licensed and unlicensed, necessary to maintain the residents in a semi-independent life style. An assisted living facility may include convalescent care.

**BARN:** A building for the storage of farm products, feed, and/or the housing of farm animals or farm equipment located on a farm of three (3) acres or more. A barn shall be considered the principal structure if there is no residential structure on the tract, and an accessory structure if there is a residential structure.

**BASE FLOOD:** The flood having a one percent (1%) chance of being equaled or exceeded in any given year. **Leave In Flood**

**BASE FLOOD ELEVATION (BFE):** Is the elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. **Flood**

**BASEMENT:** Is any area of the building having its floor subgrade (below ground level) on all sides. **Leave in Flood**

**BED AND BREAKFAST:** An owner-occupied dwelling, with a valid Special Permit, having five (5) or less guest rooms, without separate kitchen facilities in which overnight accommodations and meals are provided to travelers for a fee and for not more than twenty-one (21) consecutive days.

**BOARDER:** Same as Roomer, except the rent entitles the Boarder to the furnishing of board in addition to occupancy of a room. **(Don't Know)**

**BOAT RENTAL, SALES, STORAGE, SUPPLIES, CONSTRUCTION, AND REPAIR:** Any building, structure, land area, dock, pier, slip, wharves, or other premises, or portion thereof used or designed to be used for the rental, sale, storage, construction, maintenance and/or repair of boats.

**BUFFER STRIP:** A strip of land unoccupied by buildings, structures or pavements and maintained as a grass strip and/or for the planting of trees or shrubs as required by these regulations.

**BUILDING:** A combination of materials to form an independent structure above grade, having a roof, resting on its own foundation and adapted to permanent and continuous occupancy for shelter, housing or enclosure of persons, animals, materials, businesses, industry, storage or other similar purposes.

**BUILDING AREA:** The maximum horizontally projected area of the building at or above grade.

**BUILDING HEIGHT:** The vertical distance from the average finished grade to the highest point of flat or mansard roofs (including the top of a parapet) or to the mean level between the eaves and ridge for gable, hip, or gambrel roofs. In the case of multiple roofs, the roof with the greatest height shall determine building height.

**BUILDING LINE:** A line drawn parallel to the center line of the traveled portion of abutting streets through the closest portion of the building.

**BUILDING SETBACK LINE:** A line parallel to the center line of the traveled portion of abutting streets at a distance equal or greater than the building line requirements in Schedule B between which and the front lot line no building or other structure or portion thereof, except as provided for in these regulations may be erected above ground level.

**BUILDING OFFICIAL:** The Town of Ledyard Building Department Building Official.

**BULK REGULATIONS:** Standards that control the height, density and location of a structure on a lot.

**CAMPGROUND:** An area used for transient occupancy not to exceed thirty (30) days per year by camping in tents, camp trailers, travel trailers, recreational vehicles, or similar movable or temporary sleeping quarters of any kind.

**CERTIFICATE OF OCCUPANCY:** A certificate issued by the Building Department, or its agent, stating that a structure conforms with all appropriate plans, codes and standards.

**CERTIFICATE OF USE AND COMPLIANCE:** A certificate issued by the Zoning Official stating that a building and/or use complies with the provisions of these regulations.

**CHILD DAY CARE CENTER:** A place which offers or provides a program of supplementary care to more than twelve (12) related or unrelated children outside their own homes on a regular basis as provided in Connecticut General Statutes Section 19a-77.

**CLINIC:** A place for the treatment of outpatients.

**CLUB:** An association of persons, one (1) of whom is the owner, lessee or occupant of an establishment operated solely for a recreational, social, fraternal, religious, political or athletic purpose whose activities are confined to the members and guests and are not extended to the general public, and includes the establishment so operated, but does not include such associations when the chief activity is a service customarily carried on for a business or primarily for a gain.

**CLUSTER:** A site planning technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space and/or preservation of environmentally, historically, culturally, or other sensitive features and/or structures. The techniques used may include, but are not limited to, reduction in lot areas, setback requirements and/or bulk requirements with the resultant open land being devoted by deed restrictions for one or more uses. Under cluster development there is no increase in the number of lots than would be permitted under conventional development. **OUT**

**COASTAL SITE PLAN:** The site plans, applications and project referrals listed in Section 22a-105 of the Connecticut General Statutes and are addressed in Section 12 of these regulations.

**COMMERCIAL FISHING, LOBSTERING, SHELLFISHING BASE:** A base of operations for the farming of the waters of the state and tidal wetlands on leased, franchised and public underwater farm lands.

**COMMISSION:** The Zoning Commission of the Town of Ledyard.

**COMMUNITY RULES AND REGULATIONS:** A policy statement conspicuously posted in each Mobile Home Land Lease Community that clearly states an intent to house persons who are fifty-five (55) years of age or older.

**COMPLEX, COMMERCIAL OR INDUSTRIAL:** A group of two (2) or more commercial or industrial businesses that share common parking and pedestrian spaces and signage.

**CONDOMINIUM:** The method of ownership in a multiple family project, such as an apartment or townhouse project wherein each dwelling unit is in a separate ownership but all other common features such as land, walls, hallways, roof and lobbies are in fractional or shared ownership.

**CONFERENCE CENTER:** A facility designed to accommodate service organizations, business or professional conferences and seminars limited to conference attendees.

**CONSERVATION SUBDIVISION DEVELOPMENTS:** Subdivision developments that comply with Section 5.0 of these regulations and the Town of Ledyard Subdivision Regulations.

**CONTRACTOR'S EQUIPMENT:** Commercial and/or construction vehicles other than pick-up trucks or vans, incidental to a commercial business.

**CONVENIENCE STORE:** Any retail establishment containing less than five-thousand (5,000) square feet offering for sale food, beverages, and other household supplies to customers.

**COST:** As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure as established by a detailed written contractor's estimate. The estimate shall include, but is not limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos. **Leave In Flood**

**COUNTRY INN:** An owner-occupied and owner-managed property providing, for a fee: overnight accommodations and meals to thirty-two (32) or fewer guests; and may customarily serve as a venue for corporate meetings, retreats, and social events.

~~**DEVELOPMENT:** Any construction or grading activities to improved or unimproved real estate.~~ **Leave In Flood**

**DEVELOPMENT:** Any man-made changes to improved or unimproved real estate, including but not limited to the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities. **Don't Know**

**DISTURBED AREA:** An area of land which is subject to accelerated erosion due to the removal of vegetative ground cover and/or earthmoving activities.

**DWELLING, CARE-TAKER UNIT:** An accessory dwelling on a nonresidential premises occupied by the person and their family who oversees the nonresidential operation twenty-four (24) hours a day.

**DWELLING, MULTIPLE FAMILY:** A dwelling or group of dwellings on one (1) lot, containing separate living units for three (3) or more families, having separate or joint entrances, and including apartments, condominiums, and cooperatives.

**DWELLING, SINGLE-FAMILY:** A freestanding residential dwelling designed for and occupied by one (1) family only.

**DWELLING, SINGLE-FAMILY ATTACHED:** A residential dwelling designed for and occupied by one (1) household only that shares one (1) or more common or abutting walls with one (1) or more dwelling units. A single-family attached dwelling does not share common floor/ceilings with other dwelling units.

**DWELLING, TWO FAMILY:** One (1) building which serves as a dwelling providing complete living facilities for two (2) families, including equipment for cooking or provisions for the same, and including room or rooms for living, sleeping and eating for each family.

**DWELLING UNIT:** A dwelling providing complete living facilities for one (1) family, including equipment for cooking or provisions for the same, and including room or rooms for living, sleeping and eating.

**EQUIPMENT SALES AND REPAIR:** Any building or structure utilized for the sale and rental including but not limited to small mechanical equipment, tools, construction equipment, tractors, etc. Included in this use is the incidental storage, maintenance and servicing of such equipment.

**EROSION:** The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before March 11, 1981, the effective date of the floodplain management regulations adoption by Ledyard. **Keep In Flood**

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION:** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads). **Keep In Flood**

~~**FAMILY:** An individual or any number of individuals related, by blood or marriage, living together as a single housekeeping unit, or a number of persons unrelated by blood or marriage living together as a single housekeeping unit.~~

**FAMILY:** One or more persons living together in a single dwelling unit, with common access to, and with common use of all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit. An individual family shall consist of a person, or a group of persons, living together and shall include servants and employees of the household. **LeBarge Standard Definition**

**FAMILY DAY CARE HOME:** A facility which consists of a private family home caring for not more than six (6) children, including the provider's own children not in school full time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a twenty-four-hour period and where care is given on a regularly recurring basis except that care may be provided in excess of twelve (12) hours but not more than seventy-two (72) consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, a maximum of three (3) additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three (3) children who are in school full time, all of the provider's children shall be permitted as provided in Connecticut General Statutes Section 19a-77.

**FARM:** A parcel in excess of three (3) acres including principal and accessory buildings, used for farming and as an incident to the farming operations, the seasonal sale of agricultural or horticultural products produced on the parcel and on other local farms.

**FARMING:** The cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. Puppies are not livestock. The grooming and/or boarding of puppies and/or dogs, and the breeding, whelping, raising, exercise, and/or training of puppies and dogs for show, sport, or sale, does not constitute farming and are not incidental to farming as herein defined.

**FARM STAND:** An accessory building in support of farming, specifically for the seasonal sale of products produced on local farms.

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA):** The federal agency that administers the National Flood Insurance Program (NFIP). **KEEP In Flood**

**FINANCIAL INSTITUTION:** A building or structure utilized where financial and banking services are provided to customers or clients, including the maintenance of checking and savings accounts, certificates of deposits, etc., and the providing of related financial services associated with a bank.

**FINISHED LIVING SPACE:** Means, as related to fully enclosed areas below the base flood elevation (BFE), a space that is, but not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock

walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace. **KEEP In Flood**

**FLOOD or FLOODING:** A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waves, or the unusual and rapid accumulation/runoff of surface waters from any source. **KEEP In Flood**

**FLOOD INSURANCE RATE MAP (FIRM):** An official map of a community, on which the National Flood Insurance Program Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. **KEEP In Flood**

**FLOOD INSURANCE STUDY:** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide and/or flood related erosion hazards. **KEEP In Flood**

**FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. **KEEP In Flood**

**FOUNDATION:** A masonry substructure of a building.

**FRONTAGE, LOT LINE:** The length of the front line of a building lot abutting on a public road or street.

**FUNCTIONALLY DEPENDENT USE OR FACILITY:** A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities. **NO**

**FUNERAL HOME:** An establishment with facilities for the preparation of the dead for burial or cremation, for the viewing of the body, and for funeral services or ceremonies.

**GAS STATION:** A business establishment offering gasoline or diesel fuel and accessory sales of other items.

**GOVERNMENTAL INSTITUTION:** A government owned or operated building, structure or land used for public purpose.

**GRADING:** Any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

**GROUP DAY CARE HOME:** A program of supplementary care for not less than seven (7) nor more than twelve (12) related or unrelated children on a regular basis for a part of the twenty-four (24) hours in one (1) or more days in the week, or that meets the definition of a family day care home as provided in Connecticut General Statutes Section 19a-77 except that it operates in a facility other than a private family home.

**GRAVEL PIT OR SAND BANK:** An area of land used for the excavation and removal of gravel, sand or similar materials.

**HISTORIC STRUCTURE:** Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (1) by an approved state program as determined by the Secretary of the Interior, or (2) directly by the Secretary of the Interior in states without approved programs. **Keep In Flood**

**HOBBY MOTOR VEHICLE:** Any antique, rare, special interest, off-road, and/or racing vehicle, regardless of age or condition, not currently designed or intended for daily use, that is being actively restored, repaired, modified, and/or maintained by its owner.

**HOME HUSBANDRY:** The non-commercial cultivation and production of edible crops or of certain permitted listed livestock and/or poultry as an accessory use of a home for the benefit of its residents.

**HOME OCCUPATION:** An accessory use carried out for gain customarily keep conducted within a dwelling by the resident owners thereof, which is clearly secondary to the use of the dwelling for living purposes and does not have any exterior visual, audible, or physical evidence of such secondary use. ~~The boarding, breeding, grooming, whelping, raising, and/or training of puppies and dogs for show, sport, or sale changes the character of the property and is not permitted as a home occupation.~~ OK

**HOOP HOUSE:** A non-pressurized structure composed of a rigid framework to support a tensioned membrane which provides a weather barrier. A hoop house is also a greenhouse if the membrane is transparent or translucent.

**HOTEL:** A building which has a common entrance or entrances and contains sleeping accommodations for hire for ten (10) or more persons.

**INTERIOR LOTS:** A lot which has no direct frontage on a public or private street, but which obtains access to such streets by way of a private driveway or access agreement across land owned by another party. The front lot line of an interior lot shall be considered that lot line where the driveway or access point enters the property.

**JUNK:** Any exterior (a) materials or items, whether covered or not, including but not limited to vehicles and vehicle parts that, due to condition and/or storage, may contaminate or pollute the soil or groundwater, or invite the breeding, collection, or infestation of flies, mosquitoes, rodents, or other animals; (b) vehicles or trailers, whether or not currently registered, which cannot be re-registered due to their current condition, and/or (c) any other material or item that causes the reduction of neighboring property values, or negatively impacts public health, general welfare, or quality of life. Junk may include, but is not limited to, non-operable appliances, non-operable yard-care equipment, unused or deteriorated barrels, boxes, pallets, furniture, metal, glass, and/or plastic, rotted cordwood, abandoned construction materials, tires, abandoned truck caps, hazardous waste, and demolition debris.

**JUNKYARD:** A lot, land, or structure, or part thereof, used primarily where junk, waste, discarded or salvaged materials are bought or sold, exchanged, stored, collected, dismantled or otherwise processed, including automobile wrecking yards. Junkyards are not permitted in the Town of Ledyard.

**KENNEL:** A commercial establishment that provides boarding, medical care, breeding, grooming, exercise, whelping, raising, and/or training of puppies, dogs and other household pets.

**KIOSK:** Free standing structures designed to provide advertising space for two (2) or more businesses on a single premises or group of contiguous premises.

**LAND SURVEYOR:** An individual or firm of Registered Land Surveyors licensed to operate in the State of Connecticut.

**LIBRARY:** A facility for the use, but not sale, of literary, musical, artistic, or reference materials.

**LICENSED RADIO ENGINEER:** Anyone holding a Radiotelephone Operator License issued by the Federal Communications Commission ("FCC") who is responsible for technical compliance with FCC rules and regulations.

**LICENSED PROFESSIONAL ENGINEER:** An individual or firm of registered professional engineers licensed to operate in the State of Connecticut.

**LIGHT INDUSTRIAL:** The manufacturing, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, provided all manufacturing activities are contained entirely within a building and noise, odor, smoke, heat, glare, and vibration resulting from the manufacturing activity are confined entirely within the building.

**LIVESTOCK:** See "Farming" OK

**LOT:** A parcel of land occupied or capable of being occupied by one (1) principal building and the Accessory Buildings customarily incidental to it, including such Non-Developed Land as are required by these regulations. In the case of multiple dwellings and public, institutional, commercial, or industrial buildings, a group of buildings under the same ownership may be considered as occupying the same lot.

**LOT AREA:** The number of square feet of the lot.

**LOT COVERAGE:** The percentage of the lot area covered by the combined area of all buildings, structures or other impervious surfaces on the lot.

**LOT LINE, FRONT:** A line dividing the lot from the street or the right-of-way.

**LOT, INTERIOR:** A lot that has access to a public right-of way by means of a narrow strip of land, which is less than the required frontage.

**LOT, THROUGH:** A lot with the front and rear lot lines abutting the rights of way of two (2) Town-accepted or State roads.

**LOT LINES, SIDE:** All lines extending from the street which divides adjacent lots abutting the same street.

**LOT LINE, REAR:** A line separating one lot from other lots or from land in different ownership, being the boundary of a lot which is opposite the frontage street.

**LOT, MINIMUM WIDTH:** For rectangular lots, the measured distance at the required building line, measured parallel to the front lot line. For lots on the outer or inner arc of a curve, the measured distance between side lot lines on a street line at right angles to the main direction of the side lot lines, and at a distance so as to meet the required building line from any point of the center line of the traveled portion of the street. For corner lots, the measured distance parallel to the street, in the direction of the lot's minimum width, and so as to meet the required building line from both streets.

**LOWEST FLOOR:** The lowest floor of the lowest enclosed area (including basement). **Keep in Flood**

**LUMBERYARD OR BUILDING SALES YARD:** An area and structures used for the storage, distribution, and sale of building and construction materials.

**MANUFACTURED HOME:** For purposes of the National Flood Insurance Program, means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle". **Keep in Flood**

**MANUFACTURED HOME PARK OR SUBDIVISION:** A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale. **Keep in Flood**

**MANUFACTURING:** The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials including but not limited to oils, plastics, resins, etc.

**MARKET VALUE:** The value of the structure as determined by the appraised value prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring. **Keep in Flood**

**MEAN SEA LEVEL:** For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced. **Keep in Flood**

**MINING:** A lot or land or part thereof used for the purpose of extracting shale, gravel, rock and sand for sale as an industrial operation.

**MINI STORAGE:** Buildings or structures with multiple rental spaces used for the storage, principally of personal goods.

**MIXED USE:** The development of a tract of land, building, or structure with a variety of complementary and integrated uses, such as residential above the first floor, office, and retail.

**MOBILE HOME:** A manufactured home produced prior to the passing of the federal Manufactured Home Construction and Safety Standards (MHCSS) of 1976.

**MOBILE MANUFACTURED HOME LAND LEASE COMMUNITY:** A land lease community in which two (2) or more mobile homes or mobile manufactured homes are located on a single parcel and occupied as dwelling units.

**MOBILE MANUFACTURED HOME:** A manufactured home built after 1976 in compliance with the Manufactured Home Construction and Safety Standards (HUD Code) and which displays a certification label on the exterior of each transportable section. Mobile Manufactured Homes are built in the controlled environment of a manufacturing plant and are transported in one (1) or more sections on a permanent chassis.

**MOTEL:** A building, usually located on a highway, providing lodging for persons, with or without cooking facilities, and intended primarily for accommodations of transients, and so designed that access to rooms is directly from out-of-doors.

**MOTOR VEHICLE BODY REPAIR AND PAINTING:** A building on a lot designed and/or used primarily for body repairs or painting of vehicles.

**MOTOR VEHICLE DEALERSHIP:** The use of a building, land area, or other premises or portion thereof, for the display, sale, or lease of automobiles including any warranty repair work and other repair service conducted as an accessory use.

**MOTOR VEHICLE SERVICE:** A building on a lot designed and/or used primarily for the sale and installation of lubricants, tires, batteries and similar accessories, and which may also be used for the retail sale and dispensing of vehicular fuels.

**MUSEUMS AND CULTURAL INSTITUTION:** An establishment utilized for the display of exhibits of historic, educational or cultural nature which are not operated commercially on a for-profit basis.

**NEW CONSTRUCTION:** The purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after March 11, 1981, the effective date of floodplain management regulations adopted by the community and includes any subsequent improvements to such structures. **Keep in Flood**

**NEW MANUFACTURED HOME PARK OR SUBDIVISION:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after March 11, 1981, the effective date of the floodplain management regulation adopted by Ledyard. **Keep in Flood**

**NON-CONFORMING LOT:** Any lot which does not conform to the requirements of these regulations or any amendment thereto upon the effective date of enactment.

**NON-CONFORMING STRUCTURE:** Any pre-existing lawful building or structure which does not conform to the requirements of these regulations or any amendment thereto upon the effective date of enactment.

**NON-CONFORMING USE:** A use which lawfully occupied a building or property on the effective date of this ordinance which does not conform to the use regulations for the district in which the property is situated.

**NON-DEVELOPED LAND:** An area characterized by natural scenic beauty or existing openness used for recreation or resource protection. It may include wooded areas, meadows, agricultural lands and active and passive recreation areas. Non-developed land shall not include buildings, driveways, parking lots or other surfaces designed or intended for motor vehicular travel.

**OFFICE:** A building or room(s) in which services involving predominantly administrative, professional, or clerical operations are performed, not including the sale of retail articles.

**OUTDOOR STORAGE AND SALES:** Storage and/or sales of any materials, merchandise, stock, supplies, machines and the like that are not kept within a structure, regardless of how long such materials are kept on the premises. Outdoor storage shall not include junkyards.

**PARKING AREA:** An off-street open space used for parking motor vehicles exclusively.

**PARK AND PLAYGROUND:** Land that is intended to be used for the purpose of providing recreation, or non-developed land.

**PERMANENT FOUNDATION SYSTEM:** A permanent rigid structure or structures constructed upon and/or below the surface of a mobile manufactured home site designed for attaching and anchoring a mobile manufactured home, in such a manner that the home will not be subject to movement due to frost, frost heaves, freezing, flooding or wind.

**PERSONAL SERVICE ESTABLISHMENT:** A business that provides grooming or physical fitness services to individuals or groups of individuals.

**PREDOMINANT USE:** The land use that requires the most parking within a parking lot shared by a variety of land uses.

**PLAN OF CONSERVATION AND DEVELOPMENT (POCD):** The Plan as required under Connecticut General Statutes §8-23 to show the Planning Commission's recommendations for the most desirable use of the land within the municipality and for the most desirable density of population. The Plan is intended to guide growth, land use, consideration, and development within the Town of Ledyard, and is used as guidance by all town boards and commissions.

**PROHIBITED USES:** A use not ~~permitted~~ ~~listed~~ in Schedule A: Permitted Uses: **NO**

**PROPERTY:** A lot including all buildings or improvements thereon.

**PUBLIC SEWER SYSTEM:** The disposing of organic refuse, carried off by a structures to a central sewage treatment system via underground piping.

**PUBLIC OR PRIVATE UTILITY INSTALLATION:** The use of land for utility purposes by an entity providing pipeline, gas, electrical, telephone, television, internet, cellular, broadband, water, or sewage service(s).

**PUB AND TAVERN:** A place in which the principal income is derived from the sale or serving of alcoholic beverages for consumption on the premises, with or without live entertainment.

**RECREATIONAL FACILITY:** Outdoor or indoor facilities designed for leisure activities

**RECREATIONAL VEHICLE:** A vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent Dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. **Keep In Flood**

**RECYCLING CENTER:** A building where only recyclable material is collected, processed and/or baled in preparation for shipment to others who will use the materials to manufacture new products.

**RELIGIOUS USE:** A building, facility, or main activity area wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all Accessory Buildings and uses customarily associated with such primary purpose.

**RESEARCH FACILITIES:** A building for experimentation in pure or applied research design, development, and production of prototype machines or devices or of a new product, and uses accessory thereto.

**RESIDENTIAL CARE HOME:** An establishment which furnishes nursing services and assistance with activities of daily living to a population that is chronic and stable; or nursing supervision under a medical director twenty-four (24) hours per day, or any chronic and convalescent nursing home which provides skilled nursing care under medical supervision and direction to carry out nonsurgical treatment and dietary procedures for chronic diseases, convalescent stages, acute diseases or injuries.

**RESTAURANT, EXCLUDING FAST FOOD:** An establishment where food and/or beverages are prepared, served, and consumed and where customers are served primarily when seated at tables or counters, any food take out is incidental to the primary sit-down restaurant use, and no customers are served in motor vehicles.

**RESTAURANT, FAST FOOD:** An establishment specializing in take out, quick service food, frozen dessert and/or beverage, where such items may be consumed anywhere on the premises or removed from the premises and where orders are placed at a central counter or drive-through/walk-up window.

**RESORT FACILITY:** A destination intended for recreation and relaxation distinguished by a selection of activities, such as food, drink, lodging, sports, entertainment and shopping.

**RETAIL SALES:** A business establishment where diversified goods are kept for retail sale directly to the public either in person, by telephone, or by internet.

**RIDING STABLE:** An accessory structure on a farm where horses are boarded and cared for and/or where instruction in riding, jumping and showing may be offered for a fee; such establishment may be incidental to the operation of any club or association.

**ROOMER:** A person occupying a dwelling unit, which does not include a refrigerator, stove, kitchen sink, toilet and shower or bathtub, and one or more of these facilities are used in common by other occupants in the structure. A

Roomer is subject to Chapter 830 of the Connecticut General Statutes “Landlord and Tenant Act”. A house may not have more than two (2) Roomers at any instant in time. **Don’t Know**

**SCREENING:** Dense vegetation or other landscape materials, or a combination thereof, which provide effective year-round visual insulation from adjacent property for a minimum of six feet in height. See Buffer Strip.

**SEDIMENT:** Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

**SHOPPING CENTER:** A group of no less than four (4) business establishments which may include retail stores, service establishments, theaters, and restaurants, including fast food facilities, with a public vehicle parking area shared in common. A shopping center must contain no less than two (2) acres and have not less than twenty thousand (20,000) square feet of floor area.

## **EDC INPUT**

~~**SIGN:** A structure, building wall, indoor surface visible to the outside, or outdoor surface, or any device used for visual communication, which directs attention to an object, product, place, activity, person, organization, or business.~~

**SIGN:** Any permanent or temporary device, composed of or employing any medium manmade or natural, reproduction, material or structure which is freestanding, attached to a building or structure or erected, painted, represented or reproduced inside or outside any building, structure or natural object, including window display area which displays, reproduces or includes any lettered or pictorial matter; which is used to identify the premises or occupant or owner of the premises; to advertise any trade, business, profession, industry service or other activity; to advertise any product or item; to advertise the sale, rental or use of all or part of any premises or item including that upon which it is displayed; to direct vehicular or pedestrian traffic other than public highway markers; and shall also include any announcement, demonstration, display, illustration or insignias used to advertise or promote the interests of any persons or business or product when the same is placed in view of the general public. In no event shall the word "sign" be construed to mean any sign in the interior of any structure, not visible from the outside, unless specifically set forth in these regulations. Excluded from this definition also are pavement markings or driveway directional arrows painted on the ground, which contain no advertising. The American Flag is not a sign in the context of these regulations.

**SIGN – AWNING:** Any sign that is attached to or part of an awning or canopy.

**SIGN – BANNER:** A banner made of material that is not rigid such as cloth or vinyl that contains advertising for a business, product, goods, services, sale or activity, that is strung from rope or wall mounted.

**SIGN – CANOPY:** A sign that is part of or attached to an awning, canopy, or other material as a protective cover over a door, entrance, window, walkway or outdoor service area.

**SIGN - CHANGEABLE COPY:** Any sign that is designed so that characters or letters can be manually changed or rearranged without altering the substrate or size of the sign.

**SIGN, DIRECTIONAL:** Used to indicate location, distance, hours of operation of activity concerned, parking, or other functional activity such as bathroom facilities, telephones, entrances, offices, etc, bearing no commercial advertising.

**SIGN, DIRECTORY:** A sign to identify any commercial or industrial complex and each use in said complex.

**SIGN, FREESTANDING:** A self-supporting sign resting on or supported by means of poles, standards, or any other type of base on the ground.

**SIGN, HANGING:** A sign to identify a commercial use within a structure that protrudes perpendicularly from the front of the building.

**SIGN, IDENTIFICATION:** A sign which is attached to or projects from a building facade or other building surface.

**SIGN, INSTRUCTIONAL, DIRECTIONAL:** A sign which identifies location, hours of operation, parking, exit, entrance, and functional activities such as bathroom facilities, food, coffee, lunch, gas, offices, etc, The sign has bearing no commercial advertising or business name.

**SIGN, PERMANENT:** A sign constructed out of durable materials that is intended to exist for the duration of time that the use or occupant is located on the premises.

**SIGN PERMIT:** A permit issued by the Zoning Commission or its designee, permitting a land owner to construct a sign.

**SIGN, POLITICAL:** A sign that is incidental to a town, state or federal election or referendum. Political signs must have permission of the property owner to be erected. However, the political party or candidate is responsible for removal.

**SIGN, SPECIAL:** Banners, pennants, sandwich board signs and sidewalk or curb signs used for special events or sales

**SIGN, SPECIAL PERMIT:** A sign necessary to provide adequate visibility to the business community but which cannot satisfy all of the sign regulations due to unique site constraints not envisioned by the regulations, such as a very large building size, lack of building front wall, or multiple uses in a single structure. A special permit sign (i) is limited to the size, number, and location of Identification and Freestanding signs, (ii) must not create distractions or obstructions that may contribute to traffic accidents and/or are incompatible with the surrounding neighborhood, (iii) must not be detrimental to the orderly development of adjacent property, and (iv) will not create a traffic hazard.

**SIGN, TEMPORARY:** A sign conforming to size and location requirements, as stipulated by these regulations, which is to be displayed for a limited period of time.

**SIGN, TEMPORARY IDENTIFICATION:** A Temporary Sign intended for pre-development opening or closing, displayed sixty (60) days in advance of advertised activity.

**SIGN, TEMPORARY SPECIAL:** A Temporary Sign intended to announce a special event or sale.

~~**SIGN, POLITICAL:** A sign that is incidental to a town, state or federal election or referendum. Political signs must have permission of the property owner to be erected. However, the political party or candidate is responsible for removal.~~

**SITE PLAN:** A plan of a lot on which is shown topography, location of all buildings, structures, roads, rights-of-ways, boundaries, all essential dimensions and bearings and any other additional information deemed necessary by the Zoning Commission. A "Coastal Site Plan" is a type of Site Plan addressed in Section 12.1 of these regulations.

**SOIL EROSION AND SEDIMENT CONTROL PLAN:** A scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

**SOLAR ENERGY SYSTEM:** An energy system which directly uses solar radiation to produce space heating, cooling, hot water or electricity through the process of collecting solar radiation, converting it to another form of energy, storing the converted energy, protecting against unnecessary dissipation and distributing the converted energy.

**SPECIAL FLOOD HAZARD AREA:** The land area, as defined by the Federal Emergency Management Agency (FEMA), covered by the floodwaters of the base flood on National Flood Insurance Program (NFIP) maps.

**SPECIAL PERMIT (ALSO KNOWN AS A SPECIAL EXCEPTION):** A use which zoning regulations expressly permit under conditions specified in the regulations, where the zoning commission determines whether (1) the applicant's proposed use of the property is expressly permitted in the zoning regulations; (2) whether the standards and the relevant zoning regulations are satisfied; and (3) whether conditions necessary to protect public health, safety, convenience and property values, as provided by CGS §8-2, can be established. A special permit allows a use which is generally compatible with the zoning district but requires special attention as to its location and method of operation in order to keep it consistent with uses permitted as of right in the district. A special permit which conforms with the existing regulations must be approved and cannot be required to meet standards not contained in the regulations themselves, and the zoning commission cannot impose a condition on a special permit unless authorized by its own regulations.

~~**SPECIALLY SPECIAL USE:** A use that, because of its unique characteristics, requires individual consideration through a review and permitting process by the Zoning Commission. Such a use shall be permitted only upon authorization by the Zoning Commission, provided that such uses meets certain conditions, safeguards, restrictions and review criteria laid out for specific special permits: and other applicable requirements as set forth in this chapter. Don't Know~~

~~**START OF CONSTRUCTION:** Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date.~~

(a) The actual start means either:

- [1] The first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns; or
- [2] Any work beyond the state of excavation, or the placement of a manufactured home on a foundation.

- (b) Permanent construction does not include:
- [1] Land preparation, such as clearing, grading and filling;
  - [2] Installation of streets and/or walkways;
  - [3] Excavation for a basement, footings, piers or foundations;
  - [4] The erection of temporary forms;
  - [5] Installation of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
- (c) For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. **Keep In Flood**

**STRUCTURE:** Anything constructed or erected, the use of which requires location on or under the ground or an attachment to something having location on the ground including, but not limited to, homes, swimming pools, signs, decks, storage sheds, pens, runs, barns, pump houses, parking areas, and garages. **Don't Know**

**STRUCTURE (FOR FLOODPLAIN MANAGEMENT PURPOSES),** a walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

**SUBSTANTIAL DAMAGE:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. **Keep In Flood**

**SUBSTANTIAL IMPROVEMENT:** Any combination or repairs, reconstruction, alteration, or improvements to a structure, taking place during a ten year period, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures that have "substantial damage," regardless of the actual repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the Zoning Official and are solely necessary to assure safe living conditions. **Keep In Flood**

**TELEPHONE EXCHANGE:** A building used exclusively for the transmission and exchange of telephone messages, excluding wireless service towers.

~~**THEATER:** A building or structure dedicated to public entertainment in the form of movies or live performances. **No**~~

**TOWER:** A structure intended to support equipment used to receive or transmit electromagnetic waves and/or to support wind turbines.

**TRANSFORMER SUBSTATION:** A premises used for the distribution of electrical energy at the rate of 35 kva and higher.

**TRAVEL TRAILER:** A vehicular, portable structure built on a chassis and designed to be used for temporary occupancy for travel, vacations, or recreational uses with the manufacturer's permanent identification "Travel Trailer" thereon.

**TREE LAWN:** Strips of land between the road and the sidewalks inside a development.

**UNREGISTERED MOTOR VEHICLE:** A vehicle which is currently unregistered but legally capable of being registered and operated on the public ways of the state.

**UNUSABLE OPEN SPACE:** Any part of the site area which has a slope of more than twenty-five percent (25%) or is in the floodplain or flood-prone area or is subject to periodic flooding due to subsoil conditions. Also, land area which has a

high length-to-width ratio as compared to the main site, natural discontinuities in grade or heavily wooded slopes in excess of fifteen percent (15%) or is otherwise unsuitable for development.

USABLE OPEN SPACE: That part of the lot area not classified as unusable open space or which is used for or devoted to dwelling structures, driveways or parking spaces; such open space shall be at least twenty-five (25) feet in minimum dimension, shall have no more than ten percent (10%) of its area with a grade of more than five percent (5%), and shall not include floodplains and/or wetlands.

USE: The purpose for which property is arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

VARIANCE: A grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship. **Keep In Flood**

VIOLATION: Failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without required permits, lowest flood elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be a violation until such time as that documentation is provided. **Keep In Flood**

WATER SURFACE ELEVATION: The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas. **Keep In Flood**

VETERINARY OFFICE AND CLINIC: Any structure where animals or pets are given medical or surgical treatment, including short-term boarding of animals when boarding is for the purpose of monitoring recovery, but not including boarding or kenneling.

WAREHOUSE: A building or premises, for storing of goods, materials and merchandise, for distribution to off-site locations.

WIND ENERGY SYSTEM, SMALL: A wind energy to electricity energy conversion system, not to exceed 100 KW, consisting of a wind turbine, nacelle, generator, a tower and its support structures, associated control, and conversion electronics.

YACHT CLUB, MARINA, BOAT YARD: A facility located on a parcel within five hundred (500) feet of a navigable waterway for storing, servicing, fueling, berthing and/or securing boats and may include docks, piers, moorings, and slips, and eating, sleeping and retail facilities for owners, crew, and guests.

YARD, FRONT: The space between the building line and the front lot line, extending the full width of the lot; or in case of a corner lot, the non-developed land between a building and the front lot lines extending the full width of each frontage.

YARD, REAR: The space between the rear line of the building and the rear lot lines, extending the full width of the lot.

YARD, SIDE: The space between the building and the side lot lines, extending from the front yard to the rear yard, any yard not a front yard or a rear yard shall be deemed a Side Yard.

ZONING OFFICIAL (also known as the Zoning Enforcement Official, Zoning Officer and/or Zoning Enforcement Officer): An agent of the Zoning Commission responsible for the implementation and enforcement of its policies and regulations pursuant to Connecticut General Statutes §8-3(e) and Section 15.2 of these regulations. ~~In the absence of a Zoning Official, the Zoning Commission may delegate, by majority vote, the authority to enforce these regulations to itself and/or to any of its members, who shall be the Zoning Official wherever referenced or specified in these regulations.~~ **No**

ZONING OFFICE: The division of the Land Use Department responsible for the issuance of zoning permits, certifications of zoning compliance, and enforcement of these regulations.

## SECTION 3.0: ESTABLISHMENT OF DISTRICTS

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### 3.1 Zoning Districts

|        |                                     |                      |
|--------|-------------------------------------|----------------------|
| R-20   | High Density Residential District   | 20,000 sq. ft. min.  |
| R-40   | Medium Density Residential District | 40,000 sq. ft. min.  |
| RM-40  | Mobile Home Retirement Village      | 10 acres minimum     |
| R-60   | Low Density Residential District    | 60,000 sq. ft. min.  |
| R-80   | Rural Residential District          | 80,000 sq. ft. min.  |
| LCVD-1 | Ledyard Center Village District - 1 | *****                |
| LCVD-2 | Ledyard Center Village District – 2 | *****                |
| LCVD-3 | Ledyard Center Village District – 3 | 20,000 sq. ft. min.  |
| MFVD   | Multi Family Village District       | 20,000 sq. ft. min.  |
| GFDD-1 | Gales Ferry Design District         | 25,000 sq. ft. min.  |
| GFDD-2 | Gales Ferry Design District         | 25,000 sq. ft. min.  |
| RCCD-1 | Resort Commercial Cluster District  | 200,000 sq. ft. min. |
| RCCD-2 | Resort Commercial Cluster District  | 200,000 sq. ft. min. |
| I      | Industrial District                 | 200,000 sq. ft. min. |
| CM     | Commercial Marine                   | 40,000 sq. ft. min.  |
| NC     | Neighborhood Commercial             | 40,000 sq. ft. min.  |
| CIP    | Commercial Industrial Park          | 40,000 sq. ft. min.  |

### 3.2 Zoning Map

- A. The boundaries of said districts shall be shown on a map entitled: "Zoning Map of the Town of Ledyard, February 21, 1992" which is on file in the Office of the Town Clerk of Ledyard. Such maps and any duly adopted revisions thereto, with the explanatory matter thereon, are hereby declared to be a part of these regulations as if fully set forth herein.

### 3.3 Zoning District Boundaries

- A. The District boundary lines are intended generally to follow the center line of streets, and similar rights-of-way, rivers, lot lines, or town boundary lines, all as shown on the Zoning Map; but where a zone boundary line does not follow such a line, its position is shown on said Zoning Map by a specific dimension expressing its distance in feet from a street line or other boundary line as indicated. In case of uncertainty as to the true location of a District boundary line in a particular instance, the determination thereof shall be made by the Zoning Commission from the official records.

### 3.4 Use and Bulk Schedules

- A. Schedule of Permitted Uses, attached as "Schedule A," lists permitted uses for each District category as follows:
- (1) The Schedule of Permitted Uses indicates uses that are permitted in a District, uses permitted by Special Permit and uses that require Site Plan review. Any use not specifically listed or otherwise permitted in a District herein established shall be deemed prohibited unless the Zoning Commission determines that the proposed use is substantially similar to a listed use.
  - (2) Any use marked "P" in the Schedule is a permitted use subject to the issuance of a building and/or zoning permit.

- (3) Any use marked “S” in the Schedule may be a permitted use subject to these regulations and requires a “Special Permit” to be issued by the Zoning Commission.
- (4) No entry indicates the use is not permitted.
- (5) Any use marked with an asterisk (“\*”) indicate that Site Plan review is required.

B. Schedule of Area and Bulk Regulations. The Schedule of Area and Bulk Regulations, attached as “Schedule B,” indicates the Lot Area and bulk dimensions for each District and diagrams providing illustrations of lot layouts and setbacks

Draft

## SECTION 4.0: ZONING DISTRICT REGULATIONS

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### 4.1 High Density Residential District (R-20)

A. Purpose. To maintain the existing higher density residential character and provide opportunities for compatible residential development and other civic uses.

~~B. Not more than one (1) single family dwelling unit per lot is permitted, except on properties of fifty (50) acres or more in which one primary residence is permitted plus one additional residence for farm employees.—See blue table correction~~

~~LaBerge~~

### 4.2 Medium Density Residential District (R-40)

A. Purpose. To maintain the existing medium density residential development and provide opportunities for compatible residential development and other civic uses.

### 4.3 Mobile Manufactured Home Land Lease Community (RM-40)

A. Purpose. To help establish and maintain an adequate supply of decent, safe and affordable housing serving different types of households, specifically for older persons, as encouraged by the “Housing” Section of the Ledyard Plan of Conservation and Development, by enabling the development of large parcels of land zoned RM-40 into land lease communities for the installation, sale, and occupancy of multiple Mobile Manufactured Homes.

### 4.4 Low Density Residential District (R-60)

A. Purpose. To maintain the existing low density residential development and provide opportunities for compatible residential development and other civic uses that reflect the rural character and natural resources of the Town.

### 4.5 Rural Residential District (R-80)

A. Purpose. To maintain the existing lowest density residential development and provide opportunities for compatible residential development and other civic uses which reflect the rural character and natural resources of the Town.

### 4.6 Ledyard Center Village District-1 District (LCVD-1)

A. Purpose. To encourage the development of a New England village center, identifiable as the center of the community, through the concentration of commercial businesses along a main street. The Zoning Commission of the Town of Ledyard established this village district in accordance with Section 8-2j of the Connecticut General Statutes.

B. Design standards/guidelines shall be in accordance with the Town of Ledyard Design Guidelines.

### 4.7 Ledyard Center Village District-2 District (LCVD-2)

A. Purpose. To encourage the development of a New England village center identifiable as the center of the community, through the concentration of commercial businesses, mixed with residential uses, along a main street. The Zoning Commission of the Town of Ledyard established this village district in accordance with Section 8-2j of the Connecticut General Statutes.

B. Design standards/guidelines shall be in accordance with the Town of Ledyard Design Guidelines.

### 4.8 Ledyard Center Village District-3 District (LCVD-3)

A. Purpose. To encourage the transition between the developed New England village center, identifiable by Mixed Uses, and the surrounding residential areas. The Zoning Commission of the Town of Ledyard established this village district in accordance with Section 8-2j of the Connecticut General Statutes.

B. Design standards/guidelines shall be in accordance with the Town of Ledyard Design Guidelines.

#### 4.9 Multi Family Village District (MFVD)

- A. Purpose. To encourage the development of a pedestrian-friendly village environment in Ledyard Center. The Zoning Commission of the Town of Ledyard established this village district in accordance with Section 8-2j of the Connecticut General Statutes. This District is intended to accommodate a variety of high density residential development and compatible commercial and institutional uses.
- B. Design standards/guidelines shall be in accordance with **the Town of Ledyard Design Guidelines**.

#### 4.10 Gales Ferry Design District-1 (GFDD-1)

- A. Purpose. To ensure that commercial development in the Gales Ferry Design District-1 (GFDD-1) is pedestrian-friendly and is of a unified design and scale suitable to create a higher density Gales Ferry Village. In addition, the District is intended to:
  - (1) Require a blend of low intensity commercial, civic, and residential architectures and land uses.
  - (2) Require cohesive architectural and site design.
  - (3) Establish a coordinated pattern of land development which insures safe access and movement of pedestrians and vehicles, and which minimizes curb cuts and maximizes connections to adjacent properties.
  - (4) Encourage placement of primary structures closer to the street; to increase business exposure; to minimize sign clutter by reducing the need for redundant signs; to reduce traffic speeds; to discourage widening of streets and highways; and to discourage development with dominant front parking lots.
- B. Design standards/guidelines shall be in accordance with the Town of Ledyard Design Guidelines.

#### 4.11 Gales Ferry Design District (GFDD-2)

- A. Purpose. To ensure that commercial and residential development in the Gales Ferry Design District-2 (GFDD-2) is pedestrian-friendly and is of a unified design and scale suitable to create a higher density Gales Ferry Village. This District is intended to provide for a mix of commercial and residential uses. In addition, the District is intended to:
  - (1) Require a blend of commercial, civic and residential architectures and land uses.
  - (2) Require cohesive architectural and site design.
  - (3) Establish a coordinated pattern of land development which insures safe access and movement of pedestrians and vehicles; provide adequate ingress and egress for commercial properties; and which minimizes curb cuts and maximizes connections to adjacent properties.
  - (4) Encourage placement of primary structures closer to the street; to increase business exposure; to minimize sign clutter by reducing the need for redundant signs; to reduce traffic speeds; to discourage widening of streets and highways; and to discourage development with dominant front parking lots.
- B. Design standards/guidelines shall be in accordance with the Town of Ledyard Design Guidelines.

#### 4.12 Resort Commercial Cluster District-1 (RCCD-1)

- A. Purpose. To encourage the development of recreational and tourism-oriented commercial activities; retail activities; personal service activities; and limited living facilities, while maintaining the character of the surrounding area. In addition, the District is intended to:
  - (1) Cluster new commercial buildings and Parking Areas on the most developable land within the District while retaining significant contiguous land areas in a natural or landscaped condition.
  - (2) Assure that the design of new structures, parking, accessways and landscaping is compatible with the natural features and topography of the area.
  - (3) Limit and control access for new development from public roads so that traffic safety is maintained and a sense of the rural landscape is retained and enhanced.

- (4) Discourage uncoordinated strip commercial development consisting of small, individual, unrelated uses varying unpredictably in type, size, style, access arrangements and environmental impact. Such development is inconsistent with the maintenance of a rural appearance and maximum traffic safety.
- (5) Protect surface and groundwater resources through the careful control of sewage disposal systems and storm water runoff. Require best management practices available for all land uses located in close proximity to aquifer recharge areas.

**B. Design standards/guidelines shall be in accordance with the Town of Ledyard Design Guidelines. NO**

**C. Traffic management.**

- (1) Primary access to development shall be from Pequot Trail.
- (2) Secondary or emergency access from Route 214 will be reviewed based on the following:
  - (a) Design of access;
  - (b) Any proposed or necessary traffic controls;
  - (c) Physical features of the site;
  - (d) Existing traffic conditions; and
  - (e) Any nearby pending development.

#### **4.13 Resort Commercial Cluster District-2 (RCCD-2)**

- A. Purpose.** To encourage the development of recreational and tourism-oriented commercial activities; retail activities; personal service activities; and limited living facilities, while maintaining the character of the surrounding area. This District is intended to reduce the intensity of commercial uses. In addition, the District is intended to:
- (1) Cluster new commercial buildings and Parking Areas on the most developable land within the District while retaining significant contiguous land areas in a natural or landscaped condition.
  - (2) Assure that the design of new structures, parking, accessways and landscaping is compatible with the natural features and topography of the area.
  - (3) Limit and control access for new development from public roads so that traffic safety is maintained and a sense of the rural landscape is retained and enhanced.
  - (4) Discourage uncoordinated strip commercial development consisting of small, individual, unrelated uses varying unpredictably in type, size, style, access arrangements and environmental impact. Such development is inconsistent with the maintenance of a rural appearance and maximum traffic safety.
  - (5) Protect surface and groundwater resources through the careful control of sewage disposal systems and storm water runoff. Require best management practices available for all land uses located in close proximity to aquifer recharge areas.

**B. Design standards/guidelines shall be in accordance with the Town of Ledyard Design Guidelines. No**

**C. Traffic management.**

- (1) Primary access to development shall be from Pequot Trail.
- (2) Secondary or emergency access from Route 214 will be reviewed based on the following:
  - (a) Design of access;
  - (b) Any proposed or necessary traffic controls;
  - (c) Physical features of the site;
  - (d) Existing traffic conditions; and
  - (e) Any nearby pending development.

**4.14 Industrial District (I)**

- A. Purpose. To encourage continuation of industrial uses and expansion of Manufacturing and Research Facilities to enhance the tax base and provide employment opportunities, consistent with the rural character and natural resource constraints of Ledyard.

**4.15 Commercial Marine District (CM)**

- A. Purpose. To provide for the appropriate development of waterfront properties and to allow for maximum utilization of water-dependent and water-related uses.

**4.16 Neighborhood Commercial District (NC)**

- A. Purpose. To encourage the development of small local businesses which will serve the daily commercial needs of the surrounding residential neighborhoods.

**4.17 Commercial Industrial District (CIP)**

- A. Purpose. To allow for a mix of commercial and industrial uses which are mutually compatible and which will augment the economic tax base of the Town and the region.



## SECTION 5.0: CONSERVATION SUBDIVISION DEVELOPMENTS

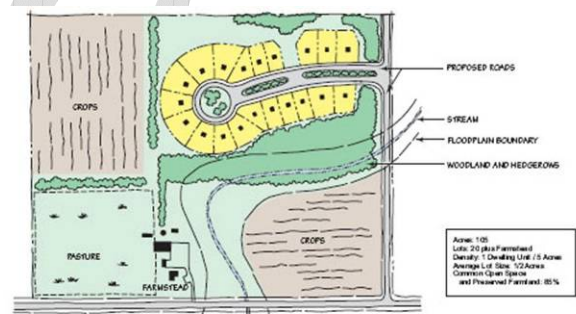
### 5.1 Applicability

- A. Purpose. The purpose of this Section is to provide flexibility in clustering of residential units on areas of a project site best suited for development and to protect the remaining land as open space. The creation of open space is accomplished by permitting flexibility in the minimum lot size normally required in specific zones for residential development. The creation of a Conservation Subdivision is intended to:
- (1) Protect natural streams, water supplies and watershed areas;
  - (2) Maintain and enhance the conservation of wildlife, natural, agricultural, or scenic resources;
  - (3) Promote conservation of soils, wetlands, and other significant natural features and landmarks;
  - (4) Enhance the value to the public of abutting or neighboring parks and unfragmented forests; wildlife preserves, nature reservations or sanctuaries, or other open spaces;
  - (5) Enhance public recreation opportunities;
  - (6) Preserve historic sites;
  - (7) Promote orderly efficient development; and
  - (8) Limit the extent of impervious surfaces and control runoff.

#### Conventional Subdivision



#### Conservation Subdivision



Source: [http://www.sewrpc.org/ca/conservation subdivisions/pdfs/conservation\\_subdivision\\_design\\_process.pdf](http://www.sewrpc.org/ca/conservation subdivisions/pdfs/conservation_subdivision_design_process.pdf)

- B. Conservation Subdivision Developments are permitted in the R-40, R-60 and R-80 Districts, subject to the Town of Ledyard Subdivision Regulations, and the following conditions and exceptions:
- (1) Public water or community water system and public sewer or community sewerage system shall be required for a Conservation Subdivision Development in the R-40 zone.
  - (2) A Conservation Subdivision Development utilizing a community water system shall not be approved unless one (1) of the following is obtained by the applicant:
    - (a) A Certificate of Public Convenience and Necessity has been issued pursuant to Sections 8-25a and 16-262m of the Connecticut General Statutes; or
    - (b) A written Water Main Extension Agreement has been approved by the public water company designated to serve the Conservation Subdivision Development.

## 5.2 Density and Bulk Requirements

- A. Overall residential density. A residential conservation development shall not contain a total number of dwelling units which exceeds the number which could be permitted if the land were subdivided into conventional lots conforming to the minimum lot size and density requirements applicable to the district or districts in which such land is located and conforming to all applicable requirements of these zoning regulations.
- B. Bulk requirements. In order to encourage and enable a conservation subdivision of desirable and imaginative design and to maintain flexibility, specific controls of the bulk and lot coverage of permitted uses and public facilities are not contained in this section. Instead, it is required that the conservation subdivision be developed according to a comprehensive final plan for the overall development, which shall conform to the requirements of this chapter.
- C. **Open space. MorE REVIeW**
- (1) Each conservation development shall result in the preservation of at least 35% 40% of the gross area of which at least 15% will be of usable open space, exclusive of streets and other paved areas, for parks, recreation, public trails, conservation, agricultural, or other open space purposes. The result shall be the maximum number of lots in a Conservation Subdivision provided the lots comply with the subdivision regulations and the Connecticut State Public Health Code.
  - (2) The open space shall have access, shape, dimensions, character, location, and topography suitable for the purpose intended. In determining which land is to be preserved as open space, the natural and scenic qualities of the site shall be taken into consideration, as well as the ecological significance of the site and its utility as an open space.
  - (3) The open space shall be shown on the plat map and shall be labeled in a manner to indicate that such land is not to be platted for building lots and is permanently reserved for open space into perpetuity.
  - (4) The applicant shall submit sketch layouts for both conventional subdivision and conservation subdivisions to determine the number of conventional lots, which could be permitted if the land were subdivided in accordance with all applicable regulations of the Zoning Regulations and Subdivision Regulations.
  - (5) An applicant may be required to submit sketch layouts for both conventional subdivision and conservation subdivision. After review of the conventional and conservation site layouts, the Commission may at its discretion require the applicant to provide a conservation subdivision if it is determined that the conservation subdivision would be consistent with the objectives set forth herein.

## SECTION 6.0: SITE PLAN REVIEW

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### 6.1 Site Plan Review (When Required?)

- A. Purpose. To ensure that buildings and structures shall be situated so that they will comport with the purpose of these regulations, the Zoning Commission shall inspect and approve or disapprove within sixty-five (65) days of receipt site layout plans of all proposed buildings/structures, major filling, excavating or relocating of soil or rocks.
- B. Applicability. Site Plan is required as indicated in Schedule A and as part of the Special Permit review process in accordance with Schedule A and Section 7.0 of these regulations.
- C. Exemption. Site Plan approval shall not be required for:
  - (1) Any allowed temporary use.
  - (2) Any detached Single-Family Dwelling less than three thousand (3,000) square feet in the R-20 District.
  - (3) Any detached Single-Family Dwelling less than three thousand five hundred (3,500) square feet in the R-40 and R-60 Districts.
  - (4) Any detached Single-Family Dwelling less than four thousand (4,000) square feet in the R-80 District.
- D. Conformance. Where Site Plan approval is required by this Section, no Certificate of Zoning Compliance will be issued by the Zoning Official until such Site Plan is approved by the Zoning Commission and any conditions attached thereto have been satisfied.

### 6.2 Application Procedures

- A. Complete Site Plan development packages as specified by these regulations, for each site development, must be submitted to the Zoning Office five (5) working days before a regular scheduled Zoning Commission meeting in order to be considered during that meeting, in accordance with Section 15.10 of these regulations. The official date of receipt shall be the day of the next regularly scheduled meeting of the Zoning Commission in accordance with Connecticut General Statutes §8-7d(c).
- B. A Site Plan application fee, as specified in the current Town of Ledyard adopted fee schedule, shall be paid prior to the initial review of the application.
- C. In the case of a use conversion, which does not require additional construction or site modifications, or in the case of minor changes requiring a building permit, the Zoning Commission may determine that the Site Plan application procedures outlined herein are not applicable. This determination shall be made by the Zoning Commission, in writing, after receipt of a recommendation from the Zoning Official.

### 6.3 Review Procedures

- A. The Zoning Official shall review all Site Plans for compliance with the regulations prior to the Site Plans being reviewed by the Zoning Commission.
- B. The Zoning Commission shall review and approve or disapprove all Site Plans within sixty-five (65) days of receipt, unless an extension of time is granted. The Zoning Commission's disapproval shall include written findings on any Site Plan element found contrary to either the provisions or intent of these regulations.
- C. The Zoning Commission, in approving any Site Plan, may require, as a condition of said approval, the applicant to post satisfactory surety in order to assure satisfactory completion of and full compliance with all proposed improvements, not including buildings, shown on the approved Site Plan and other approved documents.
- D. Revisions or modifications to preexisting Site Plans shall be considered as a new application and such revisions shall comply with current regulations. In the event of a proposed minor amendment to a previously approved Site Plan, the Zoning Commission, upon recommendation from the Zoning Official, may determine that the application fee for an amended Site Plan review is not required.

## 6.4 Recording of Plans; Expiration

- A. Prior to commencement of construction, Site Plans shall bear upon them a seal of a Connecticut Licensed Professional Engineer or Land Surveyor and shall be recorded in the Town of Ledyard Zoning Department Office and a Notice of Action obtained upon approval.
- B. Any approved Site Plan for which construction is commenced, or which is not otherwise put into effect within a period of five (5) years from the date of approval, shall become null and void unless an extension of term is applied for by the applicant and granted by the Zoning Commission. In accordance with Connecticut General Statutes §8-3(i), the total extension or extensions shall not exceed ten (10) years from the date such Site Plan was approved.

## 6.5 Site Plan Requirements

- A. For all uses requiring Site Plan approval, the plans shall illustrate the proposed development of the property and shall satisfy the following requirements:
- (1) The Site Plan shall be drawn at a scale of one inch (1") equals forty feet (40'), or another scale as may be approved by the Zoning Commission, and shall include the following information:
- The name and address of the applicant and owner of record as listed on the Town's tax roles.
  - Date, north arrow, and a numerical and graphic scale on each map.
  - A brief written description of the proposed use or uses and the type of work proposed.
  - A table or chart indicating the proposed number or type of uses, Lot Area, lot width, yards, building height, coverage, floor area, parking spaces, existing and proposed impervious cover, landscaping, and Non-Developed Land or buffer areas as they relate to requirements of the zoning regulations.
  - The address of the property and/or parcel identification number.
  - Signed permission authorizing the Zoning Commission, the Zoning Official and/or Town staff to complete a site walk of the property. Site walks are to be completed at the discretion of the Zoning Commission.
  - Signature block for the Zoning Commission Chairman:  
  
\_\_\_\_\_
- (DATE) (CHAIRMAN/VICE-CHAIRMAN)
- A location map providing an accurate scale map at one (1) inch equals one thousand (1,000) feet showing the subject property and all property and streets within 1,000 feet of any part of the subject property, including all lots and lot lines, all District boundaries, and all existing streets and roads. The location map may be included on other plan sheets.
  - An accurate class A-2 survey of the entire property and all improvements prepared by a Land Surveyor licensed in the State of Connecticut or professional Licensed Professional Engineer.
- (2) The following property details shall be included:
- The boundaries of the property.
  - Location, width and purpose of all existing and proposed easements and rights-of-ways on the property.
  - Pete Gardner** Existing and proposed contours with intervals of two (2) feet, referred to NGVD 29 or NAVD 88 datum
  - Location of all existing wooded areas, watercourses, flood hazard areas, wetlands as confirmed by a certified soil scientist, rock outcrops, and other significant physical features.
- [1] Where appropriate, the mean high water line, the flood hazard boundaries, and the channel encroachment line should also be shown.
- [2] If an inland wetlands and watercourses permit is required, an application to the wetlands agency shall be made prior to, or the same day, as the zoning permit is requested.

- (e) Adjacent properties and buildings within five hundred (500) feet of the applicant's property lines, as shown by the Town of Ledyard's GIS system.
- (3) Buildings and Uses:
- (a) Location, design and height of all existing and proposed buildings and structures, signs, fences, walls and any other structures as may be appropriate for the design districts.
  - (b) Location of all existing and proposed uses and facilities not requiring a building, such as tanks, light standards, dumpsters, transformers, tennis courts, benches and such.
- (4) Parking, Loading, and Circulation:
- (a) Location, arrangement and dimensions of automobile parking spaces, aisles, vehicular drives, fire lanes, entrances, exits and ramps.
    - [1] Any use of property which can reasonably be expected to generate large volumes of traffic may be required by the Zoning Commission to provide for entrances to and exits from the property by way of an adjacent and less traveled public highway, or frontage road, in lieu of direct access from and to a major or more heavily traveled public highway. **LeBarge**
    - [2] Site Plans must include a plan for interconnections to adjacent properties, including a plan to reserve land for any future connections. **Section 6.6 Commercial?**
    - [3] Any permit may be denied by the Zoning Commission if proposed access to a public highway is deemed to create a hazardous condition, or when the expected traffic to be generated from the proposed use of property is considered cumulative with existing traffic conditions, and is deemed to cause or to worsen hazardous conditions so as to imperil public safety.
    - [4] On each individual application, the Zoning Commission will consider the design of access, any proposed construction designs peripheral to access and related to traffic control, existing traffic conditions and any adjacent nearby pending development.
    - [5] The Zoning Commission may require certain minimum sight line distances depending on present traffic conditions and upon existing posted speed limits by the State of Connecticut Department of Transportation and survey average vehicular speeds.
  - (b) Location, arrangements and dimensions of loading and unloading areas.
  - (c) Location and dimensions of pedestrian walkways, entrances, and exits.
  - (d) Surface treatment of all parking and loading areas.
- (5) Non-Developed Land and Landscaping:
- (a) Percentage, size, arrangement, uses, and dimensions of all Non-Developed Land of the site.
  - (b) Location, layout, type, and size of all buffers, landscaping, plant materials, fencing and Screening materials proposed.
  - (c) Location of existing trees with a trunk caliper of more than six (6) inches, except in densely wooded areas where the foliage line shall be indicated.
- (6) Signs and Lighting:
- (a) Location, size, height, orientation, and plans of all signs.
  - (b) Location, size, height, orientation, and design of all outdoor lighting.
- (7) Utilities, **Storm Water Control and Drainage:**
- (a) Location and design of all existing and proposed electric, telephone and gas lines, sewage disposal systems, storm water drainage, water supply facilities, and refuse collection areas, including provisions for recycling, wells, and septic systems.
  - (b) Drainage: Stormwater control measures shall be provided for impervious surfaces within the site, either as stipulated below or in other situations.

- [1] All stormwater control measures shall be approved first by the appropriate Town of Ledyard staff member, and second by the Zoning Commission.
  - [2] All storm drainage for proposed commercial development in which the combined square footage of roofs, paved Parking Areas and other impervious surfaces exceeds ten thousand (10,000) square feet shall be designed in accordance with, and subject to, the provisions of the Drainage Ordinance of the Town of Ledyard.
- (8) Sedimentation and Erosion control measures:
- (a) A Site Plan will be required for all filling, excavating or relocating of soil or rock on any lot that is not part of an approved construction site of a permitted building, a farming operation, or any other exempt activity as permitted by these regulations and any amendments thereto.
    - [1] Site Plan will be required for all major filling, excavating or relocating of soil or rocks on any lot. Major filling, excavating or relocating is defined as the movement of two hundred (200) cubic yards or more to, on, or from any lot. A permit authorizing such work shall be issued by the Zoning Commission for a period of twelve (12) months and may be renewed.
    - [2] Minor filling, excavating or relocating is defined as the movement of two hundred (200) cubic yards or less, to, from, or on any lot. A permit authorizing such work shall be obtained from the Zoning Official for a period of twelve (12) months and may be renewed.
  - (b) The Site Plan shall detail areas to be altered, denoting any existing drainage routes and/or changes to these routes.
  - (c) Existing topography shall be disturbed to a minimum.
  - (d) Wherever possible, trees shall be preserved.
- (9) Staging Plan. In cases where the applicant wishes to develop in stages, an overall site and staging plan indicating ultimate development shall be submitted.
- (10) Architectural Plans. The applicant shall submit Preliminary Architectural plans showing all proposed buildings and structures, at a minimum scale of one inch (1") equals eight feet (8'), illustrating all exterior wall elevations, indicating floor heights, fenestration, roof top mechanical equipment and building materials.
- B. Any proposed work within ten (10) feet of an easement shall be approved by the easement holder prior to approval by the Zoning Commission or its agent.**OUT
- C. The Town will notify the clerk of the adjoining municipality by certified mail for any petition, application, request or plan of any project on any site in which:
- (1) Any portion of the property affected by a decision is within five hundred (500) feet of the boundary of the adjoining town.
  - (2) A significant portion of the traffic to the completed project on the site will use streets within the adjoining town to enter or exit the site.
  - (3) A significant portion of the sewer or water drainage from the project on the site will flow through, and significantly impact, those systems within the adjoining town.

## 6.6 Additional Site Plan Requirements by District

### A. Mobile Manufactured Home Land Use Community District (RM-40):

- (1) In addition to the usual Site Plan requirements, the application shall include:
  - (a) Storm drainage plan including water runoff in and about the roadways and sites;
  - (b) Sanitary sewer plan, including:
    - [1] A written report on the suitability of the property for individual or community on-site subsurface sewage disposal shall be submitted as part of the application.

- [2] Soil tests shall be required in accordance with the Public Health Code of the State of Connecticut.
- [3] The results and date of the soil tests shall be included in the written report and the proposed systems and reserve areas shall be shown on the site layout map.
- [4] However, soil tests shall not be required if the Mobile Home Land Lease Community will be serviced by a municipal sewer facility.
- (c) Water source, water treatment, isolation valve locations, sampling spigot locations and distribution plan.
- (d) Community lighting plan.
- (e) Electrical distribution plan.
- (f) Cable distribution plan.
- (g) Roadways.
- (h) Pathways.
- (i) Street names.
- (j) Site numbering and size, style, and location of each site number for compliance with 911 requirements.
- (k) Fire hydrants (if any).
- (l) Sidewalks (if any).
- (m) A general landscape design overview approach including a detail representative landscape proposal for one (1) (or more) homes and home sites, a detail landscape proposal for each community entrance, and a detail landscape proposal for the Community Center, if any.
- (n) Common area, site, perimeter, dumpster, and RV storage Screening.
- (o) All signage (including, as appropriate, community entrance(s), Office, sales, parking, traffic control and direction, street names, "private property," "no soliciting," and "no trespassing" signs.
- (p) Refuse and recycling management plan.
- (q) Dumpster size and location(s), if any.
- (r) Mail and newspaper delivery plan (on site vs. central structure).
- (s) Parking plan including on-site, guest, and RV parking.
- (t) Public facilities, if any.
- (u) The lease lines for each site, the address of each site, parking for each site, the Screening for each site, and the orientation footprint of each proposed Mobile Manufactured Home when installed on each site.
- (v) Descriptions of any significant facilities and services that will be provided by the land lease community owner which are designed to accommodate the needs of older persons.
- (w) The location, design, and size of the Mobile Manufactured Home land lease community bulletin board required for the posting of the Community Rules and Regulations.
- (x) The identification of a sales office and/or community management office, if any.

**B. Industrial District (I):**

- (1) In addition to the usual Site Plan requirements, the application shall include:
  - (a) Statement of Use: A written statement, signed by the applicant, and by the owner if different from the applicant, describing the nature and extent of the proposed use or occupancy in sufficient detail to determine compliance with the use provisions of these regulations.
  - (b) Written reports concerning the following:
    - [1] Sewage Disposal

- [a] A written report, submitted to the Director of Health or his agent for written approval, prior to submission to the Zoning Commission.
  - [b] The report shall contain the location and results of all test pits and percolation tests dug on the site.
  - [c] These tests shall be conducted in conformance with the Public Health Code of the State of Connecticut.
- [2] Potable Water Supply:
- [a] A licensed water analyst shall perform such chemical, bacteriological or other analyses or tests which meet the water standards established by the Public Health Code of the State of Connecticut.
  - [b] Results of all water tests shall be submitted to the Zoning Commission after review by the Director of Health or his agent.
- [3] Fire Protection:
- [a] The applicant shall identify the source of water for fire protection, and shall where necessary, after consultation with the Fire Marshal, provide a fire well, fire pond, water tank, or other source of adequate water for fire fighting purposes.
  - [b] The design, location, and construction of any water supply for fire fighting purposes must be approved by the Zoning Commission.
- [4] Traffic Generation:
- [a] For all new industrial development, a report of the estimated amount and type of vehicular traffic to be generated on a daily basis and at peak hours; and
  - [b] The estimated number of persons to occupy or visit the premises on a daily basis, including parking and loading requirements for the proposed use or uses.
- [5] All other plans and reports required under these regulations, a listing of any permits required from any state and/or federal agencies, and the status of such permit applications.

## **SECTION 7.0: SPECIAL PERMITS**

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### **7.1 Purpose and Authority**

- A. Special Permits are required for uses that may necessitate a more intensive review in order to assure that the purpose of these regulations will be achieved.
- B. The Zoning Commission, or the Zoning Official as the Zoning Commission's agent, may grant a Special Permit if, after a public hearing held in accordance with the General Statutes of the State of Connecticut and Section 15.8 of these Regulations, it finds that such uses shall conform to the requirements of this Section and Schedule A of these regulations.

### **7.2 Application for Special Permit**

- A. Applications for a Special Permit shall be made in writing to the Zoning Commission and shall include the following:
  - (1) Written statement describing the proposed use or uses.
  - (2) A Site Plan and location map in accordance with Section 6.0 of these regulations.
  - (3) A sketch plan indicating the boundaries of the property, the location and height of all buildings and uses, the location and arrangement of parking and loading spaces, the location and description of all Non-Developed Land, Screening and Buffer Strip.
  - (4) An application fee. All applications shall be accompanied by a fee, in accordance with the fee schedule adopted by the Zoning Commission, to cover the cost of administration. Said fee shall be paid at the time of filing the application.
  - (5) Such other information, as the Zoning Commission may require, to determine compliance with the intent and purpose of these regulations.
  - (6) All applications must be filed with the Zoning Official no later than 3:30 p.m. five (5) working days before a regular scheduled Zoning Commission meeting in order to be considered during that meeting, in accordance with Section 15.10 of these regulations.

### **7.3 Special Permit Objectives**

- A. In evaluating a Special Permit, the Zoning Commission shall take into consideration the health, safety and welfare of the public in general, and the immediate neighborhood in particular, and may prescribe reasonable conditions and safeguards to insure the accomplishment of the following objectives:
  - (1) **Harmony with Development.** That the proposed use is of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the District in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.
  - (2) **Traffic Circulation.** That the location and size of such use, the nature and intensity of operations involved in connection to the use, its site layout, and its relation to access streets shall be such that both pedestrian and vehicular traffic, and the assembly of persons in connection with the use, will not be hazardous or inconvenient, or incongruous with, any Residential District or conflict with the normal traffic of the neighborhood.
  - (3) **Impact on Environment.** That the location and size of such use, the nature and intensity of operations involved in connection therewith, and the site layout and development will not have a negative impact on any environmental and natural resource areas on or adjacent to the site or within the neighborhood.

### **7.4 Public Hearing**

- A. The Zoning Commission shall hold a public hearing on the applications for a Special Permit in accordance with Section 15.8 of these regulations.

### **7.5 Conditions of Approval**

- A. The Zoning Commission shall grant an application for a Special Permit if it determines, after a public hearing, that the proposed use or uses are permitted uses and that the proposed plans conform to the standards specified herein.
- B. In approving a special permit, the Zoning Commission may set or impose time periods or limits on the permit or require a periodic renewal of the permit without a public hearing. In the event an appeal is taken, directly or indirectly, from the Commission's approval of a special permit, then the time period shall commence on the date of final resolution or disposition of such litigation. Expired special permits shall be considered null and void and of no effect.
- C. All requirements set forth herein are in addition to the requirements for any permitted use in the District in which it is a regularly designated use.

### **7.6 Revocation**

- A. Any Special Permit shall be subject to a Notice of Violation, Cease and Desist Order, Zoning Citation, and/or temporary or permanent revocation by the Zoning Commission or Zoning Official if there is non-compliance with the approved Site Plan or zoning regulations, or non-compliance with any conditions or safeguards imposed by the Zoning Commission for said permit are not strictly adhered to by the applicant and/or present or future holders of the Special Permit.

### **7.7 Amendments or Modifications**

- A. Applications for amendments or modifications to previously approved Special Permits necessitated by site conditions, or which are in the public interest, shall be made in the same manner as the original application; except that amendments or modifications which are deemed by the Zoning Official to be of a minor nature and do not materially alter the Special Permit may be approved by the Zoning Commission without a public hearing.

## SECTION 8.0: SUPPLEMENTAL REGULATIONS

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### 8.1 Accessory Buildings

- A. Accessory Buildings with a floor space larger than fifty (50) square feet require a permit.
- B. A building attached to the principal building by a covered passageway, or having a wall or part of a wall in common with it shall be considered an integral part of the principal structure and not an Accessory Building.
- C. Accessory structures require a principal structure on the same parcel except if the parcel is a 3 acre or larger farm, in which instance a barn and/or a farm stand may be the principal structure if there are no residential structures.
- D. The footprint size, measured in square feet, of all accessory structures combined shall not exceed 75% of the footprint size of the principal structure unless the accessory structure is a barn on a parcel of 3 acres or more.
- E. The height of an accessory structure shall not exceed 75% of the height of the principal structure or twenty (20) feet, whichever is less, unless the accessory structure is a barn on a parcel of 3 acres or more.
- F. Not more than one (1) single-family dwelling unit per parcel is permitted, except on parcels of fifty (50) acres or more in which one principal residence plus one accessory single-family residence for farm employees is permitted. Both single-family residences must satisfy the Area and Bulk Requirements of Schedule B.
- G. In the event two lawful pre-existing lots, both undersized, both owned by the same entity, and both separated from each other only by a Town owned public road, the smaller of the two lots may be considered the "Rear Yard" for the location of accessory structures as specified by the Area and Bulk Requirements of Schedule B. **NO**
- ~~H. Accessory buildings, exclusive of barns, shall not exceed a height of 75% of the height of the principal structure or twenty (20) feet in height, whichever is less. **Don't Know**~~
- H. In Residential Districts, Accessory Buildings shall be located in Rear Yards or in Side Yards and are prohibited in Front Yards. Accessory Buildings used primarily for the storage of passenger vehicles may be located no closer to the street than the principal structure or the minimum front-yard setback for the zone, whichever is least restrictive.
- I. When located in a Side Yard, an Accessory Building shall be situated no closer to a side lot line than the minimum width required by a Side Yard for a principal building. When located on a corner lot, an Accessory Building shall be no closer to a side street lot line than the least depth of any Front Yard required along such street. No Accessory Building located in a Rear Yard shall be closer to a lot line than six (6) feet. When a lot fronts on two (2) parallel streets, any Accessory Building shall be located on the one-third (1/3) of the lot furthest from both streets.
- J. Hoop Houses:
  - (1) Hoop Houses shall not be permitted in the Ledyard Center Village Districts (LCVD-1, LCVD-2, LCVD-3 and MFVD) or the Resort Commercial Cluster Districts (RCCD-1, RCCD-2), or the Gales Ferry Design Districts (GFDD-1, GFDD-2).
  - (2) Hoop Houses shall not have a permanent foundation, be easily movable, and intended to be only a temporary or interim structure.
  - (3) A Hoop House shall not be permitted in any location unless it is secondary or accessory to a permanent principal structure.
  - (4) In Residential Districts, a Hoop House is permitted, provided that it shall be located in a Rear Yard, meets setback requirements, and cannot be viewed from the street directly in front of the house.
  - (5) In other Districts, Hoop Houses shall be permitted if the Lot Coverage by existing buildings, Accessory Building, plus the membrane-covered frame structure do not exceed forty percent (40%) of the total Lot Area.
  - (6) Hoop Houses shall not be located in a manner that will cause a reduced number of available parking spaces for customers, vendors, or employees.
  - (7) No person shall occupy a Hoop House as a temporary or permanent residence.
  - (8) Hoop Houses shall not be used for storage of hazardous materials.

- (9) All Hoop Houses shall be anchored, and require a Zoning Permit and a Certificate of Zoning Compliance.
- (10) The permit application shall include the brand, manufacturer, model, size (length, width, height), membrane material, membrane thickness, warranty, certification of condition, and location on the site of the membrane-covered frame structure.
- (11) A damaged or deteriorated membrane covering shall be repaired or replaced.

## 8.2 Assisted Living for Seniors

- A. Purpose. To provide community living and a semi-independent lifestyle for residents, at least one (1) of whom is a person fifty-five (55) years of age or older. The design and development of the facility shall meet the special and unique needs of the elderly and shall provide for their safety, health and general welfare.
- B. Assisted Living for Seniors, as defined in these zoning regulations, is permitted in accordance with Schedule A: Permitted Uses, as a Special Permit, provided that the requirements of Section 7.0 "Special Permits" and the following regulations are met:
  - (1) The minimum lot area shall be 3,000 square feet per dwelling unit.
  - (2) The minimum floor area shall be 300 square feet per dwelling unit.
  - (3) Community areas, or areas suitably equipped to meet the social interaction and leisure time needs of the residents. The space shall include social interactive areas as well as individual interactive areas. The community areas shall be conducive to activities such as conversational seating, areas for reading, television viewing, table games, as well as space and equipment for the other recreational and social activities.
  - (4) Garage or Parking Areas, open or covered.
  - (5) Internal services shall be for occupant/resident use only.
  - (6) Parking shall be in accordance with Section 10.0.
  - (7) A management plan shall be submitted. This management plan shall describe and guarantee, to the satisfaction of the Zoning Commission the perpetual maintenance and replacement of commonly-owned facilities and property, as well as any dwelling units.
- C. Permitted Accessory Uses. The following Accessory Uses are permitted provided they are compatible with, and subordinate to, the Assisted Living for Seniors facility They shall primarily serve the residents, guests of residents, visitors, and employees:
  - (1) Medical, health care and social services offices, and health, therapy and rehabilitation facilities.
  - (2) Common Dining Area.
  - (3) Pharmacy.
  - (4) Laundry Services.
  - (5) Emergency Services.
  - (6) Personal Service Establishments.
  - (7) Chapel/religious services.
  - (8) Recreational Facilities.
  - (9) Shuttle bus or van service, exclusively for the residents, guests of residents, and employees of the Assisted Living for Seniors facility.

## 8.3 Bed and Breakfasts

- A. Purpose: To allow for the offering of overnight accommodations and breakfast to travelers for a fee where an existing home has unique structural or site characteristics which lend themselves to a Bed and Breakfast-type setting. It is not the intent of these regulations to allow Bed and Breakfast establishments in conventional residential developments or

subdivisions. It is the intent of this Section to insure that Bed and Breakfast operations do not infringe upon the privacy, peace, and tranquility of surrounding residents or decrease the aesthetic or real value of surrounding properties.

- B. Bed and Breakfast, as defined in these zoning regulations, are permitted in accordance with Schedule A: Permitted Uses, as a Special Permit, provided that the requirements of Section 7.0 “Special Permits” and the following regulations are met:
- (1) The applicant shall provide written confirmation from the designated official of the Ledge Light Health District that all requirements of the Public Health Code, as they apply to Bed and Breakfasts, will be met.
  - (2) The applicant shall provide written confirmation from the Ledyard Building Official that all requirements of the Town of Ledyard Building Code, as they may apply, will be met.
  - (3) The applicant shall provide written confirmation from the Ledyard Fire Marshal that all requirements of the Connecticut Fire Codes, as they apply, will be met.
  - (4) Maximum length of stay per guest is (twenty-one) 21 days.
  - (5) Bed and Breakfasts must be owner-operated and the Bed and Breakfast establishment must be the principal residence of the owner. The applicant must be the owner at the time of application.
  - (6) Parking shall be in accordance with Section 10.0.
  - (7) A maximum of five (5) guest rooms will be allowed.
  - (8) The lot on which the Bed and Breakfast is located must consist of a minimum of five (5) acres.
  - (9) Signs shall be in accordance with Section 9.0.
  - (10) The proprietor may serve meals to guests only. A public dining room and/or bar is prohibited.

#### 8.4 Apartments/Condominiums

- A. Apartment/Condominium complex are permitted in High Density Residential (R-20) and Medium Density Residential (R-40) Districts.
- B. Apartment/Condominium complex may consist of multiple buildings and shall not be permitted on lots of less than five acres.
- C. Density. The permitted density for an Apartment/Condominium complex shall be determined as follows:
- (1) No public sewers. A maximum of two (2) two-bedroom or four (4) one-bedroom units per acre may be permitted.
  - (2) Public sewers. An average net density of four (4) two-bedroom or eight (8) one-bedroom units per acre may be permitted.
  - (3) Age restricted housing developments. A maximum of four (4) three-bedroom units per acre.
  - (4) No apartment/condominium complex shall contain more than forty-eight (48) dwelling units.
  - (5) No building shall contain more than eight (8) dwelling units, which shall be the maximum number permitted per acre; **except that a building shall contain no more than thirty-two (32) dwelling units when the following criteria are met:**
    - (a) At least fifty percent (50%) of the units are affordable housing, as defined in CGS §8-39a, with income and rent or sale price limits;
    - (b) Restrictions, consistent with CGS §8-39a, are recorded in the Land Records, maintaining the affordability for at least thirty (30) years;
    - (c) Occupancy for units in the project requires at least one (1) person age fifty-five (55) or older, and no persons under age eighteen (18) or younger are permitted;
    - (d) Common spaces for socializing and gathering are provided in the building;
    - (e) The building is fully accessible to persons with disabilities, including installation of an elevator if on more than one (1) floor; and

- (f) Parking is provided at a minimum rate of 1.25 spaces per dwelling unit, which shall take precedence over the minimum requirement in Section 8.4(H) of these regulations.

D. Water and Sewer.

- (1) A community water system shall be provided.
- (2) A written report from the State Department of Health endorsed by the Town Director of Health shall be submitted to the Zoning Commission concurring with the adequacy of plans for the proposed water and sewage disposal facilities.

E. Minimum floor size. All apartment/condominium units shall have no more than two (2) bedrooms. One (1) bedroom units shall contain a minimum of 540 square feet, not to exceed 650 square feet of habitable living area. Two (2) bedroom units shall contain a minimum of 750 square feet of habitable living area.

F. Buffer and Open Space:

- (1) Open space shall be provided on the basis of one (1) acre per eight (8) dwelling units, or portion thereof, for parks or playgrounds. The location of such areas shall be approved by the Zoning Commission in accordance with Section 12.4 of these regulations. Problem?
- (2) A buffer strip of fifty (50) feet around the entire perimeter of such complex shall be left in its natural wooded state or planted with at least two (2) staggered rows of fir trees or landscaped in some other manner approved by the Zoning Commission. Buffer strips shall contain no parking areas or buildings. Other structures, such as well, site utilities, recreation facilities, drainage facilities may be allowed by the Zoning Commission within the buffer area. This determination will be made by the Zoning Commission after reevaluating adjacent land use proposed or actual; the Zoning Commission is satisfied that adequate screening is provided; and, in the Zoning Commission's opinion, the structure, its location, and/or its use will not adversely effect the buffering intent of the overall project;
- (3) No building shall be erected within fifty (50) feet of a property line.

G. Screening. The amount of screening required for these structures, within fifty (50) feet of the property line, will be determined by the Zoning Commission, who will take into consideration existing topography and foliage, the structure's use, location, size and aesthetic impact on the adjoining properties, and the use of adjoining properties.

H. Off-street Parking. Off-street parking shall be provided at the rate of 400 square feet of parking area per dwelling unit.

I. The Commission may require the posting of a bond under the conditions noted in Section 15.6.