

Thompson Planning and Zoning Commission
Adoption of regulations as part of new Town Code

§ 1. Acceptance of renumbering of regulations.

The Zoning Regulations of the Town of Thompson, effective January 3, 2023, as renumbered and codified as Chapter 275 of the Code of the Town of Thompson in the form attached hereto and made a part hereof, are hereby approved.

§ 2. Continuation of existing provisions.

The provisions of Chapter 275, insofar as they are substantively the same as those of regulations in force immediately prior to this enactment, are intended as a continuation of such regulations and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior regulation. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Planning and Zoning Commission.

§ 3. Changes in previously adopted regulations.

The following changes, amendments or revisions are made herewith, to become effective upon the effective date of this enactment. (Chapter and section number references are to the regulations as they have been renumbered and appear in the Code.)

Chapter 275, Zoning Regulations.

Throughout this chapter, the terms "wireless communication," wireless telecommunication," and "wireless telecommunications" are amended to read "wireless communications."

Section 275-2.1 is amended as indicated:

- A. When not inconsistent with the context, words used in the present tense include the future tense, and ~~the singular includes the plural~~ words in the singular or plural shall include both single and plural numbers.
- B. The word "shall" is construed as mandatory. The word "may" is permissive.
- C. In the case of any difference of meaning or implication among the texts of these regulations and any captions, illustrations, summaries and illustrative tables, the text shall control.
- D. The terms "used" and "occupied" include the meanings "designed to be used (or occupied)" and "intended to be used (or occupied)."
- E. When the context so requires, words in the masculine, feminine or neutral gender shall include any gender.

Section 275-2.4 is amended as follows:

In the lead-in paragraph, as indicated:

In the interests of clarity and brevity, the following terms shall, unless otherwise stated, have the meaning herein indicated for all purposes of these regulations. ~~Words used in the present tense shall include the future tense. When the context so requires, words in the masculine, feminine or neutral gender shall include any gender, and words in the singular or plural shall include both single and plural numbers. The underlined captions set forth in these regulations are for convenience and reference only and shall not be deemed to define or limit the provisions hereof or to affect in any way their construction or application.~~

In the definition of "alcoholic beverages," to change "Chapter 545 of the Connecticut Liquor Control Act" to "Chapter 545 of the Connecticut General Statutes, the Liquor Control Act."

In the definition of "alter, alteration," to add "See also 'enlargement (or to enlarge)'" to the end thereof.

To change the defined term "bed-and-breakfast" to "bed-and-breakfast establishment."

In the definition of "buffer (strip or area)," to change "zoning ordinance" to "zoning regulation."

To delete the definitions of "building lot coverage" and "passive solar."

In the definition of "enlargement (or to enlarge)," to add "See also 'alter, alteration,'" to the end thereof.

To revise the definition of "fence" as indicated: "A freestanding structure intended for division no more than seven feet tall, except where otherwise provided in these regulations, while maintaining maintenance space to owner's property line on either side."

In the definition of "kennel, noncommercial," to correct the statutory reference to C.G.S. § 22-342.

To amend the definition of "livestock" as indicated: "Domesticated animals, other than household pets, as defined in this section, including alpaca, bison, cattle, goats, horses, llamas, poultry, sheep and swine. ~~Household pets are companion animals that reside with the owners in the dwelling unit.~~"

In the definition of "lot," to change "legal nonconforming parcel" to "legal nonconforming lot."

In the definition of "lot coverage," to add "; the aggregate or total bearing area as a percentage of all buildings and structures, including impervious surfaces such as asphalt drives and uncovered steps" to the end thereof.

To revise the definition of "nonconforming lot" as indicated: ~~"A lot of record that does not meet the bulk requirements for the district in which it is located. See § 275-3.7B(1)."~~

To change the defined term "photovoltaic solar system" to "solar photovoltaic system."

In the definition of "care services," Subsection F, "rest home (also nursing home)," to change "Department of Health Services" to "Department of Public Health."

To change the defined term "subdivision, conservation (also cluster or open space subdivision)" to "subdivision, conservation or cluster."

In the definition of "Town," to delete "Town of Thompson" preceding "County of Windham."

Section 275-3.1B is amended to change C.G.S. §§ 8-2 through 8-4 to C.G.S. §§ 8-2 through 8-4a.

Section 275-3.6B(2) is amended to change "Northeast" to "Northeastern."

Section 275-3.8A is amended to update Chapter 246, Sections 14-55 and 14-322, respectively, of the Connecticut General Statutes to C.G.S. §§ 14-54 and 14-321.

Section 275-4.2A is amended to change "land-use permit" to "zoning permit."

Section 275-4.6B is amended to change "the applicant may file with the Commission" to "the applicant shall file with the Commission."

Section 275-4.7C is amended to correct C.G.S. § 8-3c(g) to C.G.S. § 8-3(g)(1).

Section 275-4.9A is amended as indicated:

If the Commission approves an application with modifications or conditions, an approved site plan which incorporates such modifications or conditions must be submitted to the Commission by the applicant within 65 days of the date of approval ~~or as provided in C.G.S. § 8-2.~~

Section 275-4.10A and C are amended to change "certificate of occupancy/use" to "certificate of occupancy."

Section 275-5.3C is amended as indicated:

If the applicant elects to furnish the additional information required by the Commission, the applicant shall file with the Commission a written consent to the extension ~~for an~~

~~additional~~ of the period of time within which the Commission would otherwise be required by law to commence a public hearing.

Section 275-5.8A is amended to correct C.G.S. § 8-7a to § 8-7d(a).

Section 275-6.2A(1) is amended to change "Chairman" to "Chairperson."

The table of permitted uses for the Thompson Common Village District in § 275-9.2 is amended as follows:

In the entry for agriculture (livestock), both new and existing uses, to change the permit type from Zoning Permit, Simple to Zoning Permit with Site Plan Review by Commission.

The table of permitted uses in the Business Development District in § 275-10.2 is amended as follows:

In entry 14 for food and beverage stores, the permit type for existing uses is changed from Zoning Permit with Site Plan Review by Commission to Zoning Permit, Simple.

The table of permitted uses in the Thompson Corridor Development District in § 275-11.2 is amended as follows:

In entry 4, to revise the use type as indicated: "Single-family dwellings, two-family dwellings (including conversion), accessory apartments, ADUs"

Original Article 4E, Section 4, Subsection K, regarding parking areas in the rear of buildings, is repealed.

Section 275-14.1A(3)(i) is amended to change "Transfer Station" to "Transfer and Recycling Station."

Section 275-14.1B is amended as indicated:

Applicants for an NLE must submit a site plan for review and approval by the Commission, according to the requirements in Article 4, § 275-4.4, of these regulations, except in the Lake District where a special permit is required pursuant to § 275-4.4C.

Section 275-14.3E(3) is amended to change "wetlands" to "Inland Wetlands Commission."

The table of permitted uses in § 275-14.5B is amended as follows:

To change the entry for "Thompson Common Preservation District" to "Thompson Common Village District."

To change the entry for "Downtown Mill District" to "Downtown Mill Rehabilitation District."

Section 275-14.5D(1)(c) is amended as indicated: "For medium-scale installations subject to the criteria of the special permit, and for all large-scale installations, the above requirements shall be met..."

Section 275-14.5D(2)(e) is amended as indicated: "~~In~~ As far as is practicable, utility connections from the solar PV installation shall be underground."

Section 275-14.5E(1)(c) is amended as indicated: "'Open space' ~~means land set aside for parks, playgrounds, active or passive recreation or conservation purposes~~ shall be as defined in Article 2, § 275-2.4."

In § 275-14.6A, the reference to C.G.S. § 16-50 is corrected to § 16-50j.

In § 275-14.6E(12), the reference to C.G.S. § 16-50g is corrected to § 16-50aa.

Section 275-14.6E(14) is amended to change "National Register of Historic Places" to "National or State of Connecticut Register of Historic Places."

Section 275-14.7B(1) is amended as indicated: "Alcoholic liquor and alcoholic beverage; ~~restaurant and restaurant permit~~ shall be defined according to Chapter 545 of the Connecticut General Statutes, the Liquor Control Act."

Section 275-14.7C(1) is amended as indicated:

Cannabis, cannabis product, ~~cannabis~~ paraphernalia and cannabis establishment shall be defined according to ~~SB 1201, §§ 1 and 141-142~~ DEFINITIONS C.G.S. § 21a-420, Definitions, added by P.A. 21-1.

Section 14.7C(6) is amended to change "food and beverage establishments" to "food and beverage service establishments."

Section 275-14.8A and C are amended to change "adult entertainment establishment" to "adult entertainment business."

Section 275-14.8D is amended as indicated:

For the purposes of this section, the term "adult entertainment facility business" shall mean ~~adult bookstores, adult live entertainment establishments, adult motion picture theaters, adult mini-motion picture theaters, adult video stores and adult paraphernalia stores~~ those uses provided in the definition of "adult entertainment" in Article 2, § 275-2.3.

Section 275-14.8E(1), F, and G are amended to change "adult entertainment facility" and "adult entertainment facilities" to "adult entertainment business" and "adult entertainment businesses," respectively.

Section 275-14.9E is amended to change "food and service establishment" to "food and beverage service establishment."

Section 275-14.9F(3) is amended to change Board of Selectmen to Select Board.

Section 275-14.10A is amended as indicated:

Chapter 246, Section 14-54, of the Connecticut General Statutes designates the ZBA, ~~for populations under 20,000~~, as the agency for the Town charged with the authority to grant a certificate for the approval for the location of:

Section 275-14.10C is amended as indicated: "The ZBA shall hold a public hearing on any application under this section ~~and shall apply the criteria set forth in Section 14-55 of the Connecticut General Statutes.~~"

Section 275-14.10D(1) is amended to change "variance" to "use."

Section 275-15.2B(1) is amended as indicated:

For the purposes of this special provision, in the event of any discrepancy between the definition of terms and phrases used elsewhere in these regulations and those provided in the Flood Damage Prevention Ordinance, the definition of the terms or phrases in said ordinance shall take precedence.

Section 275-15.2C(1) and (2) is amended to change "Zoning Board of Appeals" to "Inland Wetlands Commission."

In § 275-15.3B(2)(e), the title of "Technical Release No. 55 Urban Hydrology, Engineering Division, Soil Conservation Service USDA, as amended," is corrected to "Technical Release No. 55, Urban Hydrology for Small Watersheds, Natural Resources Conservation Service, Conservation Engineering Division, United States Department of Agriculture, as amended."

Section 275-15.4G(1)(b) is amended as indicated:

~~LID is a design strategy to maintain, mimic or replicate pre-development hydrology through the use of numerous site design principles and small-scale treatment practices distributed throughout a site to manage runoff volume and water quality at the source. Low-impact development (LID) is defined in Article 2, § 275-2.3.~~

Section 275-15.5F(1) is amended to change "proposed parking spaces of 30 parking spaces or more" to "proposed parking areas of 30 parking spaces or more."

Section 275-15.6F(3) is amended as indicated: "Off-premises directional signs, which shall not be larger than eight square feet, except as required by § 275-7.4B(2)(a)."

Appendix A, Design Guidelines, attached to this chapter is amended to change "Downtown Mill District" to "Downtown Mill Rehabilitation District" in the second paragraph.

Appendix C, Interdepartmental Checklist, attached to this chapter is amended to change "Inland Wetlands Agent" to "Wetlands Agent" in the heading of that official's section.