

**TOWN OF THOMPSON
2007 EDITION**

ZONING REGULATIONS

The 2007 edition includes all amendments
and supersedes all previous editions.

First edition adopted date - March 31, 1975

Second edition - October 1982

Third edition - April 1987

Fourth edition - May 1, 1993

Fifth edition - October 23, 2000

Sixth edition - October 27, 2003

Seventh edition - November 9, 2007

(Amended to September 24, 2012)

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ZONING REGULATIONS TOWN OF THOMPSON, CONNECTICUT

In order to provide for the highest and best use of land in the Town of Thompson, Connecticut, the Planning and Zoning Commission of said Town, acting upon its own initiative under Statutory Powers conferred, and believing it to be for the best interest of the Town and in conformity with the comprehensive plans of and for the Town hereby adopts the Zoning Regulations of the Town of Thompson, Connecticut.

ARTICLE I - PURPOSE

SECTION 1 - Purpose

The Zoning Regulations of the Town of Thompson, Connecticut, are adopted in accordance with the General Statutes, as amended, to encourage the most appropriate use of land, to conserve and stabilize the value of property; to promote health, safety and the general welfare; to regulate and determine size and location of yards; to provide adequate open spaces for light and air; to secure safety from fire, panic, flood and other dangers; to prevent undue concentration of population; to lessen congestion in the streets, and to facilitate adequate provisions for community utilities and facilities, such as transportation, water, sewerage, schools, parks, and other public requirements.

SECTION 2 - Basic Requirements

No building or structure shall be erected, reconstructed, structurally altered, enlarged, moved or maintained, nor shall any building, structure or land be used or be arranged, designed, or intended for any use other than permitted in the Zoning District in which such building, structure, or land is located.

SECTION 3 - Interpretation

In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements adopted for the promotion of the public health, safety, morals or general welfare. Wherever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive or that imposing the higher standards shall govern.

ARTICLE II - ADMINISTRATION

SECTION 1 - Zoning Enforcement

1. The Zoning Officer of the Town of Thompson shall be appointed by the Commission and shall be the administrative official charged with the enforcement of these regulations.
2. The Zoning Officer
 - a. Shall not issue any permit, or certificate unless the same complies with these regulations.
 - b. May cause any building, land or use to be inspected, and may order in writing any person to correct or abate any condition violating these regulations
 - c. Shall keep on file in the Town Hall a full and accurate record of all applications, permits, certificates, and other records required by these regulations or pertaining to his services.
 - d. Shall review with the Commission, questions that arise regarding administrative forms and procedures and/or integration and/or enforcement of these regulations.
3. The Commission, in addition to other remedies, may institute legal action to prevent, correct, or abate any condition if it finds it violates these regulations.

SECTION 2 - Zoning Permit & Certificate of Zoning Compliance

1. No land shall be occupied or used and no building thereafter erected or altered or moved shall be occupied or used in whole or part for any purpose until a Certificate of Zoning Compliance has been issued by the Zoning Officer stating that the use of the land or building complies with all provisions of these regulations. Such a Certificate of Zoning Compliance may be applied for at the same time as the building permit or thereafter, and if approved shall be issued ten (10) days after notification by the permittee that the land or building is ready for occupancy. This regulation shall not affect the moving of a portable accessory building within the boundaries of the lot on which it is situated. A Certificate of Zoning Compliance is required prior to the issuance of a Certificate of Occupancy.
2. The Zoning Permit, which shall include a Certificate of Zoning Compliance, fee from the Town shall include applicable state fees. Actually fee amounts can be found in the Land Use Fee Schedule that is in effect at that time of application. A record of all certificates shall be kept on file and copies shall be furnished upon request to any person for a fee. Fees are subject to change at any time.

3. As-Built Site Plans by a licensed land surveyor on new principal structures are required to be filed with the Zoning Office prior to the issuance of a Certificate of Occupancy. An additional fee shall be applied to the review of as-built site plans.

SECTION 3 – Penalties and Fines

The Zoning Regulations and all penalties of the Zoning Regulations will be pursuant to these regulations under Section 8-12 of the General Statutes of the State of Connecticut.

SECTION 4 - Board of Appeals

1. POWERS AND DUTIES

A Board of Appeals, hereafter called the Board, shall be formed and shall serve as provided by the General Statutes of the State of Connecticut and shall have the following duties:

- a. Adopt such rules and regulations for the conduct of its business as may be deemed necessary to carry out these regulations.
- b. Hear and decide appeals where it is alleged that there is error in any order or decision made by the Zoning Officer.
- c. Authorize on appeals in specific cases variances from the terms of these regulations whereby reasons of exceptional slope, size, or topography of the lot or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of said property from a literal enforcement of the regulation. Before any variance is granted, the Board of Appeals must make a written finding in its minutes as part of the record in the case:
 1. That special circumstances, described in detail, exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.
 2. That relief can be granted without detriment to the public welfare or impairment to the integrity of these regulations.
 3. That special circumstances do not result from the actions of the applicant.
- d. Exercise any other powers as authorized by the Connecticut General Statutes.

2. PROCEDURE

- a. The Board shall hold public hearing on all appeals, and applications for variances and shall publish a notice of said hearing in a newspaper of general circulation within the Town in accordance with General Statutes of the State of Connecticut.

- b. Every application for an appeal or a variance from the Zoning Regulations shall be:
 - 1. Immediately transmitted to the Commission and on or before the public hearing held by the Board on such application for variance.
 - 2. Notification of applicable property owners is required.
 - 3. The petitioner shall notify each of the property owners by certified mail no later than five days prior to the hearing and shall present the return receipts to the Board.
- c. All determinations of the Board shall be made in accordance with the objectives of these regulations and in harmony with the purpose and intent expressed in Article I, Section 1, thereof. In addition to this general rule of guidance, and to particular requirements herein before specified in these regulations, no permit shall be issued by the Board unless it finds in each case that the proposed building or structure:
 - 1. Will not aggravate a traffic hazard, fire hazard, or panic hazard;
 - 2. Will not block or hamper the Town pattern of highway circulation;
 - 3. Will not affect adversely the Town's income from taxation by removing considerable real property from the grand list;
 - 4. Will not tend to depreciate the value of property in the neighborhood or be otherwise detrimental to the neighborhood or its residence or alter the neighborhood's essential characteristics.

SECTION 5 - Amendments

- 1. These regulations may be amended or repealed as provided in the General Statutes of the State of Connecticut either on the initiative of the Commission, or by petition.
 - a. The petition for such amendment shall be filed with the Commission which may act on it only after a public hearing.
 - b. The petition shall be on a form provided by the Commission and all information required therein shall be provided and certified correct by the applicant.
 - c. The petition shall be accompanied by a fee of \$250.00.

SECTION 6 – Zone Change

- 1. Any request for a zone change as provided in the General Statutes of the State of Connecticut may be initiated by the Commission or by petition.
 - a. The petition for such zone change shall be filed with the Commission which may act on it only after a public hearing.

- b. The petition shall be on a form provided by the Commission and all information required therein shall be provided and certified correct by the applicant.
- c. The petition shall be accompanied by a fee of \$250.00.
- d. Notification of applicable property owners is required, see Sec. 8 below.
- e. It is the burden of the applicant to ensure that all filings as required by the Commission and as required by the Connecticut General Statutes are filed.

SECTION 7 - Separability

If any chapter, section, subsection, paragraph, sentence, clause or provision of these regulations shall be adjusted invalid, such adjudication shall apply only to the chapter, section, subsection, paragraph, sentence, clause, or provision so adjudged invalid, and the rest and remainder of these regulations, as they shall now or hereafter exist, shall be deemed to be valid and effective.

SECTION 8 - Notification of Applicable Property Owners

Where required, the applicant, at his expense, at least ten (10) days before the date of the public hearing, shall mail, postage prepaid, by certified mail, a description of the proposed request to the applicable property owners located within a 200 (two hundred) foot radius from all lot lines of the subject property, as such owners appear on the Assessor's database, at the addresses shown thereon. The applicant, four (4) business days prior to the public hearing at which such request is to be considered, shall file with the Commission or its designated Zoning Enforcement Officer, a certified mail receipt setting forth the manner of compliance with the requirement of notifying applicable property owners and the names and addresses as required above.

Any property that is a subject of a public hearing must post a sign on the premises that meets the following criteria:

- a) The sign must be a minimum of 24" high and 36" wide with a white background and black lettering at least 2" in height.
- b) The sign must be securely affixed into or on the ground, double sided, clearly visible from the road and setback no more than 10 feet from the edge of pavement.
- c) The following information must be contained on both sides of the sign: 1) Property address, 2) Nature of request, 3) Date of hearing, 4) Time of hearing, and 5) Location of hearing

The sign must be in place no less than 14 calendar days prior to scheduled public hearing and removed within 48 hours of conclusion of said public hearing. In the case of extensions to the public hearing, sign information is to be continually updated to benefit the public.

ARTICLE III - RULES AND DEFINITIONS

SECTION 1 - Rules

In the construction of this regulation, the rules and definitions contained in the Article shall be observed and applied, except where the context clearly indicates otherwise.

1. Words used in the singular include the plural, and the plural, the singular and words used in the present tense shall include the future.
2. The word “shall” is mandatory and not discretionary.
3. The word “may” is permissive.
4. The word “lot” shall include the word “piece.”
5. The words “zone,” “zoning district,” and “district” have the same meaning.
6. The phrase “used for” shall include the phrases “arranged for,” “designed for,” “intended for,” “maintained for,” and “occupied for.”
7. The phrase “these regulations” shall refer to the entire zoning regulation.
8. Uses of land, buildings or structures not clearly permitted in the various zoning districts are prohibited.

SECTION 2 - Definitions

Abandonment

To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

Access Right-Of-Way

A strip of land in which a legal permanent interest has been acquired permitting access to an adjoining interior lot from a public street or private way.

Accessory Building or Structure

A building or structure that is both located on the same lot as the principal building or structure and used in a manner subordinate or incidental to the use of the principal building or structure. The main dairy, livestock, poultry, nursery, or other barn on a farm shall not be deemed to be an accessory building or structure.

Accessory Use

A subordinate use which is clearly incidental to the customary in connection with the main building or use and which is located on the same lot with such main building or use.

Adult Establishment:**Adult Use**

An establishment of an adult store, adult cabaret, adult motion picture theater, or any other establishments which are distinguished or characterized by emphasis on matter of depicting, describing, or relating to "specified sexual activities" or "specified anatomical area" not stated herein.

Adult Cabaret

A public or private establishment of an enclosed building which is licensed by the State of Connecticut, that serves food, and/or alcoholic beverages. In addition, the establishment features live performance, which removal of clothing, appearing unclothed, modeling, dancing pantomime, or any other live performance for observation or acts relating "specified sexual activities" or "specified anatomical areas", offered to customers therein.

Adult Motion Picture Theatre

An establishment of an enclosed building that is regularly used for presenting material distinguished or characterized by emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

Adult Store

An establishment having substantial or significant inventory of books, magazines, videos, films, DVD's, CD-ROM's, sexual aids, toys, novelties, and other periodicals that are distinguished or characterized by their emphasis on matter of depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas", offered to customers therein.

Specified Sexual Activities

Human genitals in a state of sexual stimulation or arousal, acts of masturbation, sexual intercourse, sodomy, fondling, or erotic touching of human genitals, pubic region, buttocks, or female breasts.

Specified Anatomical Areas

Human genitals, pubic regions, buttocks, female breasts below a point immediately above the top of the areola are less than completely and opaquely covered, and male genitals in a discernibly turgid state, even if completely and opaquely covered.

Agriculture

In accordance with Section 1-1(q) of the Connecticut General Statutes, as amended, shall mean 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 oyster, clams, mussels, and other molluscan shellfish; the operation, management conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land or brush or other debris left by a storm, as an incidental use 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 vegetables for market or for direct sale. The terms "farm" includes farm buildings and accessory buildings thereto; nurseries, orchards, ranges, greenhouses, or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means farming of the waters of the state and tidal wetlands and production of protein food, including oysters, clams, mussels, and other molluscan shellfish, on leased, franchised, or public underwater farm lands.

Alcoholic Beverage

As defined in Chapter 545 of the Connecticut Liquor Control Act.

Alteration

Any change, addition, or modification in construction or occupancy of an existing structure or site.

Antenna

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

Bed and Breakfast

A dwelling, part of which is occupied by the owner of the building as a permanent residence, in which no more than four (4) rooms and breakfast meals only are provided on a daily basis to transients for compensation.

Board

The Zoning Board of Appeals of Thompson, Connecticut.

Board of Selectmen

The Board of Selectmen of Thompson, Connecticut.

Body Art:**Body Art**

Body art includes, but is not limited to, tattooing, piercing, branding, or any other related body art which intentions are, implicitly or explicitly, to be permanent on the human body at the time of service not stated herein (excludes ear piercing).

Tattooing Use

Tattooing use is an establishment that, with permanent ink, creates art, designs, lettering, writing, or any other form relating to tattooing not stated herein on the human skin.

Piercing Use

Piercing use is an establishment that pierces through skin, tongue, nose, eye lids, or any other part or anatomy of the human body. The piercing is with medal, spikes, rings, or any other device related to piercing not stated herein. The use excludes businesses which only pierce human ears.

Branding Use

An establishment that brands, burns melts, marks, or any other branding related use, which human skin is permanently scarred other than tattooing or piercing.

Bond

A deposit of a specified amount as determined by the Commission.

Buffer Strip

A strip of land, identified on a site plan or by a zoning ordinance, established to protect one type of land use from another. A parcel of land unoccupied by buildings, structures, or pavements and maintained as a grass area and/or planted with trees or shrubs or left in it's natural state.

Building

Any structure having a room and intended for the shelter, housing or enclosure of persons, animals, or materials. Any other structure more than 6 feet high shall be considered as a building, excluding an electric transmission line or an electric light, telephone or telegraph pole, radio or TV antenna, highway or railroad bridge, or flagpole.

Building Area

The ground area enclosed by the walls of a building together with the area of all covered porches and other roofed portions.

Building Coverage

The percentage which the aggregate area of all buildings and other impervious surfaces on the lot bears to the area of the lot.

Building Height

The vertical distance from the average finished grade within 10 feet of the walls of the building 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.

Building Line

A line parallel to the abutting street at a distance equal to or greater than the setback requirements for the front yard.

Care Services:**Family Child Day Care**

A family day care service, which consists of a private family home, caring for not more than six (6) children full-time (including the providers' own children not in school full-time) and three (3) part-time children. Children are cared for not more than 12 hours during a 24 hour period, and care is given on a regular recurring basis. Part-time consists of child care for not more than four (4) hours in a 24 hour period. Services MUST meet all State and Federal regulations. Note: restricted from adding elder care services in the same dwelling.

Group Child Day Care

A group care home, which consists of a private family home or commercial facility, caring for not more than 12 children in the group day

care. Services MUST meet all State and Federal regulations. Note: restricted from adding elder care services in the same dwelling.

Child Day Care Center

A Commercial facility which provides child care. The facility must have 30 square feet per child and one staff member per 10 children. For children under three (3), there must be one (1) staff member per four (4) children. Day care services MUST meet all State, Federal, and Fire Marshal regulations.

Elder Care Service

A family day care service, which consists of a private family home, caring for not more than five (5) elderly persons (including the providers' own elderly persons not enabling self-care). Elderly are cared for not more than 12 hours during a 24 hour period, and care is given on a regular recurring basis. Services MUST meet all State and Federal regulations. Note: restricted from adding child care services in the same dwelling.

Adult Day Care Center

A commercial facility which provides adult care services. The facility must have 60 square feet per adult and one (1) staff member per seven (7) adults. Services MUST meet all State, Federal, and Fire Marshall regulations.

Carnival, Fair, Circus

Any combination of performances, shows, exhibitions or agricultural displays commonly known as a carnival or fair. This includes any such performances, shows, or exhibitions involving performers, livestock, trained animals or wild animals, and/or where one (1) or more amusement devises or game activities are provided.

Certification

A signed, written approval by the Planning and Zoning Commission or its designated agent, that a plan complies with the applicable requirements of these regulations.

Co-Location

Locating wireless communication facilities of more than one provider on a single site.

Commercial Recreation Establishment

Any building, structure, or facility used to accommodate indoor or outdoor recreation or entertainment uses, including but not limited to bowling alleys, tennis courts, handball courts, multi-sport courts, ice skating facilities, gymnastic or exercise equipment, baseball batting cages, golf driving ranges, waterslides, day camps, sports camps or

training centers, indoor facilities for spectator sport and exhibitions, movie theaters, and which may include as an accessory use the sale, rental, or repair of recreation equipment and the serving of refreshments to patrons as well as lodge or inn uses providing lodging and/or meals to transients as accessory to a recreational use, but not as a principal use, provided that no living accommodations shall include cooking facilities. Billiard parlors, pool halls, and massage parlors shall not be permitted as "Commercial Recreation Establishments."

Commission

The Planning and Zoning Commission of the Town of Thompson, Connecticut.

Country Inn

A dwelling unit in existence when Zoning was adopted in 1975, provided:

- (a) The country inn is operated by the owner of the dwelling unit who maintains it as his or her principal residence. It is the intent of these regulations to preserve to the greatest extent possible the residential character of the residence Inn and surrounding area. It is not the intent of these regulations that this residential use be construed as a commercial use or lead to other commercial uses.
- (b) No more than three full-time and/or three part-time employees who do not live in the dwelling unit shall be employed by the Country Inn.
- (c) No less than five (5), no more than ten (10) guest rooms shall be provided.
- (d) The building must be sound, safe and of adequate size to accommodate guest rooms, as determined by the Building Inspector in consultation with the Fire Marshal.

Cul-de-Sac

A road that shall have only one entrance from another Town approved or State road, or a road posted as "no outlet" which may or may not include a turnaround. The outlet from the cul-de-sac road shall be same as the entrance. A cul-de-sac road shall not have any other intersecting road(s) for the entire length of the road other than it's entrance/outlet. A cul-de-sac road cannot exceed 1,000 feet from the centerline of the intersecting street to the center of the turnaround. A cul-de-sac road shall provide access to more than twelve (12) proposed or existing building lots. The turnaround portion of a proposed cul-de-sac shall contain a teardrop shaped island.

Eastern Connecticut Conservation District

The Windham County Soil and Water Conservation District established under subsection (a) of section 22a-315 of the General Statutes.

Day-Time Hours

Shall mean the hours between 7:00 AM and 10:00 PM Monday through Saturday and the hours 9:00 AM through 10:00 PM on Sundays.

Development

Any construction or grading activities to improved or unimproved real estate, and includes but is not limited to the installation of required improvements and the disturbance of land related to the construction of a structure, installation of appurtenant utilities, and access from the existing or proposed public right of way.

Disturbed Area

An area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

Downcast Lighting

A light affixed to a sign or building aiming downward intended to illuminate a specific subject without the creation of any external glare.

Driveway

An private roadway providing ingress & egress to a public roadway.

Duplex

A single building consisting of two dwelling units.

Dwelling

A building or part of a building which contains living, sleeping, housekeeping accommodations, and sanitary facilities for occupancy by one or more families.

Earth Processing

Alteration of earth materials excavated on site, including mixing with earth materials or other approved materials imported to the site using authorized processing equipment, including but not limited to screening and crushing and production of concrete, asphalt, and other earth materials.

Erosion

The detachment and movement of soil or rock fragments or by the wearing away of the land surface by water, wind, ice, or gravity.

Excavation

Shall mean the severance from the earth's surface or removal from the ground of soil, loam, sand, gravel, clay, rock, topsoil, or any other earth material.

Family

One or more related individuals, or not more than three unrelated individuals, living and cooking together as a single separate housekeeping unit.

Fence or Freestanding Retaining Wall

A freestanding structure intended for division no more than six (6) feet tall on either side. Any structure over six (6) feet in height must meet building setbacks.

Floor Area

The sum of the gross horizontal areas of the several floors of a building measures from the exterior faces of the exterior walls and including those portions of the basement or cellar used as habitable space year round, excluding mechanical rooms, garages, or uninhabitable space.

Frontage

The boundary of a lot abutting a public street.

Golf Course Development

A playing course of at least nine (9) golf holes, which may also include as accessory uses a clubhouse, food and drink facilities for patrons and guests, however, such use shall not represent itself to be a Restaurant/Tavern/or Banquet Hall. The definition does not pertain to miniature golf.

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.

Gravel

See Earth Processing definition.

Home Occupation

The purpose of the home occupation section of these regulations, Article IX, Section 10, is to provide the opportunity for the use of the home for limited business purposes subject to criteria which are designated to maintain the residential character of the lot and the neighborhood, minimize the conflict of the home occupation use with surrounding residential uses, and protect residential property values.

Impervious Surface

Any material that substantially reduces or prevents infiltration of storm water into previously undeveloped land. Impervious surface shall include, but not limited to, bituminous or concrete driveways and parking areas.

In-Law Apartment

Space (which may include a kitchen) within a simple family dwelling that is designed or intended for separate use by family members of one (1) or more persons occupying the remainder of the dwelling. The habitable space must be interconnected and serviced by only one septic system and electric service.

Junkyard

The term “junkyard” shall be construed to include any junkyard, motor vehicle junk business, and motor vehicle junkyard as defined in the General Statutes of the State of Connecticut. The term shall also include any place for storage or deposit, whether in connection with a business or not, for two or more unregistered, used motor vehicles which are not longer intended or in condition for legal use on the public highways and shall include any place of storage or deposit of used parts of motor vehicles and old metals, iron, glass, paper, cordage, and other waste material which on any lot have an aggregate bulk equal to one (1) automobile.

Kennel

Any structure or premises on which five (5) or more dogs over four (4) months of age are kept or maintained.

Livestock

Domesticated animals, other than household pets including, without limitations, alpaca, bison, cattle, goats, horses, llamas, poultry, sheep, and swine.

Lot, Buildable

A building lot shall be the minimum size lot for the zoning district in which it is located.

Lot, Corner

A lot situated at the intersection of two streets which meet at an angle of not more than 120 degrees, nor less than 60 degrees.

Lot, Interior

A lot not containing the minimum road frontage generally required under these regulations but conforming to all specific area and dimensional requirements for this type of lot. Minimum lot size shall contain 150% of the land required for the underlying zone.

Manufactured Home

A prefabricated or transportable single family dwelling unit, which is transported in one or more sections. A manufactured home must not be less than 22 ft. at its narrowest dimension and must be constructed in accordance with Federal Manufactured Home Construction and Safety Standards (HUD Code). The manufactured home must be suitable for year round habitation, and equipped with a means to connect to water, sanitary, and electric facilities. A manufactured home must comply with all applicable flood management regulations and have a minimum floor area of 600 square feet.

Motel

A building or group of buildings having individual units designed for overnight accommodations of one or more transient guests for hire, including every such structure, whether called a motor court, motor inn, motor lodge, tourist court, hotel, or otherwise, and whether or not it provides services and facilities besides overnight accommodations.

Net Buildable Area

The total contiguous lot area, excluding the following:

1. areas of slopes in excess of twenty-five (25%) percent
2. areas defined as inland wetlands or watercourses by the Thompson Inland Wetlands and Watercourses Regulations including 50% of established upland review area.
3. ledge outcrops
4. Special Flood Hazard areas and Floodways
5. areas encumbered by Easements

Night-Time Hours

Shall mean the hours between 10:00 PM and 7:00 AM, Sunday evening through Saturday morning, except that night shall mean the hours between 10:00 PM Saturday and 9:00 AM Sunday.

Noise Definitions:**Decibel**

Shall mean a unit of measurement of the sound level.

Impulse Noise

Shall mean sound of short duration, usually less than one second, with an abrupt onset and rapid decay.

Noise Level

Shall mean the sound pressure level measured with a sound level meter using the A-weighting network. The level so read is designated dB(A), or dBA.

Open Space

Land set aside for parks, playgrounds, active or passive recreation, or conservation purposes, on any subdivision plan and not including unbuilt land on any lot. Open Space shall be dedicated in a location approved by the Planning & Zoning Commission and regulated in accordance with applicable provisions of these regulations.

Passive Solar

A dwelling specifically designed to use natural and architectural components to collect and store solar energy without using any external mechanical power.

Pervious Surface

An area which permits the direct infiltration of at least thirty (30%) percent of all stormwater into the ground and does not create a point source of runoff greater than seventy (70%) percent.

Rehabilitation Center/Halfway House/Shelter

A state licensed home designed to rehabilitate persons who have left a hospital or prison, or persons who have an addiction to alcohol or a controlled substance, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently.

Resubdivision

A division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission, February 1, 1969, for the purpose, whether immediate or future sale of, or building development expressly excluding development for municipal, conservation, or agricultural purposes not for buildable lots and includes resubdivision; "resubdivision" means a change in a map of an approved or recorded subdivision or resubdivision if such change:

- a) affects any street layout shown on such map
- b) affects any area reserved thereon for public use
- c) diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval of recording of such map

Retaining Wall

A wall at least four (4) feet in height constructed primarily to retain earth, requiring zoning review and approval.

Right of Way

- a) That portion of land which is made available for the construction of roadway, ditches, drainage structures, and utility lines, and is to be conveyed to the Town in the case of a proposed town road or conveyed to

an Association charged with maintenance of such right of way in the case of a private road. The form and content of the instrument of conveyance shall be subject to the approval of the Town Attorney at the option of the Commission.

- b) The parcel of land between street property lines, which are defined as the limits of land dedicated, secured, or reserved for public transportation uses.
- c) A narrow strip of land used to gain access to a parcel of land that does not otherwise have access to a street right of way.
- d) A legally cognizable right belonging to a party to pass and repass on and over land of another for ingress and egress. Such right can arise by easement of deed, by judicial interpretation, or by common law or statute.

Secondary Use

A use in addition to a primary or accessory use. A secondary use is only allowed when specifically authorized under these regulations.

Sediment

Solid material, either mineral or organic, that is in suspension, is transported, or has been removed from its site or origin by erosion.

Single Family Dwelling

A dwelling occupied by a single family in which the habitable area must be physically interconnected; and is serviced by a single set of utilities i/e electric, water, sewer, etc.

Soil

Any unconsolidated mineral or organic material of any origin.

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.

Street

Avenue, boulevard, road, lane, highway, or any other thoroughfare between taking lines or right of way lines which provides a principal means of access to property, which is improved to allow the safe movement of traffic, and which will handle stormwater drainage adequately. New streets must conform with the specifications set forth in the Town of Thompson Road Ordinance.

Street Line

The dividing line between the street and the lot. Where such line has not been established, it is deemed for purposes of these regulations to be a line parallel to and 25 feet distant from the center line of the traveled surface.

Structure

A structure is anything constructed or erected which requires location on the ground or attached to something having a location on the ground.

Subdivision

The division of a tract or parcel of land into three (3) or more parts or lots made subsequent to the adoption of subdivision regulations for the purpose, whether immediate or future, of sale or building development, expressly excluding development of municipal, conservation, or agricultural purposes.

Subdivision, Conventional

A subdivision design that is consistent with the other provisions of the Thompson Zoning and Subdivision Regulations in the absence of the Open Space Subdivision provision.

Subdivision, Open Space

A cluster development, as defined by Section 8-25 of the Connecticut General Statutes, in which the required dimensions under the Thompson Zoning and Subdivision Regulations may be reduced for the purposes of encouraging the preservation of additional open space.

Topsoil

Shall mean earth materials, including loam, which are arable and constitute the surface layer of earth materials.

Tower

A structure intended to support equipment used to receive or transmit electromagnetic waves; example: self supporting lattice, guyed, and monopole, but not limited to.

Use, Conforming

1). Any use that is permitted by and complies with all of the requirements of these regulations, including but not limited to the requirement for a zoning permit, site plan review, or special permit; 2). Any use or activity that has been issued a use variance by the Zoning Board of Appeals; 3). Any use that was lawfully in existence on the effective date of these regulations, and that is listed as a permitted use or special permit use within its respective zoning district under these regulations; and 4). Any use that was lawfully in existence as a permitted use or a special permit use within its respective zoning district under these regulations prior to a zone change or zoning text amendment that subsequently prohibited that use in its respective zoning district.

Use, Non-Conforming

Any use that does not meet the definition of a conforming use.

Yard, front

An open space between the building and the front lot line, extending the full width of the lot on the street, extending along all streets. In a case of ambiguity, the Commission may designate the front yard of a lot based on historic precedent and compatibility with surrounding properties.

Yard, rear

An open space between the building and the rear lot line, extending the full width of the lot which is opposite from the front yard. In a case of ambiguity, the Commission may designate the rear yard of a lot based on historic precedent and compatibility with surrounding properties.

Yard, side, minimum

The open, unoccupied space required between the side lines of a lot and any building, and extending from the minimum front yard to the minimum rear yard. The minimum side yard includes a minimum for each side.

Variance

Authority extended to the owner of a property to use his property in a manner forbidden by the zoning regulations.

Wireless Telecommunication Facility

The equipment and structures involved in receiving or transmitting electromagnetic waves associated with wireless telecommunication services.

Wireless Telecommunication Services

Services associated with the transmission and/or reception of wireless telecommunications. These services may include, but are not limited to cellular, personal communication services, specialized mobilized radio, and paging.

ARTICLE IV - ESTABLISHMENT OF DISTRICTS

SECTION 1 - Division into Districts

The Town of Thompson is hereby divided into the following districts, which shall also be known by the notations in parentheses:

| | |
|---------|---------------------------------------|
| (RA-80) | Residential and Agricultural |
| (R-40) | Low-Density Residential |
| (R-20) | High-Density Residential |
| (C) | Commercial |
| (I) | Industrial |
| (TC-80) | Thompson Common Preservation District |
| (NC) | Neighborhood Commercial District |

The uses of each of the above districts shall be described in Articles VI and VIII of these regulations. Any use not specifically permitted by right or allowed by special permit is prohibited. Dimension requirements for each district are described in Article V of these regulations. There are to be no shared driveways in any district.

SECTION 2 - Zoning Map

The boundaries of all districts, as established herein and amended from time to time, are those shown on the Zoning Map, Town of Thompson, Connecticut, filed in the office of the Town Clerk, which map is part of these regulations. Any facsimile maps, including any map distributed with these regulations, are not official and are for convenience only.

When, in accordance with the provisions of these regulations, changes are made in district boundaries, such changes shall be made on the Zoning Map immediately after the amendment has been approved by the Commission, together with any entry on the Zoning Map as follows: "as amended to (date)," such date to be that of the most recent amendment.

SECTION 3 - District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Zoning Map, the following rules shall apply.

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.

2. Boundaries indicated as approximately following plotted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following town limits shall be construed as following town limits.
4. Boundaries indicated as following railroad rights of way shall be construed to be midway between the limits of such rights of way.
5. Boundaries indicated as following shore lines shall be construed to follow such shorelines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.
6. Boundaries indicated as parallel with or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated in the Zoning Map shall be determined by the scale of the map.
7. In cases of uncertainty the Commission shall determine the locations of district boundaries.

ARTICLE V - DIMENSION REQUIREMENTS IN DISTRICTS

The dimension requirements in the following table and the listed notes and exceptions to those requirements shall apply for all uses of land in those districts specifically stated otherwise is these regulations:

SECTION 1 - Table of Dimensional Requirements

| | RA-80 | R-40 | R-20 | C | I | TC-80 | NC |
|--|--------|--------|--------|-----------------------|-----------------------|--------|-----------------------|
| Minimum Lot Area in Square Feet <i>See Notes: 1</i> | 80,000 | 40,000 | 20,000 | 15,000 | 40,000 | 80,000 | 40,000 |
| Minimum Lot Frontage on a Public Street <i>See Notes: 1,2,3,8</i> | 150' | 150' | 100' | 75' | 150' | 150' | 150' |
| Minimum Setback from Public Street or Right of Way <i>See Notes: 2</i> | 50' | 50' | 30' | 20' | 20' | 50' | 20' |
| Minimum Setback from Property Lines not Bounding a Public Street <i>See Notes: 3,4</i> | 25' | 25' | 12' | 12' <i>Note: 5</i> | 12' <i>Note: 6</i> | 25' | 12' <i>Note: 5</i> |
| Maximum Height of Building Above Ground <i>See Notes: 7</i> | 35' | 35' | 35' | 35' | 35' | 35' | 35' |
| Net Buildable Area Effective 9/25/07 | 40,000 | 40,000 | 20,000 | | | 40,000 | 40,000 |
| Maximum Impervious Surface <i>See Notes: 9, 10</i> | 20% | 20% | 20% | 60% | 60% | 20% | 60% 20% |

NOTES:

- (1) Numbers are minimums required for any use of land on the lot. For example, two dwelling units on one lot in the RA-80 district would require a total of at least 160,000 square feet of lot area, not 80,000 square feet and three hundred (300) feet of frontage, not one hundred fifty (150) feet. Interior Lots require 150% of area for the underlying zone. Exceptions are that home occupations and outbuildings or structures accessory to a dwelling unit shall not require any area or frontage in addition to the minimums required for their related dwelling unit, nor shall signs require any area nor frontage in addition to the minimums required for their related land use.

- (2) The frontage requirement must be a continuous width conforming to the applicable yard front setback.
- (3) For residential lots fronting on the turnaround of a cul-de-sac, this requirement shall be waived, provided the width of each such lot at the setback line is equal to or greater than the normally required frontage.
- (4) Minimum setbacks shall apply to all buildings and structures, including swimming pools. Accessory buildings and structures no larger than one hundred forty (140) square feet in floor space with a maximum of twelve (12) feet in height, and not used for human habitation, motor vehicles, animals or poultry may extend to within six (6) feet of any side or rear line.
- (5) Where adjoining a residential district, these areas within the setback shall be increased to twenty-five (25) feet and planted with a six (6) foot hedge or trees and other landscaping. This notation only applies when a new building is constructed or a new land use is initiated on a property in the Commercial District.
- (6) Where adjoining a residential district, these areas within the setback shall be increased to twenty-five (25) feet and planted with a six (6) foot hedge or trees and other landscaping. This notation only applies when a new building is constructed or a new land use is initiated on a property in the Industrial District.
- (7) Building height shall be measured vertically from the highest point of the roof to the mean ground level outside the nearest exterior wall.
- (8) Does not apply to multi-family dwellings.
- (9) Parcels which currently or historically have contained mill buildings may provide a maximum impervious surface not to exceed 60%. The Commission may increase the impervious surface if the historical mill footprint exceeds 50% of the total site area.
- (10) Maximum Impervious Surface for the Neighborhood Commercial District cannot exceed 20% for residential areas and 60% for commercial areas.

SECTION 2 - Interior Lots

No building, in whole or in part, shall be erected on any lot unless said lot abuts on a highway or street or unless there is provided for such a lot an unobstructed right of access at least fifty (50) feet wide to a public highway adequate to accommodate fire apparatus or other emergency equipment. The lot line from which the right of access leads shall be considered the front line of the interior lot. Such interior lot shall conform to all requirements prescribed for the zone in which it is located. Interior Lots require 150% of area for the underlying zone.

SECTION 3 - General Exceptions to Dimension Requirements

1. Undersized Lots of Record

A single-family dwelling may be erected on any lot in a residential district, even though the lot may have less area or street frontage than the minimum normally required, provided:

- (a) Such lot shall have been recorded by deed or shall have been shown on a subdivision plan approved by the Commission and recorded in the Town Clerk's office prior to the effective day of these regulations, February 3, 1969.
- (b) All setback and height requirements are satisfied.

2. Height Exceptions

Maximum height requirements shall not apply to church spires, towers, or belfries, flagpoles, radio towers, radio or television antenna, or free-standing wireless communications antenna and/or towers, chimneys, water tanks, or other structures not to be occupied by people.

3. Corner Visibility

Clear sight triangles of fifty feet, measured along street right-of-way lines from their point of juncture, shall be provided at all intersections. No building, structure, fence, wall, or planting higher than two feet above the center line of the street shall be permitted within such triangle.

4. Setback Exceptions

Setback requirements shall not apply to ADA compliant ramps provided:

- (a) The property owner produces a document signed by a physician attesting that a member of the household requires such a ramp due to their disability.
- (b) That this is temporary and will be removed by the owner of record when the need for the ADA compliant structure no longer exists.
- (c) Such use is not transferable and will expire if the property is transferred or sold.
- (d) The ZEO shall review required documentation, however a zoning permit is not required for this extension.

ARTICLE VI - GENERAL USE AND DIMENSION PROVISIONS

SECTION 1 - Non-Conforming Buildings and Uses

1. Any building or any use of land or building existing at the time of the adoption of these regulations or of any amendment thereof, which does not conform to the provisions of these regulations for the use and area requirements of the district in which it is located, shall be designated a non-conforming use.
2. A dwelling located on a lot which is non-conforming in lot size or yard requirements may be extended, altered or rebuilt provided the dimensions of existing non-conforming yards are not further reduced and that the height of the dwelling conforms to the height and area schedule.
3. Any non-conforming building or one or more of a group of non-conforming buildings which has been or may be damaged or destroyed by fire, flood, explosion, or act of God may be restored and used as before, if the restoration is completed within two years of the calamity, the Commission may grant an extension not to exceed an additional two year period if good cause is shown. A non-conforming dwelling and accessory building may be restored provided the dimension or non-conforming yards are not further reduced and the height conforms to the height and area schedule.
4. A non-conforming use may be continued, changed to a conforming use, or changed to a use which is less intensive in character than the present non-conforming use. A non-conforming use may be extended and expanded provided that such extension or expansion shall not exceed 25% of the total existing square footage of the non-conforming use and shall not exceed 25% of the remaining non-conforming lot. Any change, extension or expansion of a non-conforming use shall require additional off-street parking if necessary to conform to the requirements of Article VI, Section 4. In no event shall the number of dwelling units be increased by more than 25% of the existing number of dwelling units in the existing building.

SECTION 2 - Non-Conforming Lots

1. For the purpose of these regulations, a non-conforming lot shall be a lot which had a separate existence prior to the enactment of those zoning regulations or any amendment thereto which requires a larger area, frontage, width or depth that which existed prior to such enactment.

2. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of these regulations, single-family dwellings and customary accessory buildings may be erected on any non-conforming lot which was in separate ownership as evidenced by a deed recorded in the Land Records of the Town of Thompson prior to the effective date of adoption of these regulations, or any amendments thereto which date of adoption of these regulations, or any amendments thereto which created such non-conforming lot, provided that construction on and use of each such lot shall comply with all other provisions of these regulations.
3. If two or more contiguous lots or combinations of lots or portions of lots in single ownership are of record at the time of passage of these regulations, or any amendment thereto, and if all or part of such lots do not meet the requirements for lot frontage, width or area as established by these regulations, or any amendment thereto, the land involved shall be considered to be an undivided lot for the purposes of these regulations, except as provided below. No portion of said undivided lot shall be used or sold as a building lot which does not meet lot frontage, width and area requirements established within these regulations, nor shall any division of a lot be made which leaves any remaining lot with frontage, width or area below the requirements stated within these regulations.
4. Where two or more lots or combinations of lots or portions of lots with continuous frontage are in single ownership as described above and a lawfully erected building containing a primary use is located on such lot or lots, such lots shall be combined in such a way that each primary use is located on a conforming lot and in no case shall any lot be so created or maintained which is non-conforming in area, width, or frontage.
5. If any non-conforming lot contains an existing conforming use with an existing structure, permitted accessory uses may be erected so long as all new construction complies with all other applicable requirements of these regulations.
6. No requirement contained within this Section shall supersede the provisions of Sections 8-2, 8-26a, 8-28a, and 8-28b of the Connecticut State Statutes, as amended.

SECTION 3 - Uses Permitted in All Districts

A. Uses Permitted by Right

The following uses of land and structures shall be permitted in all districts and require no further approval by the Commission. A certificate of compliance shall be issued for these uses as specified in Article II:

1. Churches, parish halls, fire departments, emergency services, religious, educational, fraternal, philanthropic, scientific, literary or historical institutions and historic landmarks, provided such facilities are not conducted for financial profit. Certification of non-profit status will be required.
2. Parks, playgrounds, and recreational facilities indicated in a subdivision plan approved by the Planning Commission.
3. Wildlife conservation activities.
4. Docks and boat ramps.
5. Temporary fairs and exhibitions, provided such events have a solely educational or recreational purpose, and are not conducted for financial profit, or provided all profits from the event go to a non-profit organization.
6. Collection facilities, exclusive of municipal uses, for fundraising/thrift store operations, provided such facility is accessory to a church or community building and is operated by a recognized non-profit group or organization such as a church, youth group, or other civic association. All collection material is to be contained within a structure. All collection facilities which are more than one hundred twenty (120) sq. ft. must meet Special Permit requirements as stated in Article VII.

B. Uses Allowed by Special Permit

In addition to the uses permitted by right, the following uses of land and structures shall be permitted in all districts after the issuance of a special permit as specified in Article VII:

1. Cemeteries
2. Collection facilities over one hundred twenty (120) sq. ft.
3. Gravel Banks/Earth Removal/Earth Processing

C. Municipal Uses Allowed by Special Permit

In addition to the uses permitted by right, any other uses of land or structures to be maintained or operated by the Town of Thompson or an agency of the Town of Thompson created by ordinance shall be allowed in all districts after the issuance of a special permit as specified in Article VII, provided:

- (a) The Commission finds such facility and its location beneficial to the public health, safety, and general welfare.
- (b) The arrangement and marking of any curbs, driveways, and parking spaces on the premises is safe and convenient for pedestrians and vehicles.
- (c) Dwellings shall meet all normal requirements applicable to housing in the district where they are proposed.
- (d) Any use which the Commission finds hazardous shall be fenced or screened so as to avoid creation of a nuisance attractive to children.
- (e) Waste recycling operations.

SECTION 4 - Off-Street Parking

1. No building or structure shall be erected, enlarged, modified, or its use changed unless permanently maintained off-street parking and loading spaces are provided in accordance with the provisions of these Regulations. In addition, any alterations, improvements, or modifications to an existing parking area of twelve (12) spaces or more or a 25% percent expansion including the establishment of a new parking area shall not be established until a site plan in accordance with Article VII, Section 4 of these regulations has been approved by the Commission. Handicap parking spaces shall be provided in accordance with all applicable federal, state, and local requirements.

Any existing parking area and appurtenances legally existing prior to the establishment of these Regulations or amendments thereto, which does not comply with the requirements of this section shall be considered a non-conforming use of land and shall be discontinued when a site plan is approved by the Commission.

In addition, the issuance of an encroachment review response or State Traffic Commission review response from the State of Connecticut Department of Transportation shall not prohibit or preempt the Commission from requiring more restrictive requirements in accordance with this section of these Regulations. Parking spaces shall be provided according to the following schedule of minimum requirements, although the Commission may require slightly more or fewer spaces when approving a special permit.

- (a) For One-Family or Two-Family Dwelling Units: two (2) spaces for each family unit,; driveways may be included as required space for single-family dwellings. For permitted home occupations, spaces shall be provided as required for the occupational uses specified herein in addition to the spaces required for the following.
- (b) For Multi-Family Dwellings: A minimum of two (2) off street parking spaces per unit and one (1) remote parking space for every two (2) units. Remote parking to be located in an accessible location, approved by the Commission. For units with more than two (2) bedrooms, one (1) additional off-street parking space for each bedroom over two (2).
- (c) For Business or Professional Office or Governmental Office Space: one (1) space for each two hundred fifty (250) square feet of gross floor space.
- (d) For Financial Institutions, Retail Stores, Personal Service Shops, Repair Shops and Similar Commercial Uses: one (1) space for each one hundred seventy five (175) square feet of gross floor area. In addition, where any drive-in windows or facilities are provided to serve any of the above uses, provision shall be made to park at least ten (10) waiting automobiles between the street line and the drive-in window or facility being approached, and provisions shall also be made to park at least one exiting vehicle between any said window facility and the street. However, if more than one drive-in window or facility is provided, required waiting area for approaching cars may be reduced to five (5) spaces per window or facility.
- (e) For Furniture, Machinery, Equipment, Automobile and Boat Sales and/or Service Establishments: one (1) space for each four hundred (400) square feet of gross floor area, and 1 space for each 800 square feet of outdoor sales and/or display area.
- (f) For Restaurants, Night Clubs, Bars and Lounges: one (1) space for each three (3) persons who may legally occupy the facility where allowable occupancy is determined in accordance with Federal, State, and Local ordinances. Drive-in windows are prohibited.
- (g) For Fast-Food Restaurants or Other Food Service Establishments Where Customers are Served by Primarily Counter Service: one (1) space for every three (3) permanent seats and one (1) space for each nine (9) square feet of public floor area not devoted to permanent seating facilities, excluding restroom areas. Where a drive-in service window is established provisions shall be made to

assemble at least ten (10) waiting motorized vehicles, with additional spacing for at least one (1) exiting motorized vehicles between said window and the street exit point. Such facilities shall be provided in such a way as to cause no interruption to the smooth flow of traffic within the subject site. With more than one drive-in window is provided the required waiting space may be reduced to seven (7) spaces per window.

- (h) For Theaters, Grandstands and Stadiums, Auditoriums or Meeting Rooms, and Similar Places of Public Assembly: one (1) space for every three (3) seats if permanent seating is provided, or one (1) space for each twenty one (21) square feet of public area for areas not served by permanent seating.
- (i) For Libraries, Museums, and Non-Commercial Art Galleries: one (1) space for each seven hundred fifty (750) square feet of gross floor area.
- (j) For Hotels, Motels, Lodging or Boarding Houses: one (1) space for each room, plus spaces as required for other related uses, plus one (1) space for each two (2) employees.
- (k) Hospitals: one (1) space for each bed plus one (1) space for each two (2) employees on the single largest shift.
- (l) Nursing and/or Convalescent Homes: one (1) space for each three (3) patient accommodations plus one (1) space for each two (2) employees on the single largest shift.
- (m) For Funeral Homes: one (1) space for each fifty (50) square feet of public assembly area.
- (n) For Marinas: one and a half (1-1/2) spaces for each boat slip or rental boat with additional and separate area provided for the parking of boat trailers.
- (o) Public, Parochial, or Private Schools:
 - 1. Elementary and Junior High Schools: two (2) spaces for each classroom plus one (1) space for every four (4) fixed seats in auditoriums, gymnasiums, or other places of public assembly.
 - 2. High Schools: six (6) spaces for each classroom plus one (1) space for every four (4) fixed seats in auditoriums, gymnasiums, or other places of public assembly.
 - 3. Colleges, Universities, Business, Technical and Trade Schools: ten (10) spaces for each classroom, plus one (1) space for every

- four (4) fixed seats in auditoriums, gymnasiums, or others places of public assembly.
4. Kindergartens, Child Care Centers, Nursery Schools and Similar Uses: two (2) spaces for each classroom, but not less than six (6) spaces for any one building.
- (p) Bowling Alleys: four (4) spaces for each alley or lane plus one (1) additional space for each one hundred (100) square feet of the area used for restaurant, cocktail lounge, or similar use.
- (q) For Industrial Plants, Wholesale Establishments, Warehouses and Similar Buildings: one (1) space for each one thousand (1,000) square feet of floor area or one (1) space for each three (3) persons normally employed, whichever is greater.
- (r) Buildings Occupied by a Duly Incorporated Non-Profit Body or Government Unit or Religious Institution: one (1) parking space for each three (3) persons for which seating accommodations are provided, plus parking as required for related uses as specified herein.
- (s) Private Clubs, Fraternities, Sororities, Country Clubs, or other Similar Organizations: one (1) space for each two (2) employees, plus spaces as required herein for restaurant areas, places of assembly, etc. If sleeping accommodations are provided, parking shall be provided in addition to other requirements at a standard of one (1) space per sleeping room or if dormitory accommodations are provided, at one (1) space per each two (2) beds. In those cases where golf courses are involved, parking shall be provided for at least one hundred (100) cars, and where tennis facilities are involved, parking shall be provided for at least four (4) cars per court.
- (t) Commercial Recreational Facility: one (1) space for three (3) users who could be utilizing the premises at any one single time plus one (1) space for each three (3) seats provided for spectator observance of the establishments activities. If restaurant or other commercial facilities are included in the facility, additional parking shall also be provided in accordance with the requirements for such related uses as specified herein.
- (u) Automobile Services Including but not Limited to Gas Stations, Auto Dealers, Auto Accessories, Auto Repair, Auto Body and Paint Shop, Muffler Installations, Tire Shops, Engine and Transmission Overhaul Shops and Car Wash: five (5) spaces plus two (2) spaces for each service stall, plus two (2) spaces for each pump. In

addition, if motor vehicles are offered for sale and/or rent on the premises, one (1) space shall be provided for each such vehicle offered for sale and/or rent. Furthermore, any car wash shall have at least ten (10) waiting positions for each bay between the street line and such bay for cars approaching, and at least two (2) waiting positions for cars leaving such bays.

- (v) Open or Outdoor Businesses Including but not Limited to Those Which Sell New and Used: Motor Vehicles, Trailers, Mobile Homes, Building Supplies, Machinery, Equipment, Swimming Pools, Nursery, and Garden Supplies: one (1) space for each one thousand (1,000) square feet of lot area.
 - (w) Medical or Dental Offices: one (1) space for each one hundred fifty (150) square feet of gross floor area.
 - (x) Other building uses not specified in these regulations will be subject to approval upon review by the Zoning Commission.
2. The parking required herein is in addition to space which is required for the storage of trucks or other vehicles used in connection with a business, commercial, or industrial use.
 3. Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.
 4. In the case of mixed uses, uses with different parking requirements occupying the same building or premises, the parking spaces shall be equal to the sum of the requirements of the various uses computed separately, except in the case of public, parochial, or private schools.
 5. **LOCATION OF REQUIRED PARKING SPACE**
Required parking facilities shall be located on the same lot as the dwelling unit, building, or other use which they serve. The Commission may waive this provision for commercial and industrial uses.
 6. **INTERIOR DRIVES**
Interior drives shall be of adequate width to serve a particular design arrangement of parking spaces, the following being the minimum width permitted. Ninety degrees (90) parking shall be used unless there is positive control of traffic directions.
 - 90 degrees parking - twenty four (24) feet
 - 45 degrees parking - thirteen (13) feet
 - 60 degrees parking - eighteen (18) feet
 - 30 degrees parking - eleven (11) feet

7. SURFACE OF PARKING AREAS

All off-street parking areas shall be surfaced and maintained with a durable and dustless all-weather material, alternative methods are encouraged and shall require Commission review and approval. Parking areas shall be so graded and drained as to dispose of all surface water and proposed surfacing and drainage plans shall be submitted to and approved by the Commission. In no case shall drainage be allowed across any sidewalk areas. Furthermore, any parking area which serves more than twelve (12) cars shall be surfaced with bituminous concrete or an alternative method reviewed and approved by the Commission, and surface water from all such lots or concrete shall be discharged into a storm sewer whenever necessary or when the Commission deems necessary. However, the requirements of this section shall not apply to parking provided to serve one and two-family dwellings and farm buildings.

The Commission may allow any alternate to bituminous pavement, for non-commercial, non-industrial, or non-multi-family low volume traffic generators, and the Commission approves specific maintenance provisions on the site plan.

8. ACCESS DRIVES AND VEHICULAR CIRCULATION

Provision shall be made for vehicular access to the lot and circulation upon the lot in such a manner as to safeguard against hazards to traffic and pedestrians in the street and to provide safe and convenient circulation in the street and upon the lot. All parking areas shall be designed in such a manner that any vehicle entering or leaving the parking area from or to a public or private street shall be traveling in a forward motion. All access driveways for parking areas and/or loading areas shall be located in such a way that any vehicle entering or leaving such areas shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching such driveway from a public or private street. Furthermore, all driveways providing connection between any parking and/or loading area and any public street or public right-of-way except in the case of access drives serving one and two-family dwellings shall be finished with bituminous concrete or concrete which shall conform with Department of Public Works Regulations.

- (a) The entrances and exits to all parking areas shall be clearly marked. Access drives for one-way traffic shall have a minimum width of fourteen (14) feet where one-way traffic is anticipated and a minimum width of twenty four (24) feet where two-way traffic is anticipated.

- (b) All parking spaces in parking area of more than twelve (12) cars and all loading spaces shall be so located that vehicles entering or leaving such spaces do not block any entrance drive to the parking facility.

In addition, all parking spaces shall be entered and exited along interior drives arranged perpendicular to access drives wherever possible. No parking shall be permitted along access drives within forty (40) feet of the street line and at greater distances as may be required by the Commission depending on the traffic generation and parking lot size. Dead end parking aisle interior drives shall be extended five (5) feet further than the last parking space to allow movement of a vehicle in and out of a parking space.

- (c) All exits and entrances shall be so located as to provide the least amount of interference with the movement of pedestrian and vehicular traffic. Each entrance and exit shall be at least twenty (20) feet distant from any residential property or residential district and at least seventy five (75) feet distant from any street intersection, except entrance and exit onto a collector or arterial street which shall be one hundred fifty (150) feet from any intersection and where traffic circulation would be improved by having entrances and exits directly opposite to exiting curb cuts or roads.
- (d) Driveways in commercial and industrial districts shall not be more than thirty (30) feet wide at the right-of-way line and fifty five (55) feet wide at the curb line. Greater widths may be permitted where, in the opinion of the Commission, they are necessary to accommodate traffic volumes or movements, public safety requirements, or larger vehicles. Each parcel within these districts shall be entitled to one (1) driveway where the property has two hundred (200) feet of frontage or less, and additional driveways only when permitted and approved by the Commission on the site plan.
- (e) The grade for access drive parking lot shall not exceed 6% from the curb line to ten (10) feet within the property. All other parking lot grades shall not exceed 6%.
- (f) Where reasonable alternate access is available, the vehicular access to the lot shall be arranged to avoid traffic use of local residential streets situated in or bordered by residential districts.
- (g) Where a lot has frontage on two or more streets, the access to the lot shall be provided to the lot across the frontage to the street

where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.

- (h) The street giving access to the lot shall have traffic carrying capacity and be suitably improved to accommodate the amount and types of traffic generated by the proposed use.
- (i) Where necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional island, frontage roads, driveways, and traffic controls within the streets.
- (j) Where topographical and other conditions are reasonably usable, provisions shall be made for circulation driveway connections to adjoining lots of similar existing or potential use; 1) when such driveway connection will facilitate fire protection services as approved by the Town Fire Marshal and/or 2) when such driveway will enable the public to travel between two existing or potential uses, open to the public generally, without need to travel upon a street.
- (k) Where the lot has frontage on an existing street, proper provision shall be made for grading and improvement of shoulders and sidewalk areas within the right-of-way of the street and for provisions of curbs and sidewalks, as approved by the Commission and in accordance with the pattern of development along the street. Where necessary to provide for suitable access for a system of neighborhood circulation streets, provision shall also be made for appropriate continuation and improvement of streets terminating at the lot where the use is to be located.

9. PEDESTRIAN SAFETY

Off-street parking spaces shall be suitably separated from the building in such a way as to assure safe movement of pedestrian traffic to all major entrances of the building served by any of the following means: a six (6) foot wide concrete walk with an eight (8) inch high concrete safety curb; eight (8) inch high precast concrete curbs in such a manner as to provide a four (4) foot wide vehicle free passageway; any combination of landscaping and walkway which establishes a four (4) foot wide vehicle free passageway; or by any other manner as may be approved by the Commission. However, in parking lots containing one hundred (100) or more spaces, parking shall be permitted adjacent to the sides and rear of any building only upon approval of the Commission in those cases where it is determined that such parking will not constitute a hazard to

pedestrian circulation and will not interfere with any required fire lanes.

10. CURBING REQUIREMENTS

Appropriate provision shall be made to prevent vehicles from overhanging walkways and from damaging trees or other landscaping materials. Furthermore, whenever a parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond such property line.

11. FIRE LANES

No parking shall be permitted in those areas designated as fire lanes on any site plans approved under the provisions of these zoning regulations or established by the Town's Fire Marshal.

12. MARKING

All required parking spaces and fire lanes, except spaces required for one-family or two-family dwellings, shall be marked by painted lines, maintained in good condition, curbs or other means to indicate individual spaces. Signs or markers painted or provided and maintained in good condition shall also be used as necessary to insure efficient traffic flow within all parking lots and between any such lot and the public street or right-of-way serving such lot.

All traffic control signs, handicapped parking signs and other signs as required herein shall meet the standard as established in the Manual of Uniform Traffic Control Devices or amendments thereto or as approved by the State of Connecticut Department of Transportation.

13. LIGHTING

Adequate lighting shall be provided in all lots of more than twelve (12) spaces except where the Commission may determine that such parking areas will never be used at night. Required lighting shall be arranged and installed downcast to minimize glare on adjacent property, and adjacent streets and highways.

14. PARKING SPACE DIMENSIONS

A parking space shall have a minimum rectangular dimension sufficient to provide one hundred eighty (180) square feet of parking area exclusive of driveways and shall be permanently reserved for the temporary parking of one automobile. The length of any parking space shall be at least 18 feet and the width at least nine (9) feet as measured on an axis parallel with the vehicle after it is parked. The dimensions of the parking spaces shall be consistent for all

contiguous spaces and shall provide for the most efficient design for vehicular and pedestrian circulation.

The Commission may approve modifications to the dimensions of the parking spaces. In granting such modifications, the Commission shall give careful consideration to the proposed location of the building and uses to be serviced by the parking lot, the impact such modifications would have on traffic patterns, and the future development of adjacent property.

16. Parking spaces shall not be located on a public right-of-way unless lines marking legal parking spaces have been painted on the public right-of-way by the authorized agency.
17. Off-street parking shall be arranged so that it is unnecessary to back onto the public right-of-way when entering or leaving the space.

SECTION 5 - Off-Street Loading

In the case of hospitals, institutions, hotels, retail shopping facilities, personal service facilities, restaurants, wholesale and industrial buildings, and other facilities served by regular truck traffic, space shall be provided for the loading and unloading of trucks at the rate of one space not less than twelve (12) feet wide and sixty (60) feet in length for each 15,000 square feet of floor area or fraction thereof up to a total of 30,000 square feet and one additional space for each additional 30,000 square feet when total floor area exceeds 30,000 square feet. Such truck areas shall be adjacent to the area or doors which shall be used for the loading and unloading of goods and supplies and shall not be visible from any access drive or interior drive so as not to interrupt the flow of vehicles.

SECTION 6 - Green Space

Notwithstanding other portions of these regulations, no use shall be permitted in any district which does not leave a minimum impervious surface as required in the Table of Dimensional Requirements, of the total lot area free of any building, impervious surface material, or other structures. Said minimum area shall be planted with grass, moss, ground cover or trees in such a way as to allow natural percolation of rainwater and not to interfere with adequate drainage of rainwater from surfaced or built-up portions. Catch basins may also be required.

SECTION 7 - Signs

1. In addition to signs specifically permitted within the various districts, the following signs are permitted in all districts:

- a. Traffic control and street identification signs. All signs for the purpose of traffic control, including ones on private property, shall conform with size, shape, color, and use provisions specified in the most current edition of the **Connecticut Manual of Uniform Traffic Control Devices**.
 - b. One (1) sign up to two (2) square feet in area giving the name of the land or building on which displayed, the name of owner or lessees, and/or his profession or activity.
 - c. "No Trespassing" or other signs indicating the private nature of the premises, up to two (2) square feet in area.
 - d. 1(d) Temporary signs pertaining to the sale or lease of premises where displayed or construction in progress can be displayed for up to six (6) months and can be up to eight (8) square feet in size. After six (6) months the sign must be removed or replaced with a new sign.
 - e. Town, church, or school bulletin boards and historical markers up to sixteen (16) square feet.
 - f. On farms, signs on wall of structures behind the minimum setback line to identify the farmer or the name of the farm.
 - g. Temporary political signs which shall not remain more than sixty (60) days per year.
2. No sign shall be located or maintained in such a way that it poses a hazard to pedestrians or vehicles.
 3. No revolving or moving signs will be permitted.
 4. No flashing lights shall be permitted, except for signs which present the current time and/or temperature in electric lights. Lighting, where permitted, shall be internal or indirect, with bulbs, tubes or other sources of illumination not visible from any street or from any other than the lot on which the sign is located.
 5. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbon streamers, spinners, or other similar moving, fluttering, or revolving parts or devices. No sign shall be equipped with flashing lights. Sandwich type freestanding signs are prohibited. Signs may be internally lighted if specifically approved by the Commission.
 6. No sign shall advertise a product, service, or activity other than that which is produced, provided, or conducted on the premises except that a maximum of two (2) directional signs each not more than two (2) square feet in area and conforming to the other provisions of these Regulations may be permitted off the premises.

7. Signs of a non-commercial nature shall be allowed if erected by, or on the order of any public official in the performance of his duty, such as safety signs, danger signs, trespassing signs, memorial plaques and historical signs.

SECTION 8 - Soil Erosion & Sediment Control

A. ACTIVITIES REQUIRING A CERTIFIED EROSION AND SEDIMENT CONTROL PLAN

A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half acre.

B. EXCEPTIONS

A single family dwelling that is not part of a subdivision of land shall be exempt from these soil erosion and sediment control regulations.

C. EROSION AND SEDIMENT CONTROL PLAN

1. To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the most current edition of the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended. Alternative principals, methods and practices may be used with prior approval of the Commission.
2. Said plan shall contain, but not limited to:
 - a. A narrative describing:
 1. The development.
 2. The schedule for grading and construction activities including:
 - a. Start and completion dates;
 - b. Sequence of grading and construction activities;
 - c. Sequence for installation and/or application of soil erosion and sediment control measures; and
 - d. Sequence for final stabilization of the project site.
 3. The design criteria for proposed soil erosion and sediment control measures and storm water management.
 4. The construction details for proposed soil erosion and sediment control measures and storm water management facilities.
 5. The installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities.

6. The operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.
- b. A site plan at a sufficient scale to show:
 1. The location of the proposed development and adjacent properties.
 2. The existing and proposed topography including soil types, wetlands, watercourses and water bodies.
 3. The existing structures on the project site, if any.
 4. The proposed area alterations including cleared, excavated, filled, or graded areas and proposed structures, utilities, roads and if applicable, new property lines.
 5. The location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities.
 6. The sequence of grading and construction activities.
 7. The sequence for installation and/or application of soil erosion and sediment control measures.
 8. The sequence for final stabilization of the development site.
- c. Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

D. MINIMUM ACCEPTABLE STANDARDS

1. Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principals as outlined in the most current edition of the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended. Soil erosion and sediment control sedimentation during construction is stabilized and protected from erosion when completed and does not cause off-site erosion and/or sedimentation.
2. The minimum standards for individual measures are those in the most current edition of the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended. The Commission may grant exceptions when requested by the applicant if technically sound reasons are presented.
3. The appropriate method from the most current edition of Connecticut Guidelines for Soil Erosion & Sediment Control, as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Commission.

E. ISSUANCE OR DENIAL OF CERTIFICATION

1. The Planning and Zoning Commission shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation or deny certification

when the development proposal does not comply with these regulations.

2. Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapters 124, 124A, or 126 or the General Statutes.
3. Prior to certification, any plan submitted to the municipality may be reviewed by the County Soil & Water Conservation District which may make recommendations concerning such plan, provided such review shall be completed within thirty days of the receipt of such plan.
4. The Commission may forward a copy of the development proposal to the Conservation Commission or other review agency or consultant for review and comment.

F. CONDITIONS RELATING TO SOIL EROSION AND SEDIMENT CONTROL

1. The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plans, that are a condition of certification of any modified site plan may be required to be covered in a performance bond or other assurance acceptable to the Commission in accordance with provisions as specified under:

Article IV, Section 9 - Bonding for Public Improvements
(As per Subdivision Regulations)

ARTICLE VII – Section 4, Subsection 4.J. of the Zoning Regulations

2. Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.
3. Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.
4. All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

G. INSPECTION

1. Inspections shall be made by the Commission or its designated agent during development to ensure compliance with the certified plan and that control measures and facilities are properly performed or installed and maintained. The Commission may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained.

SECTION 9 - Noise

Noise Levels for Commercial and Industrial Uses:

1. **NOISE LEVELS:** No noise shall be emitted beyond the boundary of the lot or parcel in excess of the noise levels established in these Regulations.
2. **NOISE LEVEL STANDARD:** Noise emitted from Commercial and Industrial Zones or Uses beyond the boundary of the lot or parcel shall not exceed the levels stated herein below and applicable to the respective adjacent Residential, Commercial, or Industrial Zones or uses.

| Emitter's Zone or Use | EMITTER | | RECEPTOR | |
|--------------------------|---------|------------|------------|--------------------------------------|
| | | Industrial | Commercial | Residential/Day Residential/Night |
| Commercial | 62 dBA | 62 dBA | 55 dBA | 45 dBA |
| Industrial | 70 dBA | 66 dBA | 61 dBA | 51 dBA |

Measurements shall be taken at a point which is located at the boundary of the emitter's lot or parcel and approximately one (1) foot within the receptor's lot or parcel.

3. **HIGH BACKGROUND NOISE LABELS AND IMPULSE NOISE**
 - a. In those individual cases where the background noise level caused by sources not subject to these Regulations exceeds the standards contained herein, a source shall be considered to cause excessive noise if the noise emitted by such source exceeds the background noise level by five (5) dBA, provided that no source subject to the provisions of this regulation shall emit noise in excess of eighty (80) dBA at any time and provided that this Section does not decrease the permissible levels of other sections of this Regulation.
 - b. No impulse noise shall be caused or allowed in excess of eighty (80) dBA peak sound pressure level during the night-time to any residential zone or Use.
 - c. The emission of impulse noise shall not be caused or allowed in excess of one hundred (100) dBA peak sound pressure level at any time to any zone or use.
4. Exclusions and exceptions shall be in accordance with regulations of the Connecticut Department of Environmental Protection.

SECTION 10 – Buffer Screening and Landscaping of Commercial and Industrial Districts

When a new building is constructed, or a new land use is initiated, on a lot within a Commercial or Industrial District, abutting property within a Residential District, a landscaped buffer shall be established and maintained. This buffer shall provide visual screening along each rear and/or side lot line of the subject site which abuts a residential district. Commercial or industrial development established prior to the creation of an adjoining Residential District need not establish a compliant landscape buffer.

All planted and landscaped area shall be maintained continuously by the owner of the property. All trees required to be planted in landscaped areas shall be at least six (6) feet in height at time of planting. Those parking areas within Industrial Districts may be required to provide complete visual screening around their perimeters in those cases where the Commission deems such screening necessary to buffer existing adjacent property uses from a proposed industrial use.

A Landscape Buffer Site Plan shall be required where any lot or part thereof in a commercial or industrial district, adjoins or fronts on a street opposite a residential district, a landscaped buffer strip twenty-five (25) feet wide shall extend the length of such district boundaries of which six (6) feet in width shall be planted with evergreen shrubs and trees at least six (6) feet high, or a density sufficient to obscure lights and other visually objectionable items.

ARTICLE VII - SPECIAL PERMIT AND SITE PLAN REVIEW

SECTION 1 - Reason for Authorization of Specified Uses by Special Permit

The land uses identified in Article VIII of these regulations as uses permitted in the various districts after issuance of a special permit generally have such variable or unusual impacts on their surrounding area that the Commission finds it necessary to consider proposals for such uses individually, evaluating each proposal according to criteria stated in this article and in Article VIII. The Commission finds it desirable to allow the uses authorized by special permit, provided specified and appropriate criteria are satisfied.

Any use that is identical or substantially similar to an existing approved use by permit or special permit that has not been explicitly addressed in these regulations, the Commission shall have the authority to consider it based upon the existing item that is identical or substantially similar.

SECTION 2 - Criteria for Approval of Special Permits

The Commission shall approve a special permit, following due procedure, when the Commission has found that the proposed use would satisfy all appropriate requirements listed in Article VIII and elsewhere in these regulations and the Commission has also found that:

- a. The proposed use is in harmony with the zoning regulations and current plans adopted by the Commission.
- b. The proposed use will not adversely affect the health and safety of residents or workers in the area.
- c. The proposed use will not adversely affect the reasonable use of development of properties in the general neighborhood.
- d. The streets serving the proposed use shall be adequate to safely carry the vehicular traffic generated by the proposed activity without reduction of street capacities.
- e. No safety hazards such as reduced sight distances or hazardous street or driveway connections would be imposed.
- f. The proposed use is in harmony with the neighborhood's established character and development patterns.

SECTION 3 - Making Application for a Special Permit

1. The Commission encourages, but does not require, persons considering application for a special permit to discuss the contemplated use of land or a structure with the Commission or its agent in advance of making formal application for a special permit. While such preliminary discussion cannot be viewed as binding upon the Commission, it may result in a more satisfactory proposal for land use and also save time and expense for the applicant.
2. An application for a special permit shall be submitted in writing to the Commission or its appointed agent in a form prescribed by the Commission, together with a fee of \$250.00, two (2) full-size copies of a site development plan, fifteen (15) reduced-size plan copies, a floor

plan of any proposed new or renovated structures, a rendering of proposed new structures, and evaluations of any soil tests on the site which would be required before issuance of a building permit.

SECTION 4 - Site Development Plan

A site plan is intended to provide the Commission with information that will enable it to determine that the proposed structures and uses shall be arranged in a manner that enhances the health, safety, and welfare of the citizens of Thompson and shall be of such character as to harmonize with the neighborhood, to accomplish a transition in character between areas of unlike character, to protect property values in the neighborhood, to preserve and protect natural resources and the appearance and beauty of the community and to avoid undue traffic congestion. The following information shall appear on the site development plan:

1. LEGEND:

- a. The words "Site Development Plan," the name (if any) of the project, and the name(s) of the applicant and the owner(s) of the property.
- b. The name, address, and seal of a civil engineer or land surveyor registered in Connecticut and responsible for drawing the plans.
- c. The date, scale, and north arrow.
- d. The words "Special Permit Approval by the Thompson, Connecticut Planning and Zoning Commission," with designated places for signature of the Chairman and the date.
- e. For site plans submitted on more than one (1) sheet, an index map locating each sheet in relation to the entire site; appropriate match lines.
- f. The total area of the site for which the special permit is sought.
- g. A written statement describing the proposed use or uses in sufficient detail will be submitted with each site plan to determine compliance with the permitted uses or special permits in the applicable district.
- h. A location map at a scale of one inch (1") equals 2,000 feet shall be submitted showing the subject property, streets, lot lines, and zoning district boundaries within 1,000 feet of the subject property. If space permits, the location map may be included as an insert on the site plan as required in Section 8.3. An 8-1/2x11 inch photocopy of a USGS Quad Map with the project site outlined must accompany the site plan.
- i. Zoning districts and dimensions of all yards as required by these Regulations. This information will be shown in both mapped and tabular forms.

2. A site plan shall be prepared by either an architect, professional engineer, and/or land surveyor licensed and registered to practice in Connecticut as deemed appropriate by the Commission. The Commission shall have the right to require that a site plan be prepared by a professional engineer if the proposed development will include the design of roads, storm drainage facilities, water systems and sewerage systems. If the proposed development includes wetlands, the Commission shall have the right to require that a certified soil scientist delineate the wetlands. The signed seal(s) of those who prepared the site plan shall be included on the site plan. A site plan shall conform with Class A-2 standards for accuracy in accordance with "Code of Recommended Practice for Accuracy of Surveys and Maps," a publication approved for use by the Connecticut State Board of Examiners for professional engineers and land surveyors, unless otherwise modified by the Commission.
 - a. Location, size, and arrangement of all parking and loading areas including existing and proposed driveway entrances and exits. The Commission may require the applicant to submit a traffic evaluation report prepared by a traffic engineer if the proposed development will significantly impact traffic flow.
 - b. The Commission may require the applicant to submit an environmental evaluation report for a proposed development located in an environmentally sensitive area. Evaluation reports by independent professionals and other experts such as hydrologists, geologists, and soil scientists may be required at the expense of the applicant.
 - c. In order to avoid costly errors in the preparation of final plans, applicants are urged to enter into a preliminary discussion with the Commission. Such discussion and preliminary plans are entirely voluntary and entails no fee or application form. Input of the Commission with regard to any information presented during this preliminary phase in no way implies approval of final plans.

3. **MAPS**

A site plan drawn to scale of one inch (1") equals forty feet (40') or such other scale as may be approved by the Commission or its agent shall be prepared and clearly shown to the satisfaction of the Commission the following information.

- a. Boundaries, of the property for which the special permit is requested and the names of the owners of abutting properties, labeled on their properties.
- b. The locations and widths of existing and proposed streets and other right-of-ways adjoining the site; street names.
- c. Locations of existing buildings, signs and other structures on the site and within one hundred (100) feet of the site, with identification of proposed demolition or relocations.

- d. Locations and dimensions of proposed building, signs, other structures and land uses; dimensions of setback lines required by the zoning regulations.
- e. Locations and dimensions of existing and proposed utility lines, including, but not limited to, water lines, sanitary and storm sewer lines, natural gas lines, electric lines, and telephone lines.
- f. Contour lines showing elevations at intervals of five (5) feet or less, except that contours need to be shown at intervals of two (2) feet in order to clearly show topography if deemed by the Commission.
- g. Watercourses and wetlands (as defined by the Town of Thompson Wetlands Regulations); proposed alterations to the drainage pattern on the site and on adjacent properties.
- h. Special flood hazard areas or one hundred (100) year flood plains, with the source of such information identified.
- i. Locations of existing and proposed wells and on-site sewage disposal systems within one hundred (100) feet of the site; locations of soil test made on the site.
- j. Location and dimensions of existing and proposed open spaces.
- k. Parking facilities, showing the locations, dimensions, and number of individual parking spaces, dividers, and planters.
- l. Internal circulation system, including widths of roadways and indication of one-way roadways, pedestrian walkways, loading areas, and light and utility poles.
- m. Locations of buffer strips and screening, showing the types and approximate sizes of proposed plantings at the time of planting.
- n. Town and zoning district boundaries, properly identified.
- o. Where the applicant wishes to develop in stages, the map should indicate any phase of development which will not be completed within one year after the commencement of occupancy or use of the site.

4. **SITE PLAN REVIEW AND BONDING**

In reviewing a site plan application, the Commission shall take into consideration the public health, safety and welfare of the public in general and the immediate neighborhood in particular, and may prescribe reasonable conditions and safeguards to insure compliance with the following general objectives:

- a. Any proposed structures and uses shall be designed and located on the property so that there will be adequate access for emergency vehicles.
- b. The streets serving the proposed use shall be adequate to safely carry the vehicular traffic generated by the proposed activity, and there will be provision for entrance and exit points which will not create a traffic hazards or undue traffic congestion.
- c. All proposed traffic access ways are adequate, but not excessive in number; adequate in width, grade, alignment, and visibility;

- adequate in distance from street intersections, places of public assembly and other access ways; and adequate in design for other similar safety considerations.
- d. Adequate off-street parking and loading spaces shall be provided to prevent on-street traffic congestion and the interior circulation system shall provide safe and convenient access to all required off-street parking.
 - e. The general landscaping of the property shall comply with the appropriate sections of these Regulations; existing trees will be preserved to the maximum extent possible; and parking and service areas shall be suitably screened at all seasons of the year from the view of adjacent residential districts.
 - f. Lighting from the installation of downcast outdoor lights and illuminated signs will be properly shielded so that lighting does not adversely affect abutting property or public streets.
 - g. Development of the property should preserve to the maximum extent possible sensitive environmental land features such as areas of steep slopes, wetlands, large bedrock outcrops, scenic views, and historically significant features.
 - h. The proposed site plan should be in general conformance with the intent of the Thompson Plan of Development.
 - i. In those cases where a development proposal must be reviewed by other local, site, and federal agencies, the Commission will give due consideration to any report(s) presented to it by these agencies.
 - j. The Commission may require a bond estimate as part of the submission. Before issuance of a zoning permit, the applicant shall file a surety bond with the Commission in a form satisfactory to the Town Attorney and in an amount approved by the Commission, in consultation with staff, as sufficient to guarantee completion of all site improvements, except buildings. A copy of the site plan shall be part of the bond. Such bond shall not be released by the Commission until written certification has been received from the Zoning Officer that all of the requirements of these Regulations have been fully satisfied. To facilitate this certification, an as-built site plan shall be submitted which reflects the actual field location of all items required by these Regulations.

SECTION 5 - Floor Plan and Rendering

An application for a special permit shall be accompanied by a floor plan of all proposed new or renovated buildings on the site, sufficient to show room configuration, entrances, exits, loading area, restrooms, and cooking areas, and by a rendering or sketch of proposed new structures sufficient to assist the Commission in determining the visual impact of

the proposed development on neighboring properties. The floor plan and rendering may be in a preliminary form.

SECTION 6 - Commission Action on Special Permit Applications

All Commission action on Special Permit applications shall take place in accordance with Chapter 124 of the Connecticut General Statutes, and same as may be amended from time to time.

SECTION 7 - Effective Date of Special Permit

1. A special permit shall become effective after it has been approved by the Commission and:
 - a. The approved site development plan is signed by an officer of the Commission.
 - b. A record of the special permit, including such information as is required by Chapter 124 of the Connecticut General Statutes, is completed and signed by an officer of the Commission.
 - c. The legal notice as published and supplied by the Town and the resolution of approval are filed in the Town Clerk's office as required by Chapter 124 of the Connecticut General Statutes by the permittee, with the permittee paying any due fees for such recording.
2. A special permit shall be void if all improvements proposed on the approved site development plan are not completed within two years of the date the special permit became effective. The Commission shall, however, upon written request from the applicant before the expiration of the special permit, renew a special permit for an additional period of two years, provided the Commission shows in its record that all previous findings and stipulations pertaining to the permitted use are reaffirmed. A public hearing shall not be required prior to such renewal.

ARTICLE VIII - USES PERMITTED IN DISTRICTS

SECTION 1 - Residential and Agricultural District (RA-80)

The area within this district is generally characterized by soils posing severe physical obstacles to development (e.g. shallow ledge, steep slopes, or wetness), by prime soils for agriculture, by area of exceptional scenic quality, or by remoteness from major roads and other fixed public

facilities. In recognition of these characteristics, it is in the public interest to limit uses in the district to forestry, recreational uses of wilderness and conservation areas, agriculture, sparse residential development, and very limited development of institutions and businesses as described in this section of Article VIII and in Article VI.

A. Uses Permitted by Right

The following uses of land and structures shall be permitted in the Residential and Agricultural District (RA-80) and require no further approval by the Commission.

Any use in any district shall adhere to the Aquifer Protection Regulations adopted herein.

A certificate of compliance shall be issued for these uses as specified in Article II:

1. Farms, including all types of horticulture, animal husbandry, and forestry, provided:
 - (a) Roofed structures in which cattle, horses, sheep, goats, pigs, or other livestock, or more than one hundred fifty (150) fowl are kept shall not be located closer than one hundred fifty (150) feet to any property line nor closer than one hundred fifty (150) feet to any watercourse or body of water.
 - (b) Fertilizer and manure shall not be stored closer than one hundred fifty (150) feet to any property line, nor closer than one hundred fifty (150) feet to any watercourse or body of water. Fertilizer and manure storage must meet the “Best Management Guidelines” as outlined by University of Connecticut College of Agriculture and natural resources.
 - (c) Slaughtering of animals, except animals raised on the premises, is prohibited.
2. Riding stables or academies, or boarding stables for five (5) or more horses, provided:
 - (a) Lot area shall be at least ten (10) acres
 - (b) All buildings and structures, including riding rings and manure pits, shall be located at least one hundred fifty (150) feet from all property lines and at least one hundred fifty (150) feet from all watercourses or bodies of water.
 - (c) The use of temporary buildings or trailers for the stabling of horses in excess of fifteen (15) days is prohibited.
3. Single family or duplex dwelling and accessory outbuildings or structures for exclusive use by the inhabitants of the dwelling.
4. Home occupations: see definition “Home Occupation”.

5. Stands for the sale of farm, nursery, or greenhouse products, provided:
 - (a) Products grown or raised by the proprietor or locally produced foods whose primary purpose is to sell these products. These products cannot exceed 75% of the stand area.
 - (b) The stand is operated on a seasonal basis and is closed at least three continuous months a year.
 - (c) Stands remaining open in excess of nine (9) months will require a Special Permit.
6. Signs for a business or activity conducted on the same property provided:
 - (a) Outdoor advertising on the property shall be limited to one unilluminated sign, facing one or two directions, neither of which faces shall exceed six (6) square feet, exclusive of supporting standards.
 - (b) Sign shall be located such that vehicular and pedestrian sight lines are not blocked.
7. Family Child Day Care, Group Child Day Care, Elder Care – see “Care Services” definitions.
8. Country Inn: Subject to the following conditions
 - (a) Functions may be held at the Country Inn provided that attendance at such functions is limited to a number set by the Fire Marshal in consultation with the Building Inspector based on applicable codes, and provided that the Building Inspector has determined that the Country Inn is adequate in size and condition for such purpose.
 - (b) The Country Inn and any related functions shall produce no noise or hazards noticeable off the premises. All amplified music must take place within the dwelling unit that serves as the Inn. The use of tents, canopies, or other temporary structures are not permitted with this use.
 - (c) The Northeast District Department of Health shall certify that the existing subsurface sewage disposal system is adequate to serve the proposed use.
 - (d) Local Fire Marshal approval is required.
 - (e) One unlighted exterior sign no larger than four (4) square feet is permitted.
 - (f) Both traffic and parking can be accommodated without disrupting traditional traffic patterns (both pedestrian and vehicular) and residential appearances. Sufficient off-street parking shall be provided.

- (g) A country Inn may not represent itself to be a restaurant or tavern, and other than special catered events, shall serve meals only to guests staying overnight at the Inn.
- (h) If any alcoholic beverages are served at any time at the Country Inn by its owners, employees, or caterers, the service of such beverages must comply with all applicable state statutes, and regulations of the Connecticut Liquor Control Commission.
- (i) The operation of a Country Inn shall require a written permit. This permit shall be issued by the Planning and Zoning Commission upon approval of an application meeting all of the above criteria. Permits are not transferable. The written permit shall be effective for a two-year period and must be renewed thereafter for additional two-year periods. Failure to abide by any of these regulations is cause for the Planning and Zoning Commission to revoke the permit.

B. Uses Allowed by Special Permit

In addition to the uses permitted by right, the following uses of land and structures shall be allowed in the Residential and Agricultural District (RA-80) after the issuance of a special permit as specified in Article VII:

1. Campgrounds, provided:
 - a. Lot area shall be at least ten (10) acres.
 - b. A maximum of ten (10) camp sites per acre.
 - c. The commission may require roads and drives within one hundred (100) feet of adjacent properties to be treated to reduce dust.
 - d. A buffer of at least one hundred (100) feet in width containing trees and other vegetation and no camping site shall be maintained on the premises, screening the campground from all adjacent properties and public streets.
 - e. Utilities and facilities shall conform to the State of Connecticut Health Code.
 - f. The campground is operated on a seasonal basis and is closed at least three (3) continuous months a year.
2. Golf, tennis, swimming, racing, and other sporting or recreational facilities, except those accessory to a dwelling provided:
 - a. The facilities and appropriate parking spaces are arranged so as not to create glare, noise, or traffic problems for users within two hundred (200) feet of the property lines.
 - b. The Commission may require roads and drives to be treated to reduce dust.
 - c. All structures which are a secondary use, serving food and drinks to it's patrons and guests shall meet all Northeast

District Department of Health and State Codes. Such use shall not represent itself to be a Restaurant/Tavern/or Banquet Hall.

3. Carnival/Fair: Subject to the following conditions:
 - a. Permits approved under this section shall be temporary only. If the commission, in its discretion, grants the permit, a temporary permit shall be valid for a specified period determined by the Commission, but in no case to exceed ten (10) days. No more than one (1) such permit shall be issued for the same applicant on any property within a calendar year.
 - b. A carnival/fair shall be permitted only on properties within a nonresidential district or on properties in a residential district which front on a major road, as shown on the town Plan of Development, or have direct access to such a road without requiring traffic to pass through local residential streets. No activity of the fair shall be conducted within one hundred seventy five (175) feet of abutting properties which contain residential dwellings.
 - c. All mechanical rides shall be licensed pursuant to the provisions of Section 29-133 through 29-137, Connecticut General Statutes as hereinafter amended, and all tents shall be inspected and licensed pursuant to Section 29-136, Connecticut General Statutes as hereinafter amended.

For mechanical rides or devises capable of accommodating three (3) or more persons, the following minimum insurance amounts shall apply: for bodily injury, five hundred thousand dollars per person and five million dollars per accident; for property damage, five hundred thousand dollars. The character and form of the financial responsibility shall be as the State Insurance Commissioner has determined to be necessary for the protection of the public.
 - d. The owner of the property where the carnival/fair shall take place shall pay for all fire and/or police protection that is required. The amount of such fire protection shall be determined by the Fire Marshal and Board of Selectmen. The amount of such police protection shall be determined by the State Police pursuant to state statutes.
 - e. The owner of the property where the carnival/fair shall take place shall submit to the Planning and Zoning Commission a traffic safety plan. Said plan shall also be submitted to the Board of Selectmen and the State Police for their inspection and comment.
 - f. The site plan prepared pursuant to the applicant's application for a special permit shall be reviewed by the Inland Wetlands Commission to determine whether wetlands exist over which said Commission shall exercise jurisdiction.

- g. The sale, service, and or/consumption of alcohol shall be prohibited.
 - h. No camping or tenting shall be permitted: self contained motor homes occupied by participants or employees of the fair only may be parked in the parking area overnight. A self contained motor home shall have within the vehicle self-contained sanitary, water and electric systems.
 - i. The Northeast District Department of Health shall certify to the Planning and Zoning Commission that satisfactory plans exist for sanitary public restrooms and for refuse disposal.
 - j. The use of loudspeakers or other sound amplification devices shall be permitted only if such devices shall be so located and controlled as to minimize noise levels on any neighboring properties in residence use.
 - k. Adequate parking shall be provided on the site or on abutting properties and no vehicular parking shall be permitted on public highways abutting the site.
 - l. No firearms shall be permitted on the site except as carried by law enforcement personnel or as used in a gaming function by the carnival/fair operators.
 - m. This special permit regulation shall not apply to a carnival/fair owned by or for the exclusive benefit of any non-profit or religious organization, provided said event shall not have attendance in excess of 5,000 persons per day or shall exceed five (5) acres in area, or provided the event does not exceed five (5) days in one (1) calendar year.
 - n. Permission to hold a carnival/fair pursuant to the aforesaid conditions may be revoked at any time if any of the preceding conditions are not met or lapse.
5. Expansion or enlargement of business office buildings, other than those permitted by right, provided:
- a. The business activity was lawfully in existence at the location as of the date these regulations were originally adopted.
 - b. The business activity does not involve on-premises sale of goods or services to the general public.
 - c. Adequate provisions shall be made to accommodate on-premises employee parking, pursuant to Article VI, Section 4.
 - d. Minimum setbacks from property lines for new buildings and/or parking areas shall be fifty (50) feet. The Commission may require the planting of trees, hedges, or other landscaping so as to minimize any visual impacts to adjacent residential premises.
 - e. The expansion or enlargement will generate minimal off-site impacts in terms of increased traffic, noise, or lighting illumination glare.

6. Convalescent homes licensed by the State of Connecticut, provided the home is connected to municipal sewers and a public water supply.
7. Stands for the sale of farm, nursery, or greenhouse products, provided:
 - a. Products grown or raised by the proprietor or locally produced foods whose primary purpose is to sell these products. These products cannot exceed 75% of the stand area.

SECTION 2 - Low-Density Residential District (R-40)

The area within this district is generally characterized by soils posing moderate or slight limitations for development, by proximity to existing development, or by proximity to major roads. The area within the district is not, however, as suitable for intensive development as the areas in the High-Density Residential District. Permitted uses for land in the Low-Density Residential District are described in this section of Article VIII and in Article VI.

Any use in any district shall adhere to the Aquifer Protection Regulations adopted herein.

A. Uses Permitted by Right

The following uses of land and structures shall be permitted in the Low-Density Residential District (R-40) and require no further approval by the Commission. A certificate of compliance shall be issued for these uses specified in Article II:

1. Farms, including all types of horticulture, animal husbandry, and forestry, provided:
 - a. Roofed structures in which cattle, horses, sheep, goats, pigs, or other livestock, or more than one hundred fifty (150) fowl are kept shall not be located closer than one hundred fifty (150) feet to any property line nor closer than one hundred fifty (150) feet to any watercourse or body of water.
 - b. Fertilizer and manure shall not be stored closer than one hundred fifty (150) feet to any property line, nor closer than one hundred fifty (150) feet to any watercourse or body of water. Fertilizer and manure storage must meet "Best Management Guidelines" as outlined by University of Connecticut College of Agriculture and natural resources.
 - c. Slaughtering of animals, except animals raised on the premises, is prohibited.
2. Riding Stables or academies, or boarding stables for five (5) or more horses, provided:
 - a. Lot area shall be at least ten (10) acres.

- b. All buildings and structures, including riding rings and manure pits, shall be located at least one hundred fifty (150) feet from all property lines and at least one hundred fifty (150) feet from all watercourses or bodies of water.
 - c. The use of temporary buildings or trailers for the stabling of horses in excess of fifteen (15) days is prohibited.
- 3. Single-family or duplex dwellings and accessory outbuildings or structures for exclusive use by the inhabitants of the dwelling.
- 4. Home Occupations: see definition “Home Occupation”.
- 5. Stands for the sale of farm, nursery, or greenhouse products, provided:
 - a. Products grown or raised by the proprietor or locally produced foods whose primary purpose is to sell these products. These products cannot exceed 75% of the stand area.
 - b. The stand is operated on a seasonal basis and is closed at least three (3) continuous months a year.
 - c. Stands remaining open in excess of nine (9) months will require a Special permit.
- 6. Signs for a business or activity conducted on the same property, provided:
 - a. Outdoor advertising on the property shall be limited to one un-illuminated sign, facing one (1) or two (2) directions, neither of which faces shall exceed six (6) square feet, exclusive of supporting standards.
 - b. Sign shall be located such that vehicular and pedestrian sight lines are not blocked.
- 7. Family Child Day Care, Group Child Day Care, Elder Care – see “Care Services” definitions.
- 8. Country Inn: Subject to the conditions listed in Article VIII, Section 1 A.8.

B. Uses Allowed by Special Permit

In addition to the uses permitted by right, the following uses of land and structure shall be allowed in the Low-Density Residential District (R-40) after the issuance of a special permit as specified in Article VII:

- 1. Campgrounds: Subject to the condition listed in Article VIII, Section 1, B.2.

2. Golf, tennis, swimming, and other sporting or recreational facilities, except those accessory to a dwelling provided:
 - a. The facilities and appropriate parking spaces are arranged so as not to create glare, noise, or traffic problems for users within two hundred (200) feet of the property lines.
 - b. The Commission may require roads and drives to be treated to reduce dust.
 - c. All structures which are a secondary use, serving food and drinks to its patrons and guests shall meet all Northeast District Department of Health and State Codes. Not to represent itself to be a Restaurant/Tavern/or Banquet Hall.
3. Convalescent homes licensed by the State of Connecticut, provided the home is connected to municipal sewers and a public water supply.
4. Carnival/Fair: Subject to the conditions listed in Article VIII, Section1, B.4.
5. Stands for the sale of farm, nursery, or greenhouse products, provided:
 - a. Products grown or raised by the proprietor or locally produced foods whose primary purpose is to sell these products. These products cannot exceed 75% of the stand area.

SECTION 3 - High-Density Residential District (R-20)

The area within this district for future residential development, lots created consisting of less than 40,000 sq. ft. of area shall be connected to municipal sewers and a public water supply. Areas within this district are close to community centers and commercial services but commercial and industrial development should not negatively impact this residential district. Permitted uses for land in this district are described in this section of Article VIII and in Article VI.

Any use in any district shall adhere to the Aquifer Protection Regulations adopted herein.

A. Uses Permitted by Right

The following uses of land and structures shall be permitted in the High-Density Residential District (R-20) and require no further approval by the Commission. A certificate of compliance shall be issued for these uses as specified in Article II:

1. Single-family or duplex dwellings and accessory outbuildings or structures for exclusive use by the inhabitants of the dwelling. Households pets such as dogs, cats, rabbits, and hamsters may be kept on the premises, but no cattle, horses, sheep, goats, pigs, or other livestock, chickens, turkeys or other fowl, bees, or other animals which may pose a nuisance to neighbors shall be kept.
2. Home Occupations: see definition “Home Occupation”.
3. Family Child Day Care, Group Child Day Care, Elder Care – see “Care Services” definitions.

B. Uses Allowed by Special Permit

In addition to the uses permitted by right, the following uses of land and structures shall be allowed in the High-Density Residential District (R-20) after the issuance of a special permit as specified in Article VII:

1. Multi-family dwelling and accessory recreational and maintenance facilities at densities not greater than six (6) dwelling units per acre, exclusive of areas defined as inland wetlands and watercourses by the Thompson Inland Wetlands and Watercourses Regulations, and non-buildable areas as determined by ledge outcroppings and slopes exceeding 25%.
 - a. Minimum net contiguous buildable area shall be 40,000 square feet. Sites may, with the approval of the Commission, be developed in stages, but plans for the entire site must be submitted and approved before construction on any portion may begin.
 - b. No amount of frontage on a public street shall be required for each dwelling unit, but the entire site must have at least one hundred fifty (150) feet of frontage on a public street. See Article V, Section 1. All common driveways and interior private roads to the development must be designed and built to the standards of a “Residential Access Street” as described in the Town of Thompson Subdivision Regulations, Appendix B.
 - c. All dwelling units shall be connected to public water and municipal sewers.
 - d. All utility connections shall be underground.
 - e. Each inhabited structure shall adjoin a dedicated yard consisting of a minimum of four hundred (400) square feet with a minimum side dimension of fifteen (15) feet on any side per dwelling unit for the use as recreational space for the inhabitants of each dwelling unit within that structure, the dedicated yard will be exclusive of item “g” following.
 - f. A minimum of two (2) off-street parking spaces per unit and one (1) remote parking space for every two (2) units. Remote parking

to be located in an accessible location, approved by the Commission. For units with more than two (2) bedrooms, one (1) additional off street parking space for each bedroom over two (2).

- g. All parking areas and drives shall be paved, however, alternative methods are encouraged and shall require Commission review and approval. Paved areas other than driveways that extend into a covered parking area shall not extend closer than six (6) feet to dwellings. The area between dwellings and paved areas shall be planted with vegetation or shall be used for individual porches, patios, or walkways.
 - h. At least 40% of the site shall not be covered by buildings, pavement, or any other impermeable surface, exclusive of wetlands, but shall be planted with grass or other vegetation. A landscaping plan with details concerning plantings and maintenance requirements shall be submitted and approved by the Commission prior to approval of this Special Permit
 - i. Driveways, parking areas, and grounds shall be privately maintained and maintenance shall be the responsibility of the individual association who holds ownership of the property. In the event that the owner of the property fails to maintain such areas in reasonable order and safe condition, the Commission may serve written notice to such individual or association, setting forth the nature of the maintenance deficiency and requiring its correction within thirty (30) days, after which time, if the deficiency remains, the Town may assume maintenance to avoid the creation or promulgation of a public nuisance, and shall assess the owner of such property for Town expenses incurred in the form of a lien on the property.
 - j. Projects that will consist of sixteen (16) or more dwelling units when all phases have been completed shall provided for a minimum of 20% dwelling units to be deed restricted for active adults, 55 and older residents.
 - k. The minimum distance between any point on a building and any other building on the same lot shall be thirty (30) feet.
2. Tennis, swimming, and other sporting or recreational facilities, except those accessory to a dwelling, provided:
- a. The facilities and appropriate parking spaces are arranged so as not to create glare, noise, or traffic problems for users within two hundred (200) feet of the property lines.
 - b. Roads and drives shall be paved so as to minimize dust and noise.

3. Convalescent homes licensed by the State of Connecticut, provided the home is connected to municipal sewers and a public water supply.
4. Campgrounds: Subject to the condition listed in Article VIII, Section 1, B.2.

SECTION 4 - Commercial District (C)

The several portions of the Commercial District are intended to provide a variety of goods and services to people who live, work or travel in the Town of Thompson. The Commercial District is tightly confined to a few areas adjacent to community centers and segments of major roads in order to minimize nuisances in residential and industrial areas, to promote highway safety, to minimize the need for travel to dispersed locations, to promote the long range visibility of commercial centers, to protect and promote visual attractiveness, and to protect property values in general. Permitted uses for land in this district are described in this section of Article VIII and in Article VI.

Any use in any district shall adhere to the Aquifer Protection regulations adopted herein.

A. Uses Permitted by Right

The following uses of land and structures shall be permitted in the Commercial District (C) and require no further approval by the Commission, **provided there are not drive-in windows for Commercial transactions and provided there are fewer than twelve (12) parking spaces on the premises.** A certificate of compliance shall be issued for these uses as specified in Article II:

1. Stores for the conduct of trade, provided no merchandise, except newspapers, shall be displayed or stored outside a building.
2. Establishments for hair care, tailoring, and similar personal services.
3. Offices, including medical and dental clinics and professional studios.
4. Laundries and dry-cleaning establishments.
5. Repair shops, except motor vehicle repair shops.
6. Manufacturing of food products or handcrafted items for sale exclusively on the premises at retail, including food preparation, caterers, and bakeries.

7. Restaurants.
8. Banks and loan establishments.
9. Funeral homes and undertaking establishments.
10. Child Day Care Center, Adult Day Care Center – see “Care Services” definitions.
11. Signs for a business or activity conducted on the property, provided:
 - a. One freestanding sign shall be permitted per building, facing one or two directions, neither of which faces shall exceed twenty five (25) square feet in area, exclusive of supporting stands, and which sign shall not be higher than ten feet above the ground.
 - b. Signs attached to buildings shall not extend above the top of the wall or roof to which they are attached.
 - c. Signs attached to buildings shall not project more than six (6) feet from the wall to the building to which they are attached.
 - d. Required lighting shall be downcast and arranged and installed to minimize glare on adjacent property, and adjacent streets and highways.
12. One dwelling unit per lot, occupied by a person who is an owner, corporate officer, manager, caretaker, or janitor of a permitted use on the same lot, together with any of his family.

B. Uses Allowed by Special Permit

In addition to the uses permitted by right, the following uses of land and structures shall be allowed in the Commercial District (C), provided that no one structure exceeds 100,000 gross square feet, and after the issuance of a special permit as specified in Article VII.

1. Any use of land permitted by right in the Commercial District (C) and having one (1) or more drive-in windows for commercial transactions or having five (5) or more parking spaces on the premises, provided the arrangement and marking of curbs, driveways, and parking spaces is safe and convenient for pedestrians and vehicles. Parking must conform to Article VI, Section 4.

2. Stores for the conduct of trade which have or will have articles displayed for sale outside the building, including auto dealers, farm machinery dealers, nurseries, and similar uses, provided:
 - a. Outdoor merchandise is suitably displayed, guarded, fenced, or screened by plantings so as not to produce a safety hazard, nuisance, or blight to the neighborhood.
 - b. The arrangement and marking of any curbs, driveways, and parking spaces on the premises is safe and convenient for pedestrians and vehicles.
3. Gasoline stations and motor vehicle service and repair establishments, provided:
 - a. No curb cut or driveway connections to a street shall be wider than thirty (30) feet and no part of any curb cut or driveway connection to the street shall be within twenty five (25) feet of any street intersection or within ten (10) feet of any property line.
 - b. Gasoline pumps and/or underground storage tanks shall be setback at least twenty five (25) feet from the roadway and fifty (50) feet from residential abutting property lines.
 - c. Any petroleum or other flammable products stored above ground shall be contained in drums or other containers no greater than fifty five (55) gallons, except the fuel oil to be consumed on the premises may be stored in a two hundred seventy five (275) gallon tank.
 - d. Issuance of a special permit does not alter the need for other approvals required by the Connecticut General Statutes.
4. Motels, provided:
 - a. Lot area shall be at least two (2) acres.
 - b. The arrangement and marking of curbs, driveways, and parking spaces on the premise is safe and convenient for pedestrians and vehicles.
5. Commercial Recreation Establishments.
 - a. The arrangement and marking of any curbs, driveways, and parking spaces on the premises is safe and convenient for pedestrians and vehicles.
 - b. The complex is landscaped with trees, shrubs, and other vegetation to the satisfaction of the Commission.
6. Shopping complexes combining two (2) or more stores or other permitted uses in the same building, in which case the minimum required lot area and lot frontage on a public street shall be no greater than what would normally be required for only one (1) store or other permitted use, provided:

- a. The arrangement and marking of any curbs, driveways, and parking spaces on the premises is safe and convenient for pedestrians and vehicles.
 - b. The Commission deems the number of parking spaces available to patrons and employees to be sufficient.
 - c. The shopping complex is landscaped with trees, shrubs, and other vegetation to the satisfaction of the Commission.
7. Convalescent Homes or Health Care Centers licensed by the State of Connecticut, provided the home or center is connected to municipal sewers and a public water supply. The definition of convalescent homes and health care centers as per the State of Connecticut Public Health Code.
8. Trucking Businesses and Terminals.
9. Adult Oriented Establishments – see definitions.
 - a. The establishment must meet all requirements as stated in Article IX, Section 8.
 - b. The establishment must meet all Special Permit requirements as stated in Article VII.
10. Body Art Establishments – see definitions.
 - a. The establishment must meet all requirements as stated in Article IX, Section 9.
 - b. The establishment must meet all Special Permit requirements as stated in Article VII.
11. Dog Kennels, and Veterinary Hospitals, provided:
 - a. Animals shall be allowed in outside runs or pens only during day-time hours.
 - b. All buildings in which animals are housed shall be constructed of masonry or frames with insulation and shall have finished interior walls.
 - c. In veterinary hospitals, exercise runs shall have finished masonry floors with covered drains.
 - d. Such facilities shall be located at least one hundred fifty (150) feet from all property lines and at least one hundred fifty (150) feet from all watercourses and bodies of water.
 - e. Lot area shall be at least five (5) acres for kennels.
 - f. The kennel and/or veterinary hospital shall conform to all applicable State of Connecticut regulations.
12. Taverns.
 - a. The establishment must meet all Special Permit requirements as stated in Article VII.

13. Farmer's Market

Seasonal outdoor farmers' markets shall be permitted on a temporary basis subject to a special permit on property located in a Commercial Zone, on Town owned property, or on an active farm enterprise, provided:

- a. Items on display and offered for sale shall be limited to agricultural produce and goods.
- b. It shall be open only between May 1st and November 15th, between the hours of 7:00 AM and 7:00 PM.
- c. A minimum of one (1) off street parking space shall be provided for every one hundred (100) square feet of vendor display area. The Commission may approve the joint use of an existing parking lot provided the applicant can document that there is adequate capacity available in the parking lot to safely support both the principal use and the farmers' market.
- d. A simple sketch plan shall be submitted showing the location of vendor display areas and parking.
- e. Said Zoning Permit issued for this use shall be valid for one (1) year.

SECTION 5 - Industrial District (I)

The area within the Industrial District (I) is intended for manufacturing, wholesaling, and warehousing, research laboratories, offices, and similar land uses which are important to the economy of the Town of Thompson and the availability of employment. It is in the public interest to protect and reserve suitable sites for these land uses free from disadvantages posed by residences or retail establishments and to protect agricultural, residential, and commercial districts from intrusions by industries and offices which would create liabilities within these districts. Permitted uses for land in this district are described in this section of Article VIII and in Article VI.

Any use in any district shall adhere to the Aquifer Protection Regulations adopted herein.

A. Uses Allowed by Special Permit

The following uses of land and structures shall be allowed in the Industrial District (I), provided the industrial use does not involve the use of hazardous materials, and after the issuance of a special permit as specified in Article VII:

1. Storage, manufacturing, and processing of goods not expressly prohibited by these regulations.

2. Wholesaling and related storage, provided that no one (1) structure exceeds 100,000 gross square feet.
3. Printing and publishing establishments.
4. Research laboratories.
5. Offices for businesses involved primarily in storage, manufacturing, processing, or wholesaling of goods, printing, publishing or research on the premises providing the arrangement and marking of curbs, driveways, and parking spaces on the premises is safe and convenient for pedestrians and vehicles.
6. Retail salesrooms associated with businesses involved primarily in storage, manufacturing, processing, or wholesaling of goods, printing, publishing, or research on the premises, provided the arrangement and marking of curbs, driveways, and parking spaces on the premises is safe and convenient for pedestrians and vehicles.
7. Signs for a business or activity conducted on the property provided:
 - a. One (1) freestanding sign shall be permitted per building, facing one (1) or two (2) directions, neither of which faces shall exceed twenty five (25) square feet in area, exclusive of supporting standards, and which sign shall not be higher than ten (10) feet above the ground.
 - b. Signs attached to a building shall not extend above the top of the wall or roof to which they are attached.
 - c. Signs attached to buildings shall not project more than six (6) feet from the wall of the building to which they are attached.
 - d. Required lighting shall be downcast and arranged and installed to minimize glare on adjacent property, and adjacent streets and highways.
8. One dwelling unit per lot, ancillary to the industrial use of the lot, occupied by a person who is a owner, corporate officer, manager, caretaker, or janitor of a permitted use on the same lot, together with any of his family.
9. Bulk storage of cement and petroleum products (other than fuel and bottled gas), concrete and bituminous mixing plants.
10. Commercial storage and sale of fuel and bottled gas, provided:
 - a. Total above-ground tank capacity shall not exceed 50,000 gallons.

- b. No above-ground tank shall be located within fifty (50) feet of any building or two hundred fifty (250) feet of any property line.

11. Trucking businesses and terminals.

12. Child Day Care Center – see “Care Services” definition.

13. Commercial Recreation Establishment

SECTION 6 - Thompson Common Preservation District (TC-80)

The area within this district, in recognition of its unique architectural character, has been designated as a National Historic District and is listed on both the National Register of Historic Places and the Connecticut Register of Historic Places, under State of Connecticut General Statutes, Section 8-2, “zoning regulations may be made in reasonable consideration for the protection of historic factors.” The purpose of the Thompson Common Preservation District is to provide for appropriate uses, as described in this section of Article IV and in Article VI, which do not disrupt the scale or traditional residential and architectural character of this area so as to preserve this district as part of the heritage of all Thompson residents.

Any use in any district shall adhere to the Aquifer Protection Regulations adopted herein.

A. Uses Permitted by Right

The following uses of land and structures shall be permitted in the Thompson Common Preservation District (TC-80) and require no further approval by the Commission. A certificate of compliance shall be issued for these uses as specified in Article II:

1. Farms, including all types of horticulture, animal husbandry, and forestry,
provided:
 - a. Roofed structures in which no more than three in total cattle, horses, sheep, goats, pigs, or other livestock, or more than one hundred fifty (150) fowl are kept shall not be located closer than one hundred fifty (150) feet to any property line nor closer than one hundred fifty (150) feet to any watercourse or body of water.
 - b. Fertilizer and manure shall not be stored closer than one hundred fifty (150) feet to any property line, nor closer than one hundred fifty (150) feet to any watercourse or body of water. Fertilizer and manure storage must meet the “Best Management Guidelines” as outlines by the University of Connecticut College of Agriculture and natural resources.

- c. Slaughtering of animals, except animals raised on the premises, is prohibited.
- 2. Riding Stables or academies, or boarding stables for five (5) or more horses, provided:
 - a. Lot area shall be at least 10 (ten) acres.
 - b. All buildings and structures, including riding rings and manure pits, shall be located at least one hundred fifty (150) feet from all property lines and at least one hundred fifty (150) feet from all watercourses or bodies of water.
 - c. The use of temporary buildings or trailers for the stabling of horses in excess of fifteen (15) days is prohibited.
- 3. Single-family or duplex dwellings and accessory outbuildings or structures for exclusive use by the inhabitants of the dwelling.
- 4. Home occupations: see definition "Home Occupation".
- 5. Family Child Day Care, Group Child Day Care, Elder Care – see "Care Definitions" definitions.
- 6. Stands for the sale of farm, nursery, or greenhouse products, provided:
 - a. Products grown or raised by the proprietor or locally produced foods whose primary purpose is to sell those products. These products cannot exceed 75% of the stand area.
 - b. The stand is operated on a seasonal basis and is closed at least three (3) months a year.
- 7. Signs for a business or activity conducted on the same property, provided:
 - a. Outdoor advertising on the property shall be limited to one un-illuminated sign, facing one or two directions, neither of which faces shall exceed six (6) square feet, exclusive of supporting standards.
 - b. Sign shall be located such that vehicular and pedestrian sight lines are not blocked.
- 8. Country Inn: Subject to the conditions listed in Article VIII, Section 1, A.8.

SECTION 7 – Neighborhood Commercial District (NC)

The areas within this district have access to public water and municipal sewer and close proximity to State Highways. These areas are appropriate for mixed commercial, professional office, and multifamily projects

including both new structures and conversions of existing structures. Although construction of new single family houses is not permitted, existing structures may be converted to single family or duplex dwellings. This district is intended to provide a variety of retail, service, financial, professional, or other commercial establishments within walking distance of residences. Projects shall be pedestrian friendly and shall be connected, to the satisfaction of the Commission, via sidewalks, trails or paths to uses within the project and adjacent projects or properties. No barriers to pedestrian traffic such as fences, retaining walls, drainage ditches, or other devices shall exist between adjacent buildings unless adequate provision for safe and convenient crossings of such barriers is made. Commercial businesses and professional offices must be capable of intermingling harmoniously with residences and blend into the character and scale of the neighborhood. The conversion and restoration of historic mill buildings (in existence prior to zoning) to offices or multifamily dwellings is encouraged; ratios listed herein do not apply to historic mill buildings regarding density use or percentages of residential versus commercial new construction. Buffer screening requirements may be modified for historic mill structures upon the Commission's review and approval.

New construction building square footage, excluding basements, in this district shall abide by a maximum 70% residential to a minimum 30% commercial ratio, to be built in phases approved by the Commission. No more than 50% of the proposed residential units shall receive a Certificate of Zoning Compliance without the issuance of a Certificate of Zoning Compliance for 50% of the proposed commercial space. No more than 90% of the residential unit shall receive a Certificate of Zoning Compliance without issuance of a Certificate of Zoning Compliance for all the proposed commercial space.

BUFFER SCREENING

A landscaped buffer site plan shall be required where any lot or part thereof in a neighborhood commercial district, adjoins or fronts on a street opposite a residential district, a landscaped buffer strip fifty (50) feet wide shall extend the length of such district boundaries and/or street frontage of which twelve (12) feet in width shall be planted with evergreen shrubs and trees at least six (6) feet high, or a density sufficient to obscure lights and other visually objectionable items, satisfactory to the Commission, as will safeguard the residential character of the adjoining properties. Said Commission may reduce the requirements for part of such landscaped buffer strip, where topography, permanent natural features, public lands, or buildings design accomplish the purpose of separation and screening of commercial and industrial districts from residential districts. In no case, shall the landscaped buffer strip be reduced to less than twenty (20) feet. Where a building exceeds

twenty five (25) feet in height, an additional one foot of landscaped buffer strip shall be required for each additional foot of building height in excess of twenty five (25) feet. Where any lot or part hereof abuts on a major watercourse, the landscaped buffer strip of fifty (50) feet wide, as described above, shall be provided adjacent to such major watercourse in addition to any required side or rear yards.

A. Uses Permitted by Right

The following uses of land and structures shall be permitted in the Neighborhood Commercial District (NC) and require no further approval by the Commission, provided there are no drive-in windows for Commercial transactions, and provided there are fewer than twelve parking spaces on the premises. A certificate of compliance shall be issued for these uses as specified in Article II. The maximum floor area devoted to any single permitted use shall not exceed 4,000 square feet.

1. Stores for the conduct of trade, provided no merchandise shall be permanently displayed or stored outside a building.
2. Establishments for hair care, tailoring, and similar personal service.
3. Offices, including medical and dental clinics and profession studios.
4. Laundries and dry-cleaning establishments.
5. Manufacturing of food products or handcrafted items for sale exclusively on the premises at retail, including food preparation, caterers, and bakeries.
6. Restaurants.
7. Banks and loan establishments.
8. Indoor recreational facilities, including tennis courts, bowling alleys, billiard parlors, health clubs, dance studios, theaters, and similar establishments.
9. Funeral homes and undertaking establishments.
10. Child Day Care center, Adult Day Care Center – see “Care Services” definitions.

11. Conversion of an existing primary structure to a single family or duplex dwelling.
12. Signs for a business or activity conducted on the property, provided:
 - a. One (1) freestanding sign shall be permitted per building, facing one (1) or two (2) directions, neither of which faces shall exceed twenty five (25) square feet in area, exclusive of supportive stands, and which sign shall not be higher than ten (10) feet above the ground.
 - b. Signs attaches to buildings shall not extend above the top of the wall or roof to which they are attached.
 - c. Signs attached to buildings shall not project more than six (6) feet from the wall to the building to which they are attached.
13. Adequate lighting shall be provided in proposed parking lots. Lighting shall be “downcast” lighting arranged and installed to minimize glare onto adjacent properties and adjacent streets. Light poles shall not exceed twenty (20) feet in height.

B. Uses Allowed by Special Permit

In addition to the uses permitted by right, the following uses of land and structures shall be allowed in the Neighborhood Commercial District (NC) after the issuance of a special permit as specified in Article II:

1. Multifamily dwelling and accessory recreational and maintenance facilities at densities not greater than six dwelling units per acre, exclusive of areas defined as inland wetlands and watercourses by the Thompson Inland Wetlands and Watercourses Regulations, and non-buildable areas as determined by ledge outcroppings and slopes exceeding 25%, provided:
 - a. Sites may, with the approval of the Commission be developed in phases, but plans for the entire site must be submitted and approved before construction on any phase may begin.
 - b. No amount of frontage on a public street shall be required for each dwelling unit, but the entire site must have at least one hundred fifty (150) feet of frontage on a public street.
 - c. All dwelling units shall be connected to public water and municipal sewer.
 - d. All utility connections shall be underground.
 - e. Each dwelling unit shall adjoin a separate yard consisting of four hundred (400) square feet with a minimum side

dimension of fifteen (15) feet on any side per unit which is for the use of the inhabitants of each dwelling unit. For larger development proposals, the Commission, at its discretion, may require additional Open Space areas for use by the inhabitants.

- f. A minimum of one (1) off street parking space per bedroom shall be provided for each dwelling unit with a minimum of two (2) off street parking spaces per unit, in addition to one (1) remote parking space per every two (2) units to be located in an accessible location, approved by the Commission, exclusive of parking spaces of commercial area.
 - g. All parking areas and drives shall be paved, however, alternative methods are encouraged and shall require Commission review and approval.
 - h. At least 40% of the site, exclusive of areas defined as inland wetlands and watercourses, shall not be covered by buildings, pavement, or any other impermeable surface, but shall be planted with grass or other vegetation; except for structures in existence prior to zoning.
 - i. Driveways, parking areas, and grounds shall be privately maintained unless the private individual or association responsible for maintenance fails to maintain such areas in reasonable order and condition, in which case the Commission may serve written notice to such individual or association, setting forth the nature of the maintenance deficiency and requiring its correction within thirty (30) days, after which time, if the deficiency remains the Town may assume maintenance to avoid creation of public nuisance, and shall assess the owner of such property for Town expenses incurred, such assessment becoming a lien on the property.
 - j. Projects that will consist of 16 or more dwelling units when all phases have been completed shall provide for a minimum of 20% of dwelling units to be deed restricted for active adults, 55 and older residents.
 - k. The minimum distance between any point on a building and any other building on the same lot shall be thirty (30) feet.
2. Any use of land permitted by right in the Neighborhood Commercial District (NC) and having one or more drive-in windows or having twelve or more parking spaces of the premises, provided the arrangement and marking of curbs, driveways, and parking spaces is safe and convenient for pedestrians and vehicles. Parking must conform to Article VI, Section 4.

3. Mixed use structures may be permitted. Joint use of parking facilities shall be permitted with the number of parking spaces as required by Article VI, Section 4. The Commission may allow a reduction in the number of parking spaces required if it finds that it is appropriate, such as the case when commercial/office uses are not open for business during evening hours. A change in a commercial use shall require Commission review and approval.
4. Shopping complexes combining two (2) or more stores or other permitted uses in the same building, in which case the minimum required lot area and lot frontage on a public street shall be no greater than what would normally be required for only one (1) store or other permitted use, provided:
 - a. The arrangement and marking of any curbs, driveways, and parking spaces on the premises is safe and convenient for pedestrians and vehicles.
 - b. The Commission deems the number of parking spaces available to patrons and employees to be sufficient.
 - c. The shopping complex is landscaped with trees, shrubs, and other vegetation to the satisfaction of the Commission.

ARTICLE IX - SPECIAL ISSUES

SECTION 1 - Flood Control Measures

1. The Commission shall review development proposals to determine whether such proposals will be reasonably safe from flooding. If a development proposal is in a designated flood-prone area, i.e., within

Zone A on the Thompson Flood Hazard Boundary Map, any such proposal shall be reviewed to assure that:

- a. All such proposals are consistent with the need to minimize flood damage within the flood-prone area;
 - b. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage is provided to reduce exposure to flood hazards.
2. The development proposal shall fully meet the requirements of the Town of Thompson's "Ordinance Amending the Flood Damage Prevention Ordinance." Evidence of the development proposal compliance with the above reference ordinance shall be submitted as part of the application to the Commission.
 3. In the absence of the base flood evaluation data which may be furnished by the Federal Insurance Administrator, the Commission shall with the assistance of the applicant obtain, review and reasonably utilize any base flood elevation data from a Federal, State or other source, until such other data has been provided by the Administrator, as criteria for requiring the provisions of the preceding paragraph.

SECTION 2 - Aquifer Protection Program

A. Title and Authority

Aquifers are an essential natural resource and a major source of public drinking water for the State of Connecticut. Use of groundwater will increase as the population grows and opportunities for new surface water supplies diminish due to the rising cost of land and increasingly intense development. At the same time, numerous drinking water wells have been contaminated by certain land use activities, and others are now threatened. Thus, protecting groundwater from pollution requires coordinated responsibilities shared by the state, municipality, and water companies to ensure a plentiful supply of public drinking water for present and future generations. It is therefore the purpose of these regulations to protect aquifer protection zones within the Town of Thompson by making provisions for:

- a. Regulating certain land use activities within the aquifer protection zones,
- b. Delineating the aquifer protection zones of the Town Groundwater or Aquifer Resources Map,
- c. Administering and enforcing these regulations.

B. Aquifer Protection Zone

The Aquifer Protection Zone shall consist of two (2) distinct zones: Aquifer Protection Zone I (APZ I) and Aquifer Protection Zone II (APZ II). These Aquifer Protection Zones consist of land overlying stratified drift aquifers which are present or potential sources of municipal water supply. The intent of these regulations in this section is: to prevent the contamination and other impairment of these valuable groundwater resources; to establish aquifer protection zones and regulate activities which pose a threat to groundwater when located entirely or in part within aquifer protection zones; to establish best management practices for existing and future regulated activities; and to provide for a review process for exempting certain activities in an aquifer protection zone in cases where the Commission determines that such activities do not pose a threat to the groundwater.

- a. APZ I “Aquifer Protection Zone I” refers to the wellhead protection zone for Thompson’s existing public water supply, and it is currently mapped to a Level B standard as required by Connecticut General Statutes (C.G.S.), Section 22a-354c. According to C.G.S., Section 22a-354z, Level A mapping will supercede Level B mapping on or about June 1, 2008.
- b. APS II “Aquifer Protection Zone II” is an overlay zone and refers to groundwater protection in designated areas known as stratified drift deposits (SDDs). These SDDs are identified and appear on the Town of Thompson’s Groundwater or Aquifer Resource Map.

These zones, APZ I and APZ II will be overlain or superimposed on the Thompson Zoning Map and new uses allowed by Special Permit in these zones will require appropriate design and performance standards in addition to the restrictions applicable to the underlying zoning district.

C. Boundary

The Aquifer Protection Zones shall be designated on the Thompson Zoning Map delineated in accordance with the Level B mapping provided by Connecticut Water Company (APZ I) and data derived from assumptions and procedures established by the US Geological Survey and the Connecticut Water Resources Commission (APZ II).

- a. APZ I – has been delineated by Connecticut Water Company to the Level B mapping requirements in accordance with C.G.S., Section 16-1, and as delineated on the Thompson Zoning Map. Level B mapping will replace the current Level B on or about June 1, 2008.
- b. APZ II – consists of other stratified drift deposit areas that have been delineated according to data supplied by the Green Valley Institute and the Connecticut Department of Environmental Protection Data 2003 Ed. This dataset was

generated from surficial materials data generated originally by the United States Geological Survey (USGS) in cooperation with the Connecticut Water Resources Commission.

The APZ I and APZ II maps are on file at the Planning & Zoning office.

D. Review and Notice of Intent to Conduct Activity within and Aquifer Protection Zone

1. All proposed activities on parcels within or partially within one of the Aquifer Protection Zones, APZ I and APZ II, shall be reviewed by the Zoning Enforcement Officer to determine if the proposal poses a threat to groundwater. Groundwater threats are identified in the Connecticut DEP Bulletin #26, titled "Protecting Connecticut's Groundwater", pages 106 through 116. Activities that involve the use or storage of the following pose a risk to groundwater: solvents, petroleum products, pesticides, nitrates, biologic pollutants, salt, metals, and acids/bases. For more details regarding these items or for a list of groundwater risks by zoning category, see Connecticut DEP Bulletin #26, titled "Protecting Connecticut's Groundwater", pages 26, 27, and 29.

Such Review of Notice of Intent shall be on a form provided by the Planning & Zoning Commission. Upon review, if the Zoning Enforcement Officer finds that the proposed activity poses no threat to groundwater as described in the Connecticut DEP Bulletin #26, then the activity will be exempt from requiring a permit.

If the Zoning Enforcement Officer finds that the proposed activity poses a potential threat to groundwater, then a Special Permit application as described in Section VII of these regulations will be required. The applicant will be required to utilize Best Management Practices (BMPs) in accordance with the standards set forth in the Connecticut DEP's Best Management Practices document, as part of the Special Permit application. BMPs are required in order to avoid contamination/pollution of the groundwater.

All completed reviews with the Zoning Enforcement Officer's findings and comments shall be kept on file by the Zoning Enforcement Officer and shall be presented to the Commission at the next regularly scheduled meeting.

2. Activities which pose a significant threat to groundwater quality are listed in the Connecticut DEP Bulletin #26, titled "Protecting Connecticut's Groundwater", pages 29, and 106 through 116. Except for the activities that are recommended "prohibited," proposed activities may be considered if the applicant can provide appropriate safeguards and assurances in accordance with the State of Connecticut DEP's Best Management Practices.

3. The Planning & Zoning Commission may impose reasonable conditions and limitations on any Special Permit issued under this section to assure protection of the groundwater including, but not limited to, the following:

- a. Best Management Practices as cited above;
- b. Groundwater Monitoring.

4. The following general provisions shall be included in the issuance of all Special Permits pertaining to the Aquifer Protection Zones:

- a. The Planning & Zoning Commission has relied in whole or in part on information provided by the applicant and if such information subsequently proves to be false, deceptive, incomplete, or inaccurate, the permit may be modified, suspended, or revoked.
- b. An applicant may be required to file a cash bond as a condition of the special permit.

E. Contents of Site Plan

In addition to the requirements set forth in Article VII of these regulations, the site plan shall be accompanied by a report detailing the following information:

- a. Amount and composition of materials and wastes (including ash from combustion) used and created on the site; the proposed methods of use and storage of these materials; and the proposed method of disposal of waste outside the aquifer protection zone.

F. Site Plan Review Considerations

In reviewing an application for zoning approval, the Commission and/or its staff shall take into account the public health, safety, and welfare of the public in general and the immediate neighborhood in particular, and may prescribe conditions and safeguards to ensure that the quality of the groundwater will not be adversely affected. In cases where state approval is required, local approval will be conditional upon the receipt of the necessary state permits and/or approval and subsequently no building permit will be issued until such time as all necessary permits from the State Department of Environmental Protection have been issued.

G. Commission Action

The Commission shall approve, modify, or deny the site plan within sixty-five (65) days from the date of official receipt by the Commission.

The Commission shall state the reasons for its decision. This decision shall be based on the conformity of the proposed use or activity to the criteria established under this provision and those set forth in the applicable residential, commercial, industrial or flood hazard and aquifer zoning district. In order to be placed on the agenda the applications must be filed in the office of the Commission at least seven (7) days prior to a regular meeting.

H. Non-Conforming Uses

- a. It is not the intent of these regulations to encourage the continued existence of any non-conforming use. Therefore, any such use in existence within the confines of the aquifer protection zone which is not in conformance with this provision may remain until such time that 50% or more of the assessed valuation of the property is destroyed by fire, flood, or other natural disaster.
- b. All pre-existing uses which do not conform to these regulations upon the effective adoption date shall be considered existing non-conforming uses. No existing non-conforming use shall be enlarged, expanded or changed unless in compliance with these regulations.
- c. It is expected that all pre-existing non-conforming uses prior to the effective adoption date of these regulations and located within the Aquifer Protection Zones will make every effort to implement the CT DEP's Best Management Practices in order to safeguard the groundwater resources.

I. Change of Use

Any change of use shall be in compliance with these regulations. The change in use of a principal activity shall be subject to review by the Zoning Enforcement Officer and allowed only if found to be in compliance with the intent of these regulations.

SECTION 3 - Storm Drainage and Storm Water Management

All site plans presented for approval that involve work disturbing a temporary or permanent area in excess of five (5) acres or more shall comply with the following standards:

1. REFERENCES

The following documents, most current revisions, are suggested and/or required as references in using this document:

- a. Most current edition of the State of Connecticut Department of Transportation Standard Specifications for Roads, Bridges, and Incidental Construction, as amended
- b. Town of Thompson Plan of Conservation and Development.
- c. Drainage Manual, Connecticut Department of Transportation.

- d. Urban Hydrology for Small Watersheds TR 55, U.S. Department of Agriculture, Soil Conservation Service.
- e. Erosion and Sediment Control Handbook, U.S. Department of Agriculture, Soil Conservation Service, Storrs, CT.
- f. Design methods other than those found in the above documents may be utilized if such methods are appropriate for the drainage system in question and approved by the Town Engineer.
- g. Most current edition of the Connecticut DEP Stormwater Quality Manual, as amended.

2. GENERAL

- a. In the design of all surface and subsurface drainage systems for the construction and/or improvements of land for residential, commercial, institutional, industrial sites, and other facilities, it is imperative that the designer apply the utmost care to protect the life and property of the residents, the public, the Town and the State. All facilities shall be planned and located so as to minimize the potential for damage to the property and all adjacent and/or downstream properties.
- b. Proposed drainage facilities shall be designed to accommodate the runoff from the entire upstream drainage area with full consideration given to the effects of potential land development that would reasonably occur under the most current zoning regulations.

3. DRAINAGE DESIGN AND CALCULATIONS

- a. **General:** All drainage must be designed and certified by a Professional Engineer registered in the State of Connecticut. Storm water flows may be computed by use of the Rational Method or by use of the methods described in the most current edition of the U.S. Soil Conservation Service Technical Release No. 55. Other methods of computing storm water flows may be utilized provided they conform to sound engineering practice. When the Rational Method is used, rainfall intensity-duration-frequency curves for the Windham area and runoff coefficients contained in the Connecticut Guidelines for Soil Erosion and Sediment Control shall be used. In general, the use of the Rational Method shall not be used in computing flows from watershed drainage areas in excess of two hundred (200) acres.
- b. **Design Storm Criteria:** All storm drainage facilities shall be designated based on the following storm return frequency criteria:
 - 1. On-site storm drainage system and minor channels.....ten (10) years
 - 2. Discharge pipes at low points including minor cross culverts...twenty five (25) years

3. Minor Streams (Upstream drainage area less than 1000 acres...fifty (50) years
4. Major Streams (Upstream drainage area greater than 1000 acres...one hundred (100) years
- c. **Submission of Drainage Information:** The following data shall be submitted for review by the Town:
 1. Topography contour map(s) with sufficient detail to adequately show the existing and proposed drainage characteristics of the watershed. Drainage area(s) shall be delineated on the map(s).
 2. Narrative and calculations addressing at least the following:
 - a. Method used to calculate storm water runoff.
 - b. Storm water runoff characteristics of the property before and after development.
 - c. Maximum velocity and peak flow at point(s) of discharge from the system(s).
 - d. Design calculations for all drainage piping, structures, and appurtenances. The design engineer shall submit a drainage system summary sheet, similar that shown in the Connecticut DOT "Drainage Manual" shall be required by the Town for access drive designs.
 - e. Calculations addressing the adequacy of off-site drainage features, as applicable.
 - f. Investigation of the effect large magnitude storm(s) will have on a drainage system designed for a small return storm (i.e., what happens to a system sized for a ten (10) year storm during a one hundred (100) year storm event).
- d. **Hydraulic Design:** Except where substantiated by special design studies, storm drain pipes and culverts shall be designed to flow full for the "design storm(s)." Total allowable headwater depth on pipes and culverts should normally be restricted to less than 1.2 times the clear height of the pipe or culvert provided flooding or damage does not occur to roadways, drives, adjacent buildings, sewage disposal systems, water supply systems, or other significant features.
- e. **Drainage at Intersections:** Necessary drainage structures shall be installed to properly drain all intersection with existing roads. Intersection grading plans may be required to demonstrate adequate grading at all intersections. Intersection grading plans shall be at a scale of 1"=10' with grading contour intervals of 0.2 feet (max.). Improvements to surface drainage at existing intersections shall be as required to adequately drain the intersection(s).
- f. **Diversion:** The diversion of storm water runoff from one watershed or watercourse to another shall be avoided whenever possible. Where it is absolutely necessary to create such a diversion, special provisions shall be made to minimize the potential damages which

may occur as a result of such diversion and perpetual rights for such diversion, running with the land shall be secured by the developer when required by the Town.

- g. **Pipe:** All pipe for storm drains shall conform to DOT Standard Form and shall be approved for use by the Town. The minimum pipe size shall be fifteen (15") inches. In the event that groundwater or wet conditions are encountered during construction, slotted pipe may be required by the Town.
- h. **Minimum Pipe Slope:** All storm water piping shall be designed to provide a self-cleansing velocity of at least two and one-half (2.5') feet per second when flowing full. Generally storm water piping shall have a minimum pitch of one-half (0.5%) percent. Lesser pitch may be approved by the Town provided the self-cleansing velocity is maintained.
- i. **Pipe Cover:** The minimum clear cover over all pipes shall be three (3") feet.
- j. **Outlet Structures:** All storm drain systems shall be terminated with a flared end section or other approved structure. Special energy dissipaters may be required to prevent erosion.
- k. **Placement of Drainage Structures:** Spacing between sets of catch basins shall be located as necessary to collect runoff and at a maximum of three hundred (300') feet. When out fall pipes exceed four hundred (400') feet, drainage structures shall be placed at each grade change along a storm drain and at each junction point of two or more storm drains. Inlet structures shall also be located and connected to the drainage system to pick low spots in areas of the right-of-way or in adjacent lots.
- l. **Underdrains:** The Town may require underdrains to be installed where localized seeps, springs, or high groundwater less than three (3') feet below the proposed grade of an access drive or other traveled way are observed. Underdrains, shall not be less than six (6") inches in diameter and shall be perforated PVC. Outlets for underdrains shall be connected directly to drainage structures or shall be placed in a two (2') foot side (min.) trench, filled with $\frac{3}{4}$ inch stone and the trench lined with filter fabric.
- m. **Special Structures:** Bridges, box culverts, deep manholes, non-standard endwalls, and other special structures shall be designed in accordance with good engineering practice and shall be subject to the approval of the Town.

4. DRAINAGE OF OFF-SITE PROPERTIES

- a. No increase in storm water peak flows or volume of run-off from 2, 10, 25, 50, and 100 year storms shall be allowed unless downstream increases are compatible with the overall downstream drainage system. The following items shall be investigated in

determining whether increased peak flows or run-off volumes are compatible with the overall downstream drainage system:

1. The timing of peak flows from sub-watersheds.
 2. The increased duration of high flow rates.
 3. The adequacy of downstream drainage features.
 4. The distance downstream that the peak discharges are increased.
- b. When it is determined that storm water detention structures are required, they shall be designed so that the peak flow(s) or volume of run-off after development shall not exceed nor be substantially less than the peak flow(s) or volume of run-off prior to development for each of the design storm events.

5. DETENTION BASINS

- a. Detention basins, surface or subsurface, shall be constructed for the purpose of limiting peak discharge from the storm drainage system of the developed area where such discharge would adversely affect receiving streams and/or storm systems. The developer shall be responsible for establishing short and long term maintenance of detention structure(s) and appurtenances. In the event that the owner of the property fails to maintain such areas in reasonable order and safe condition, the Commission may serve written notice to such individual or association, setting forth the nature of the maintenance deficiency and requiring its correction within thirty (30) days, after which time, if the deficiency remains, the Town may assume maintenance to avoid the creation or promulgation of a public nuisance, and shall assess the owner of such property for Town expenses incurred in the form of a lien on the property.”
- b. The following information, as a minimum, shall be submitted for detention structures:
 1. Inflow and outflow hydrographs for detention area.
 2. Maximum storage volume.
 3. Design of emergency spillway or other measures for the release of excess flows beyond that of the design capacity of the structure.
 4. Flood routing of all runoff greater than the design capacity of the detention structure.
 5. Time which is required for the structure to drain completely.
 6. Outlet structure detail.
 7. Materials used in construction of the structure.
 8. Methods used in construction of the structure.
 9. Methods employed to avoid clogging of the discharge outlet.
 10. Safety features.
 11. Proposed landscaping and vegetative measures used to stabilize slopes and bottom surfaces.

c. **Storm Return Frequency**

Detention basins shall be designed and storm waters regulated for storm return frequencies of 2, 10, 25, 50, and 100 years.

d. **Design Procedure**

The procedure for computing the outflow from the detention areas shall consist of the development of an inflow hydrograph and the routing of the inflow through the detention basin to develop an outflow hydrograph.

e. **Inflow Hydrograph**

The inflow hydrograph may be developed by appropriate Soil Conservation Service or other acceptable methods. Routing through the detention basin shall be by application of the standard storage equation.

f. **Detention Structure Design**

Types and requirements for the detention structure design shall be appropriate for the site and be in general accordance with the SCS Field Engineering Handbook, Connecticut DOT Drainage Manual, or the CT Guidelines for Erosion and Sedimentation Control. All designs shall be approved by the Town.

g. **Maintenance Roads**

Maintenance roads and easements shall be provided for all detention facilities. The road shall be a minimum of twelve (12') feet wide, capable of providing access for maintenance and emergency vehicles. Grades shall not exceed 10% percent.

h. **Fire Protection**

Where proposed detention basins involve permanently ponded water and where deemed practical by the Town, access to storm detention basins should be provided for fire fighting equipment. The addition to dry hydrants and related fire fighting appurtenances with the detention basins shall be coordinated with the Fire Marshal.

6. **EASEMENTS AND RIGHTS-TO-DRAIN**

a. **General**

All applications proposing easements as a part of the development shall submit properly executed written easements and deed describing the land involved and privileges of the Town and/or property owner(s) in a form eliminating any Town liability for installation and maintenance, satisfactory to the Town. Said easements shall be submitted to the Town prior to final approval.

b. **Easements Dedicated to the Town**

Drainage easements for drainage systems located outside of the street right-of-way lines shall be a minimum of twenty (20') feet wide centered on the pipe and shall be adequate to provide access and maintenance to all drainage features. Easements shall be provided for channels and shall be of minimum width to include a

ten (10') foot access strip in addition to the width of the channel from top of bank to top of bank.

c. **Easements Not Dedicated to the Town**

The location and size of these easements shall be established in the same manner as easements for establishing short and long term maintenance for the drainage system within said easements. The Town shall be granted the right to enter such easements to maintain, repair, and/or modify the installments.

d. **Right-to-Drain**

Where downstream drainage features are not adequate to handle the increase in flows, the applicant shall secure drainage rights from the affected property owners, in writing. Such rights shall be noted on the final plans and shall be secured prior to final approval. Rights-to-Drain shall include the right for the Town to enter and maintain existing and proposed facilities if the drainage system is to be owned by the Town and shall be in a form satisfactory to the Town.

e. **State Highway Department (DOT) Permit**

Where a proposed storm drainage system connects with a State Highway for its appurtenances, the developer shall obtain a permit for the connection from the Connecticut Department of Transportation and shall present a copy of said permit to the Town prior to final approval.

SECTION 4 - Alcoholic Beverages

1. Except as provided in paragraphs 2, 5, and 6, no building or premises shall hereafter be used and no building shall be erected or altered which is arranged, intended or designed to be used for the retail sale or consumption of alcohol, spirits, wines, beer, or alcoholic liquor, or any other beverage requiring a permit under the State Liquor Control Act of the State of Connecticut if the entrance of said building or premises is within 1,500 feet from the entrance of another building or premises in which alcoholic liquor is sold or dispensed under a permit previously issued under the Liquor Control Act of the State of Connecticut.
 - a. When such proposed outlet and other outlets are located along the same street, such distance shall be measured along the center line of such street from the center of the entrance of the proposed outlet to the center of the entrance of the other outlet.
 - b. When such proposed outlet and other outlets are on intersecting streets, such distance shall be measured along a line running from the center of the entrance of the proposed outlet to the center of the entrance of the other outlet.
 - c. When such proposed outlet and other outlets are located other than as described in (a) or (b) above, such distance shall be

measured along a line running from the center of the entrance of the proposed outlet to the center of the entrance of the other outlet.

In addition, no new liquor outlet, as described above, shall be permitted, from the nearest point of the building serving liquor on any lot which is within 1,000 feet from any lot on which is located public or private schools, recognized public places of worship, public hospitals, or libraries. In determining compliance with this provision, the controlling distance shall be the shortest distance between the door of the proposed outlet and those lot lines of the affected facility.

2. The restrictions of paragraph one (1) shall not apply to retail sales authorized by said Liquor Control Act under grocery store beer permits, special club permit for picnics, and temporary permits for outings, picnics, social gatherings, or restaurants as defined in Chapter 545 of the Connecticut Liquor Control Act.
3. Any such use presently existing contrary to the provisions of this Section 5 may be continued, however, if any such use contrary to the provisions of this Section has been or shall be abandoned as defined elsewhere in these regulations, it shall not thereafter be reestablished.
4. The 1,500 feet distance requirements between liquor outlets as set forth in paragraph one (1) shall not apply to, or from, a package store liquor outlet located in a shopping center, provided that such shopping center shall contain not less than 75,000 square feet of floor space, and further provided that each such shopping center shall be limited to not more than one package store liquor outlet. A package store liquor outlet shall be defined as set forth in Section 30-20 of the State Liquor Control Act and shall be limited to the retail sale of alcoholic liquor for off-premises consumption. The 1,000 foot distance requirements from public or private schools, recognized places of worship, public hospitals, or libraries as set forth in paragraph 1 shall be fully applicable to such package store liquor outlets in shopping centers.
6. Except as provided in paragraph two (2), the provisions of this section shall not be applicable to buildings or premises used for the retail sale or consumption of alcohol, spirits, wines, beer, or alcoholic liquor, or any other beverage requiring a permit under the State Liquor Control Act of the State of Connecticut, provided such building or premises are erected as part of a Regional Shopping Center constructed under the Planned Group Development provisions, and further provided that the location and size of such buildings and premises be shown on the site plan. It is further provided that in

addition to other requirements in these regulations, the Commission shall require the screening of the uses permitted herein from adjacent residential, institutional, religious, or public uses and may prohibit access to a public thoroughfare containing such protected uses where a safer means of access is available.

7. Alcoholic Liquor, Alcoholic Beverages, Restaurant, and Restaurant Permit shall be defined in Chapter 545 of the Connecticut Liquor Control Act.

SECTION 5 - Gravel Banks/Earth Removal/Earth Processing

A. STATEMENT OF PURPOSE

The following Special Regulations regarding the establishment and continuance of gravel banks, earth removal, or earth processing are deemed necessary to protect the public safety and property valued by preventing land from becoming worthless due to removal of top soil, sand, gravel, or other material, and by preventing the creation of hazards due to deep holes, steep slopes, and embankments. These regulations are designed to insure that land will be usable for residential, commercial, or agricultural purposes following the removal of top soil, sand, gravel, or other fill, and to provide for the reestablishment of ground level and protection of the area by suitable cover.

1. EXEMPT OPERATIONS

Temporary earthwork for the following operations are permitted in any zoning district of the Town, provided they meet all other requirements of the Zoning Regulations, and further provided not more than 3,000 cubic yards of any earth material is removed from the site.

- a. Necessary earth removal, filling, and/or regrading in direct connection with construction or other work on a lot for which a building permit has been issued and which involves the movement of only that amount of material clearly required for the construction of the permitted building and associated driveways and parking.
- b. Necessary earth removal, filling and/or regrading in connection with construction or other work on a lot or lots in accordance with an approved subdivision or re-subdivision plan involving the movement of only that amount of material necessary to carry out the improvements shown on the approved subdivision and road plans.
- c. Necessary earth removal, filling, and/or regrading in connection with resurfacing an existing road or parking lot, improvement of a driveway on any lot or landscaping on any residential lot.

- d. Earth removal, filling, and/or regrading for agricultural purposes such as construction of a pond and improvements of watercourses, and/or burying of stones or clean fill. This shall not include earth removal for the purpose of commercial sale.

B. REQUIREMENTS

1. Any landowner proposing to remove loam, sand, gravel, or other fill, from one piece of land for use elsewhere, which proposed excavation when added to any prior reconditioned excavation on the same premises shall exceed one-half (1/2) acre, shall make application to the Zoning Commission for a permit for such operation. Each application for a permit shall contain a general description of the proposed excavation, its location on the lot of land involved, the volume in cubic yards of fill proposed to be removed during the ensuing year, and a plan of the land on which the excavation will be located showing the existing grades, the proposed final grades, location of all public highways within two hundred (200) feet of the property line, and the location of any building or other structure within two hundred (200) feet of the property line.
 2. Upon approval of any such application, and upon performance of any of the requirements imposed by the Commission under the authority of these regulations, the Commission shall issue a permit for such excavation work. Said permit shall be valid for the term of one (1) year from date of issuance, and shall permit the removal of an amount of loam, sand, gravel, or other fill, up to a specified volume, which shall be expressed in cubic yards, from a maximum area, which shall be expressed in acres.
- C. 1. For any proposed excavation involving removal of 3,000 cubic yards, or more, of any earth material, or fill and/or one (1) or more acres in area per year, the Commission may require the land owner and/or the excavator, as appropriate, to post a bond payable to the Town of Thompson, conditioned upon faithful compliance with the requirements of this regulation in the amount of \$6,000.00 per acre. In determining the necessity for and the amount of any such bond, the commission shall consider the following:
- a. The value of said land, both in its original state and in its expected condition following excavation.
 - b. The proximity of any proposed excavations to highways, businesses, residential areas, and watercourses.
 - c. The probability of use for development, agricultural or open space purposes following such excavation and the anticipated cost of reloaming and seeding or the cost of planting trees, or other ground cover, or the cost of constructing a pond and finish

- grading around such pond, whichever the Commission may deem to be the most reasonable eventual use of said property.
- d. The actual cost of site restoration, erosion, and sedimentation control, construction, and installation of screening and other site improvements and repairs and the restoration of any damage to Town roadways used in association with the proposed activity. The period within which required improvements shall be constructed shall be specified by the Commission and expressed in the bond. The bond agreement may require, prior to release, the submission of a professional "as built" certification that all site work was completed in accordance with approved plans and that the required depth of topsoil has been deposited. Said bond shall be satisfactory to the Town Attorney as to form, sufficiency, and manner of execution.
 - e. At all stages of the operation sufficient drainage shall be provided to avoid hazardous conditions due to collection and stagnation of water.
 - f. At all stages of the work where there is any excavation or filling, the applicant must maintain the fifty (50) foot buffer and provide such slope, depending on depth of excavation, to prevent possible structural damage to neighboring properties and streets. The required buffer may be reduced by the Commission in situations where written approval from an abutter is secured by the applicant.
 - g. Truck access routes shall be arranged to minimize danger and nuisance to area residences.
 - h. That portion of the access road within the site and one hundred (100) feet in either direction from the entrance or exit points along town roads and between or near residential uses, including to the rear of such uses, shall be treated to minimize dust generation.
 - i. No excavation shall be conducted below the water table except in accordance with an approved plan.
 - j. The use of explosive devices may be limited as a condition of the permit.
 - k. There shall be no fuel stored on the site.
 - l. The construction entrance and anti-tracking pad shall be cleaned regularly and renewed as needed.
 - m. Dust shall be controlled at all times.
 - n. When earthwork operations are completed, the site shall be graded so that slopes in the disturbed area shall not exceed one (1) foot vertical to three (3) feet horizontal. The Commission may require lesser slopes if the disturbed area is planned for future residential, commercial, industrial, or agricultural use.
 - o. All debris not incorporated into the improvement of the lot shall be removed from the lot and loose boulders not incorporated into the improvement of the lot shall be buried or removed from the lot. Completed areas should be covered with eight (8) inches of

subsoil and a minimum of four (4) inches of loam topsoil, depending on the arid nature of the site as it is closed to excavation. The area shall be seeded with suitable perennial grass mixture and maintained until the area is stabilized. The Commission may require the planting of other vegetation.

- p. All loads leaving a permitted gravel operation site must be covered prior to leaving the premises.”

D. The Commission may require the erection and maintenance of a fence bordering any sections of property to be excavated below the grade which would be considered as resulting in a hazard. Before requiring a fence, the Commission shall consider the following:

- a. Proximity of residential areas and the density of any such residential areas;
- b. Anticipated depth below grade for any such excavation;
- c. Location of the property with respect to the likelihood that children will trespass on said property;
- d. (1) The existence of any unusual hazards on said property, whether from the nature of the land itself or any machinery or other structure to be located on said land. (2) No excavation shall be left unattended while there is an overhanging bluff or other hazardous condition.

E. No equipment used for the processing of excavated material such as a crusher or grader, shall be located closer than 1000 feet to any structure used for residential purposes. The crushing of earth products with permanently installed machinery shall be permitted only in Industrial Districts. Portable crushing plants may be allowed in all districts in association with specific site development earthwork.

- a. Screening may be accomplished at a valid excavation site in a Residential and/or Commercial District when the following conditions are met.
 - 1. The processing (screening) equipment shall be portable and self-contained.
 - 2. The processing (screening) activity shall not generate, cause, or allow continuous noise measurements, in excess of noise levels as follows:

INDUSTRIAL

(C)

62 dBA

COMMERCIAL

(B)

62 dBA

RESIDENTIAL

(A)

55 dBA

These standards may be exceeded (to the appropriate DEP standard) when adjacent uses are considered by the

Commission to be more intense and maintain higher noise thresholds.

3. The processing (screening) activity shall take place only between 7:00 AM and 5:00 PM. No processing shall be permitted on Saturdays, Sundays or Holidays.
4. Only material excavated and unearthed at a site in accordance with a valid excavation permit shall be permitted to be processed (screened) on said site.

F. 1. **RENEWAL OF PERMITS** - All operations shall be required to renew their permit annually and any change in scope or area shall require a new Special Permit. Applications for renewal of any permit shall provide the same information required for a new permit; excepting, however, that the plot plan filed with the original application may be revised and resubmitted for a renewal application. Any such revised plan shall accurately show any changes to the property itself, surrounding developments and nearby roads.

2. **REVOCATION OF PERMITS** - Any permit issued under this section may be revoked by the commission for any of the following reasons:

- a. Excavation of a volume or area in excess of that authorization under the permit.
- b. Violation of any requirement under these regulations.
- c. Change of ownership of the property being excavated.
- d. Misrepresentation or fraud in any application to the Commission

G. **FORTFEITURE OF BONDS** - Any bond posted under these regulations may be declared forfeited upon failure of performance of the conditions of such bond within a period of 90 days following the expiration or revocation of the permit for which such bond is posted. Upon forfeiture of bond, any outstanding permit issued to the same owner or issued for the same property, or both, as appropriate, may be immediately revoked by the Commission.

H. **GENERAL CONDITIONS** - Final Grade shall be adequate to provide proper surface drainage of the excavated area. No excavation below highway grade shall be nearer said highway than twenty-five (25) feet, nor nearer any building or other structure on any adjacent land than two hundred (200) feet, nor nearer any property line than twenty (20) feet. No slope shall exceed 10% in the area within twenty-five (25) feet to two hundred (200) feet from a highway, and 30% elsewhere. **The bottom of the excavation shall be eight (8) feet above the ground water table.** Loaming, seeding, planting of trees or other ground cover may be required, depending on the location and possible future

use. Excavations shall not be conducted between the hours of 5:00 PM and 7:00 AM except for municipal purposes exclusive of Sundays and holidays. Holidays being New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Any access road within the area of operations shall have a dustless surface which is maintained at all times. Provisions shall also be made to prevent dust from blowing onto neighboring properties from excavation operations. Locations for access roads, stockpiles and equipment storage shall be selected so as to minimize effects of surrounding properties. The Commission may require a landscaped buffer strip along neighboring property lines. Such a strip shall consist of an inter-planting of evergreen and deciduous trees, shrubs, and/or opaque fencing suitable, in the judgement of the Commission, to provide in a reasonable time a visual barrier. A Soil Erosion and Sediment Control Plan meeting the requirements of Article VI, Section 8 of these Regulations shall be prepared and approved. Depending on site location and population density, the Commission may, at its discretion, shorten the hours of operation.

- I. **INSPECTION** - The Zoning Enforcement Officer may make inspections to ensure permit compliance. Such report shall be in writing and a copy will be sent to the permit holder in a timely manner.
- J. **SITE PLAN REVIEW AND FEES** - Gravel permit/earth removal/earth processing base fee two (2) cent per cubic yard of material to be removed as delineated on the site plan per phase per year, but not less than \$500.00 minimum base fee, plus current fee per Statute 8-7b, Section 4, plus legal notice fee for approval/denial notice \$75.00; to be submitted with the application.

SECTION 6 - Trailers or Mobile Homes

1. Mobile homes shall not be permitted, notwithstanding the foregoing, a mobile home may only be replaced pursuant to the provisions of Article VI and if the applicant obtains approval from the Northeast District Department of Health as to the adequacy and acceptability of the septic system and water supply for the site; further any expansion pursuant to Article VI, paragraph four (4) shall meet all set-back requirement for the district in which the mobile home is situated.
2. No permanent additions of any kind shall be built onto or become part of a mobile home, such as to attach the mobile home permanently to the ground.
3. Camping trailers or vehicles designed for temporary occupancy for travel, vacation, or recreation use shall not be occupied except in

campgrounds operated by the State of Connecticut, in campgrounds approved by special permit, or when no more than two such trailers are parked on a single lot in the RA-80 or R-40 district. No such trailer or vehicle shall be occupied as a permanent domicile, nor shall any such trailer or vehicle be occupied on one property for more than fourteen (14) days or nights per calendar year. Such trailers or vehicles may be stored without being occupied in any district.

4. Boxed trailer bodies are prohibited in all residential zones.
5. The commission at its discretion may allow the use of Temporary Construction or Business Trailers for a time period determined by the project, renewable yearly. The construction or business trailer is to be removed from the site prior to the issuance of a certificate of occupancy.
6. The commission or it's agent, at its discretion may allow the use of Temporary Housing in these regulations, if a fire or natural disaster occurs. A certificate of compliance will be issued for a ninety (90) day period, renewable every ninety (90) days, up to a maximum of one (1) year.

SECTION 7 - Wireless Communication

1. PURPOSE

To provide for the location of wireless communication towers, antennas and facilities while protecting neighborhoods and minimizing adverse visual and operational effects through careful design, siting and screening consistent with the provisions of the 1996 Telecommunications Act. This section of the Zoning Regulations is consistent with the Telecommunications Act of 1996 in that it does not discriminate among providers of functionally equivalent services, or regulate the placement, construction, and modification of personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with FCC regulations concerning such emissions. Other specific wireless telecommunication purposes are as follows:

- a. To encourage use of nonresidential buildings and structures, such as water storage tanks.
- b. To require joint use of new or existing towers and facilities whenever possible.
- c. To avoid potential damage to adjacent properties from tower failure through engineering and careful siting of towers.
- d. To accommodate the need for wireless communication towers and antennas while regulating their location and number.

- e. To protect historic and residential areas from potential adverse impacts of wireless communication facilities.
- f. To encourage suitable design measures to minimize adverse visual effects of wireless communication facilities.
- g. To reduce the number of towers and/or antennas needed in the future.

2. **SITING PREFERENCES**

The general order of preference for alternative facility locations shall range from A as the most preferred to E the least preferred:

- a. On existing or approved towers.
- b. On existing structures such as nonresidential buildings/facades, water towers/tanks, utility poles, chimneys, bridges, grain elevators, and silos, or in structures such as steeples, clock and bell towers.
- c. On new towers located on property occupied by one or more existing towers. This recognizes an already proven good site, and implies that clustering or tower “farming” is more desirable than scattering or dispersal. However, with lower power PCS, which can require more antennas for coverage, clustering may not necessarily provide seamless coverage.
- d. On new towers located in commercial or industrial zones.
- e. On new towers located in residential zones by special permit.

3. **GENERAL STANDARDS**

The wireless telecommunication facility standards enumerated below shall be followed:

- a. The tower and/or antenna shall be erected to the minimum height necessary to satisfy the technical requirements of the telecommunications facility except as stated in A-1. Documentation of the minimum height needed, prepared by a licensed telecommunication systems engineer, shall accompany an application. The Commission may require the submission of propagation modeling results to facilitate its review of tower height.
 - 1. In all residential zones, accessory structures such as radio and television transmission relay or receiving, wireless telecommunication towers and/or antennas shall be allowed provided that the resulting total height (including supporting structures) is not greater than the maximum allowable building height measured from ground level, and provided that the height of the structure is less than its distance from any property line. Structures more than fifteen (15) feet higher than the maximum allowable building height, but less than one hundred (100) feet above existing grade adjacent to the base of the facility may be allowed by Special permit provided that the

minimum site size shall be the minimum lot size required for the zoning district, and the site shall be of sufficient size to accommodate a setback from all adjoining property lines equal to the maximum height of the tower and all appendages plus twenty five (25) feet.

- b. A tower must comply with the setback requirements of the zone in which it is located, or be set back from all property lines a distance equal to the height of the tower, whichever is greater.
- c. A telecommunication facility may be considered as either a principal or secondary use. The minimum lot area for the construction of a new tower shall be that of the zone in which it is located. More than one tower on a lot may be permitted if all setbacks, design, and landscape requirements are met for each tower. A telecommunications facility may be located on leased land as long as there is adequate ingress and egress to the site for service vehicles, and such access is documented in a deed easement presented to the Commission.
- d. All towers in residential zones shall be a monopole design unless otherwise modified and approved by the Commission. The Commission may approve an alternate design if the Commission finds it is more in keeping with the existing neighborhood.
- e. Towers not requiring FAA paintings or markings shall be painted a non-contrasting blue, gray, or other neutral color.
- f. No lights or illumination shall be permitted unless required by the FAA.
- g. No signs or advertising shall be permitted on any tower or antenna, except that "no trespassing", "warning", and ownership signs are permitted at ground level or no higher than seven (7) feet from ground level.
- h. The proposed support structure shall be required to accommodate a minimum of three users unless it is determined to be technically unfeasible based upon information submitted by the applicant and verified by the Commission. These users shall include other wireless communication companies, and local police, fire, and ambulance companies.
- i. A proposed tower shall be designed and constructed to all applicable standards of the American National Standards Institutes, as amended.
- j. The Commission may require the use of Section 16-50aa of the Connecticut General Statutes to promote tower sharing.

4. PERMITTED AND SPECIAL PERMIT USES

The following uses generally pose a minimum adverse visual effect and shall be deemed permitted uses in all zoning districts subject to the standards in these regulations. All towers located in a residential zone shall require a Special Permit.

- a. Wireless telecommunication facilities where the antenna is mounted on the rooftop or facade of a commercial or industrial building, provided the following standards are met.
 - 1. No change is made to the height of the building.
 - 2. Panel antennas shall not exceed sixty inches in height by twenty four inches in width; whip antennas shall not exceed forty eight inches in height; and dish antennas shall not exceed thirty six inches in diameter.
 - 3. Equipment cabinets and sheds shall meet the requirements of these regulations.
 - 4. Facilities shall be of a material or color which matches the exterior of the building, and shall blend into the existing architecture to the extent possible.
 - 5. Facade mounted antennas shall not protrude above the building structure and shall not project more than three feet beyond the wall or facade.
 - 6. Roof mounted antennas shall not exceed the highest point of the rooftop by more than ten feet.
 - 7. Roof mounted antennas shall be set back from the roof edge a minimum of ten feet or ten percent of the roof width, whichever is greater.
 - 8. Roof mounted antennas shall not occupy more than 25 percent of the roof area in residential zones, and 50 percent in all other zones.
- b. Wireless telecommunication facilities where the antenna is mounted on existing towers, water towers/tanks, utility poles, chimneys, bridges, grain elevators, and silos, or in steeples, clock or bell towers, provided the following standards are met:
 - 1. No change is made to the height of the structure.
 - 2. Panel antennas shall not exceed sixty inches in height by twenty four inches in width; whip antennas shall not exceed forty eight inches in height; and dish antennas shall exceed thirty six inches in diameter.
 - 3. Equipment cabinets and sheds shall meet the requirements of these regulations.
 - 4. Facilities shall be of material or color which matches the exterior of the structure and shall blend into the existing architecture of the structure to the extent possible.
- c. Wireless telecommunication facilities where a tower is located on property occupied by one or more towers erected prior to the effective date of these telecommunication zoning amendments (August 24, 1998), provided the following standards are met:
 - 1. The height of the tower to be erected shall not exceed the height of the tallest tower on the property.
 - 2. All attempts are made to co-locate the antenna on existing towers.

3. Equipment cabinets and sheds shall meet the requirements of these regulations.
- d. All other placement of wireless communication facilities shall comply with the Special Permit requirements found in these regulations and the following:
 1. All of the plans and information required for a permitted use wireless telecommunications facility site plan required in Subsection 5 of the regulations.
 2. A view shed analysis showing all areas from which the tower would be visible, and if requested by the Commission, a simulation of the proposed site in order to help the Commission determine the visual impacts associated with the proposal.
 3. Documentation prepared by a licensed telecommunications systems engineer that no existing or planned tower or other structure can accommodate the applicant's antenna. For tall structures located within one quarter mile radius of the proposed site, documentation that the owners of these locations have been contacted and have denied permission to install the antenna on these structures for other than economic reasons.
 4. Proximity of the tower to residential structures.
 5. Nature of uses on adjacent and nearby properties within 1,000 feet.
 6. Surrounding topography within 1,000 feet at contour intervals not exceeding ten feet.
 7. Design of the tower with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.

5. **SITE PLAN REQUIREMENTS**

All applications to develop a wireless telecommunications facility as a permitted use or special permit shall meet the site plan requirements listed in Article VII, Section 4 of these regulations. In addition, the following information shall be submitted for each application where applicable. The Commission may require independent engineering/technical review of submitted materials at the applicant's expense.

- a. A map indicating the service area of the proposed wireless telecommunications site. A map indicating the extent of the providers existing and planned coverage within the Town of Thompson, and a map indicating the search radius for the proposed wireless telecommunications site, including the location of tall structures within one quarter mile of the proposed site.
- b. A report from a licensed telecommunication systems engineer indicating why the proposed site location is necessary to satisfy its

- function in the applicant's proposed wireless telecommunications system.
- c. A plan showing where and how the proposed antenna will be affixed to a particular building or structure.
 - d. Details of all proposed shielding and details of material including color.
 - e. Elevations of all proposed shielding and details of material including color.
 - f. An elevation of all proposed equipment buildings, boxes or cabinets. Details of all proposed fencing, including color.
 - g. Tower base elevation and height of tower.
 - h. A design drawing, including cross section and elevation, of all proposed towers. A description of the tower's capacity, including the number and type of antennas it can accommodate as well as the proposed location of all mounting positions for co-located antennas and the minimum separating distances between antennas. The design shall indicate how the tower will collapse without encroaching upon any adjoining property if failure occurs.
 - i. A report from a licensed telecommunication systems engineer indicating that the proposed wireless telecommunication facility will comply with FCC radio frequency emission standards and that the installation will not interfere with public safety communications.
 - j. All proposed landscaping, if appropriate, with a list of plant materials.
 - k. Proposed access to the site.
 - l. Detailed analysis of alternative sites, structures, access, and antennas as provided by the applicant. Particular attention will be placed upon the siting preferences found in Subsection 2 of these regulations.
 - m. Detailed propagation and antenna separation analysis relative to tower height.
 - n. Tower sharing or co-location to facilitate the telecommunication needs of municipalities and other entities in order to reduce the need to construct additional towers. The Commission reserves the right to require the applicant to utilize the provisions of Section 16-50aa of the Connecticut General Statutes to achieve tower sharing.
 - o. Assessment of tower structure type.
 - p. Assessment of design characteristics/architectural treatments that mitigate, reduce or eliminate visual impacts on adjacent areas.
 - q. If located on/or within one quarter mile radius of a property listed on the National Register of Historic Places, preservation of the historic and/or architectural character of the landscape or any structure.

- r. Consideration of future use or re-use of the site, with provisions for facility removal and site restoration.
- s. The owner of the facility shall keep the Town notified annually as to the current contact person for maintenance purposes.

6. ANCILLARY BUILDINGS

All ancillary buildings associated with wireless telecommunication facilities shall comply with the following:

- a. a. Each building shall not contain more than two-hundred and fifty (250) square feet of gross floor area or be more than eight feet in height.
- b. Each building shall comply with the setback requirements for accessory buildings for the zoning district in which it is located.
- c. If located on the roof of a building, it shall be designed to blend with the color and design of the building to the extent possible.
- d. All ground level buildings, boxes, or cabinets shall be surrounded by an eight (8) feet high chain link or comparable fence and shall be planted with evergreen shrubs and trees at least six (6) feet high, or a density sufficient to obscure lights and other visually objectionable items, satisfactory to the commission as will safeguard or enhance the character of the adjoining properties.

7. ABANDONMENT

A wireless telecommunication facility not in use for twelve (12) consecutive months shall be removed by the facility owner at their expense. This removal shall occur within 90 days of the end of such twelve (12) month period. The commission may require a bond satisfactory to the Town of Thompson, to guarantee removal. If there are two or more users of a single tower, this provision shall not become effective until all users cease utilizing the tower.

8. TELECOMMUNICATION SITE PLAN REVIEW FEE

Telecommunications site plan review fee is \$500.00.

SECTION 8 – Adult Oriented Establishment

- 1. No owner, operator, employee, or independent agent of an adult-oriented establishment shall allow any minor to loiter in any part of such establishment, including parking lots adjacent to such establishment used by patrons of such adult-oriented establishment.
- 2. Every adult-oriented establishment doing business in the Town of Thompson shall be well lighted at all times in every area of the premise. Visibility into booths, cubicles, rooms, or stalls shall not be blocked or obscured by doors, curtains, partitions, drapes, or any other obstructions whatsoever not stated herein. Every booth, cubicle,

room, stall, or any other area not described herein, where adult entertainment is provided, be visible, in its entirety, from the common areas of the premise.

3. No owner, operator, employee, or independent agent of an adult-oriented establishment shall allow, with reasonable effort, a convicted sex offender in any part of such establishment, including parking lots adjacent to such establishment used by patrons of such adult-oriented establishment. Reasonable effort is checking the State of Connecticut Sex Offender list at <http://www.state.ct.us/DPS/SOR.htm>
4. No adult-oriented establishment shall be allowed within 1500 ft. of another existing adult-oriented establishment. The 1500 feet shall be a straight horizontal distance from any part of a building for an adult-oriented use, to any part of another building for an adult-oriented use. The measurement shall be determined by the Commission or its agent.
5. No adult-oriented establishment shall be allowed with 1500 feet of any residential zone, pre-existing school, pre-existing cemetery, pre-existing park, pre-existing library, any type of pre-existing childcare business, or pre-existing place of worship. The 1500 feet shall be a straight horizontal distance from any part of a building for adult-oriented use, to any boundary of a residential zone, pre-existing school, pre-existing cemetery, pre-existing park, pre-existing library, any type of pre-existing childcare business, or pre-existing place of worship. The measurement shall be determined by the Commission or its agent.
6. No adult-oriented establishment shall be located in any Zoning District, except Commercial.
7. The premise shall not have interior visibility from the exterior (ex: open doors, see-through windows, see-through doors, etc., but not limited to).
8. No adult-oriented establishment shall be conducted in any manner that permits observation of any material depicting, describing, or related to "specified sexual activities" or "specified anatomical areas" from any public way. This provision shall apply to any display, decoration, sign, show windows, any opening, or any other exterior display not described herein.
9. The owner, operator, manager shall register once every two (2) years with the Town of Thompson Zoning Enforcement Officer and provide the following information:

- a. The address of the premise.
 - b. The name(s) of owner(s) of the premise and the name(s) of the beneficial owner(s) if the property is in a land trust.
 - c. The address(es) of the owner and beneficial owner(s).
 - d. The name of the business establishment.
 - e. The name(s) and address(es) of the owner, beneficial owner of the major stock holders of the business or establishment.
 - f. The date of initiation of the adult-oriented establishment.
 - g. IF the building or premise is leased, a copy of the said lease shall be attached.
 - h. If/when transition of ownership/management/operator commence within two years, notification shall be made within thirty (30) days of transition.
10. It shall be unlawful for an owner or person in control of any property to establish and/or permit any person to establish and/or operate an adult-oriented establishment/use without FIRST having properly registered and received a certification of approval of registration.
 11. The Commission or it's agent registration approval form shall be displayed in a conspicuous place on the premise of the adult use.
 12. The adult-oriented establishment shall make the premise available for inspection, during working hours, by the Planning and Zoning Commission or it's agent.
 13. Adult-oriented establishments shall be required to meet all state licensing requirements.
 14. Adult-oriented establishments are required to apply for a special permit. Application for a special permit shall be submitted to the Planning and Zoning Commission or it's agent in writing and in a form prescribed by the Planning and Zoning Commission, together with an adult use site plan review fee of \$500.00. In addition, all other special permit requirements must be adhered to as stated in Article VII.

SECTION 9 – Body Art Establishment

1. No owner, operator, employee, or independent agent of a body art establishment shall allow minors to loiter in any part of such establishment, including parking lots adjacent to such establishment used by patrons of such establishment.

2. No body art establishment shall be within 1500 feet of another body art establishment. The 1500 feet will be measured in a straight horizontal distance from any part of a building for a body art use, to any other part of another building for a body art use. The measurement shall be determined by the Commission or it's agent.
3. No body art establishment shall be within 1000 feet of a residential zone, pre-existing school, pre-existing cemetery, pre-existing childcare business, or a pre-existing place of worship. The 1000 feet shall be measured in a straight horizontal distance from any part of a building for body art, to any boundary of a residential zone, pre-existing school, pre-existing cemetery, pre-existing childcare business, or a pre-existing place of worship. The measurement shall be determined by the Commission or it's agent.
4. No body art establishment shall be located in any Zoning District, except for Commercial.
5. The owner, operator, manager shall register annually with the Thompson Zoning Enforcement Officer and provide the following information:
 - a. The name and address of the establishment.
 - b. The name(s) and address(es) of the owner(s), operator(s), and/or manager(s).
 - c. A copy of renewal certification from the State of Connecticut Health Department.
 - d. The date of initiation of the body art establishment.
6. It shall be unlawful for an owner or person in control of any property to establish and/or permit any person to establish and/or operate a body art establishment without FIRST having properly registered and received a certification of approval of registration.
7. The Commission or it's agent registration approval shall be displayed in a conspicuous place on the premise of the body art establishment.
8. At the time these regulations are adopted, a pre-existing body art establishment must register with the Town of Thompson Zoning Enforcement Officer within ninety (90) days.
9. Body art establishments are required to apply for a special permit. Application for a special permit shall be submitted to the Planning and Zoning Commission or it's agent in writing and in a form prescribed by the Commission, together with a body art use site plan review fee of \$500.00. In addition, all other special permit requirements must be adhered to as stated in Article VII.

10. A body art establishment is NOT restricted to having only one body art form in the same building (ex: a tattooing establishment can combine piercing also)

SECTION 10 – Home Occupations

A. Standards and criteria. A home occupation shall be allowed in any zoning district subject to the requirements of that district and the following standards and criteria:

1. The home occupation use may occupy a single family dwelling residence or an accessory structure on a lot with a single family residence as specified herein and as determined by the Commission.
2. A home occupation located in a single family dwelling shall not occupy more than one third of the habitable floor area of the dwelling. The uses shall be clearly secondary to the residential use of the dwelling and shall not change the residential appearance of the lot or the residential character of the neighborhood.
3. The home occupation is carried on by the inhabitant of the dwelling unit who is both the owner of the proposed business and maintains the dwelling unit as their principal residence. Two-family dwellings are limited to one home occupation. Multiple family structures, greater than two (2) units, are limited to two (2) home occupations. In the case that applicant is not the owner of the residence a letter signed by the owner (and attested to by a notary) must be provided stating that (1) the owner has been made aware of the request, (2) the owner has no objections to the use of the property for this purpose and (3) an acknowledgment that the owner shall be responsible for bringing the proposed home occupation into compliance if found in violation with these regulations. It is the owner's responsible to notify the Town of a change in ownership.
4. No more than two (2) employees who do not live in the dwelling unit shall be employed in the home occupation.
5. The home occupation use may occupy an accessory building if:
 - a. The location and appearance of the accessory building is consistent with the residential character of the lot and neighborhood, and
 - b. It can be demonstrated that the type and intensity of the proposed use in the accessory building will not alter the primary residential character, and
 - c. The total area of the accessory building devoted to the home occupation shall not exceed one third of the habitable floor area of the dwelling.
6. The application shall include plans clearly drawn to scale showing the floor area and layout of the residence and/or accessory building and the floor area (in square feet) devoted to the home

- occupation use, unless the business is strictly an internet based business with no actual stored product inventory, in which case the requirement for a floor plan is waived.
7. The home occupation shall not change the residential appearance of the lot or the residential character of the neighborhood.
 8. There shall be no exterior evidence of the home occupation except permitted signs and required off street parking.
 9. The home occupation shall not produce any offense and unusual noise, odors, vibration, radiation, dust, or health hazards noticeable off the premises.
 10. All signs two (2) square feet in area at maximum and all off street parking shall conform to the appropriate sections as described in Article VI.
 11. The appearance of the lot and structure on the lot shall not be altered in a manner that would cause residence to differ from its residential character either by use of materials, construction, lighting, or the emissions of electrical impulses.
 12. There shall be no exterior evidence of goods, supplies, equipment, or other materials associated with the home occupation.
 13. There shall not be more than two (2) business related cars, vans, or pickup trucks (or any combination thereof) permitted on the lot in association with a home occupation use.
 14. Traffic generated by the home occupation use shall not significantly exceed the volume of traffic consistent with site and neighborhood.
 15. No on-street parking shall be permitted in association with a home occupation use. Off street parking shall be provided to accommodate the parking needs of the home occupation. The Commission may limit the number of parking spaces allowed where it is determined it is necessary to control and limit the volume of traffic.
 16. The Commission may require a landscape plan which specifies plantings and location designed to screen the off-street parking from view from a public street or neighbor, and to prevent soil erosion and sedimentation problems. A landscape screen shall be required if based upon site inspection, the Commission determines that such a screen is necessary to protect neighboring residential property values and to maintain the single family residential appearance of the neighborhood.
 17. Parties for the purpose of selling merchandise or taking orders shall not be held more often than two (2) times each month.
 18. Does not utilize or store hazardous materials unless the Commission determines that the proposed types and quantities of hazardous materials utilized or stored will pose a minimum risk to health and provided that the hazardous materials are utilized and stored according to Article IX, Section 2, Groundwater Protection

requirements, unless approved by the Commission. No container larger than one (1) gallon shall be allowed on the premises.

19. Any home occupation use involving a process or activity which will result in increase in the volume of water used over that which would be used for normal residential purposes or which may impact groundwater quality shall be reviewed by the Northeastern Connecticut Department of Health and/or the Thompson Water Pollution Control Authority. It shall be the responsibility of the applicant to provide the documentation of their review and approval.
 - a. The number of daily vehicle trips associated with the home occupation use, including delivery and pickup of materials and commodities by a commercial vehicle, may be limited by the Commission as a condition of the permit according to the nature and location of the proposed home occupation use.
 - b. A commercial operation such as a tea room, antique shop, and similar uses which by its nature generate a volume of traffic not common to a residential neighborhood shall not be permitted as a home occupation use.
 - c. Home occupation uses which pose a significant threat to water quality shall not be permitted including but not limited to furniture stripping, photo processing, auto and major appliance repair.
 - d. A home occupation use shall register such business with the Zoning Office of the Town of Thompson prior to any business activities.

SECTION 11 - Accessory Apartments

Accessory apartments are allowed upon Site Plan review by the Planning and Zoning Commission and issuance of a zoning permit by the Zoning Officer under the following conditions:

1. Permitted in all Residential Districts
2. Apartment not to exceed thirty-three percent (33%) the dwellings total livable area.
3. Apartment no less than three-hundred (300) square feet in total floor area.
4. One (1) Accessory Apartment permitted per lot of record.
5. Entire structure shall maintain the appearance of a single family dwelling.
6. Owner of the principle dwelling must occupy one unit.
7. Direct interior access from the accessory apartment to the primary dwelling unit is required by means of at least one (1) common wall.
8. The accessory apartment must have at least three (3) rooms including a bath, private kitchen and bedroom. Only one (1) bedroom is permitted.

9. Only one point of access (driveway) shall be permitted to the public roads.
10. No separate sewer or utilities shall be permitted except for telephone and cable.
11. New doors and fire escapes must be in the rear of the accessory apartment.
12. Adequate water supply and sewage disposal capabilities must be provided as certified by the appropriate authorities.
13. The accessory apartment and principle dwelling shall meet all applicable housing, building, and life safety codes.
14. Off-street parking for two (2) vehicles shall be provided for the accessory apartment in addition to two (2) spaces for the principal dwelling.